

Title: The Zootechnical Standards (England) Regulations 2018 PIR No: N/A Original IA/RPC No: N/A Lead department or agency: Department for Environment Food and Rural Affairs Other departments or agencies: N/A Contact for enquiries: Rachel.Davis@Defra.gov.uk	Post Implementation Review
	Date: 07/12/2023
	Type of regulation: Domestic
	Type of review: Statutory
	Date measure came into force: 01/09/2018
	Recommendation: Replace
RPC Opinion: N/A	

1. What were the policy objectives of the measure? (Maximum 5 lines)

Zootechnical legislation is a voluntary regime that facilitates the equivalent trade of pedigree animals and germinal products and applies to bovine, equine, porcine, caprine and ovine species. It achieves this by creating standards which breed societies and others may choose to adopt to help promote their products internationally.

These standards give breed societies and breeders a number of rights. For example, the right for a pedigree bull from a recognised UK breed society to be automatically treated as a pedigree bull by an equivalent breed society in an EU member state or third country.

The Zootechnical Standards (England) Regulations 2018 supplement, and make provision for the enforcement of, Regulation (EU) 2016/1012 of the European Parliament and of the Council of 8 June 2016 (“the Animal Breeding Regulation”) in England.

This regulation designates the Secretary of State as the Competent Authority for the purposes of the Animal Breeding Regulation and provides that the Competent Authority is responsible for enforcement of that Regulation in England. They also make provision for certain administrative matters.

They also amend the Trade in Animals and Related Products Regulations 2011 to make provision in respect of border checks in certain circumstances envisaged by the Animal Breeding Regulation.

This regulation also makes revocations consequential on the coming into force of the Animal Breeding Regulation and require the Secretary of State to review the operation of these Regulations periodically.

The Zootechnical Standards (England) Regulations 2018 (‘the Zootech Regulations’) were retained alongside modified regulation (EU) 2016/1012 and other EU law relating to zootechnical standards when the UK exited the EU on 31 January 2020.

2. What evidence has informed the PIR? (Maximum 5 lines)

The evidence used to inform this PIR has been gained through;

- implementation of the legislation,
- discussions with Ministers, Devolved Administration colleagues, and stakeholders including breeding organisations,
- advice sought from our independent scientific advisory committee, the UK Genetics for Livestock and Equines (UKGLE) Committee.

During EU Exit preparations, Defra worked with breeding organisations to discuss the impact of EU Exit and ensure organisations understood the actions required of them.

Defra has also used the Zootech Regulations to carry out several official reviews of recognised breed societies where non-compliance with the legislation has been established which informed this post implementation review.

Defra's independent scientific advisory committee, the UK Genetics for Livestock and Equines (UKGLE) Committee provided advice which informed policy development.

3. To what extent have the policy objectives been achieved? (Maximum 5 lines)

Our retained legislation has enabled us to maintain an equivalent Zootechnical regime throughout the UK aligned to the EU. It has continued to enable third country listing of UK breeding organisations by the European Commission and the objectives of this regulation remain appropriate.

Since implementation, Defra has identified a small number of instances of unintentional non-compliance, for example, the regulations on grading up. It has also found that there is insufficient legal basis to carry out enforcement actions in certain circumstances, for example, in relation to how the transitional provisions of the Zootech Regulations applied to historic matters.

In response, Defra has identified potential amendments we would consider making to improve the clarity of the legislation to reduce ambiguity and facilitate compliance.

Sign-off for Post Implementation Review: Senior Economist and Minister

I have read the PIR, and I am satisfied that it represents a fair and proportionate assessment of the impact of the measure.

Signed:

Emily Cattell (Deputy Director, Defra Analysis and Insight Division)

A handwritten signature in blue ink that reads "A. Spencer".

Date: 7th December 2023

Further information sheet

Please provide additional evidence in subsequent sheets, as required.

4. What were the original assumptions? (Maximum 5 lines)

The Zootech Regulations were introduced in 2018 to implement the new Animal Breeding Regulation that was released in the EU.

As the UK were still a member of the EU at that time, it was assumed that the UK would continue to remain aligned to EU legislation to ensure;

- continued recognition of our approved breeding organisations.
- third country listing of UK breeding organisations at EU Exit.
- our continued trade on equivalent terms.

Our assumption to remain aligned to EU legislation to support third country listing of UK breeding organisations to support continued trade on equivalent terms still stands.

5. Were there any unintended consequences? (Maximum 5 lines)

Having applied the Zootech Regulations to carry out official reviews where non-compliance with the legislation has been established, Defra identified a consequence in relation to how the transitional provisions of the Zootech Regulations applied to historic matters.

The definitions and requirements of the retained EU legislation are open to interpretations, resulting in a lack of consistency and clarity which is causing unintentional non-compliance.

6. Has the evidence identified any opportunities for reducing the burden on business?

(Maximum 5 lines)

Providing clarity within UK animal breeding legislation would reduce ambiguity and remove the chance of any unintentional non-compliance, potentially reducing the burden on both industry and UK Government. For example, additional definitions within Article 2 of the Animal Breeding Regulation.

An economic assessment has been carried out and the indicative results suggest that the burden is less than the threshold requirement, so a full impact assessment is not required.

7. How does the UK approach compare with the implementation of similar measures internationally, including how EU member states implemented EU requirements that are comparable or now form part of retained EU law, or how other countries have implemented international agreements? (Maximum 5 lines)

As indicated above, the EU zootechnical regime was essentially retained by the UK when it exited the EU, albeit subject to some modifications to make EU regulations such as (EU) 2016/1012 operational domestically.

We are not aware of any intentions by the EU to amend their animal breeding legislation.

We are engaging with the European Commission to understand any impact our proposed amendments may have on our alignment with the EU Regulations, and therefore, our third country listing.