

2022 No. 1374

ANIMALS, ENGLAND

FOOD, ENGLAND

PLANT HEALTH, ENGLAND

**The Official Controls (Extension of Transitional Periods)
(Amendment) (England) Regulations 2022**

<i>Made</i>	- - - -	<i>19th December 2022</i>
<i>Laid before Parliament</i>		<i>20th December 2022</i>
<i>Coming into force</i>	- -	<i>30th December 2022</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by—

- (a) Article 144(6) of, and paragraph 2 of Annex 6 to, Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products(a);
- (b) paragraph 11A of Schedule 2 to the Trade in Animals and Related Products Regulations 2011(b).

In accordance with Article 144(7) of Regulation (EU) 2017/625, before making these Regulations, the Secretary of State has consulted such bodies and persons as appear to the Secretary of State to be representative of the interests likely to be substantially affected by these Regulations and such other bodies or persons as the Secretary of State considers appropriate.

Citation, commencement, extent and application

1. These Regulations—

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- (a) EUR 2017/625. Article 144 is substituted, and Annex 6 inserted, by S.I. 2020/1481. “Appropriate authority” is defined in Article 3(2A), which was inserted by S.I. 2020/1481. Relevant amendments to Annex 6 are S.I. 2021/809, 2021/1443 and 2022/621.
 - (b) S.I. 2011/1197; relevant amending instruments are S.I. 2019/1488, 2020/109, 2020/1462, 2020/1631, 2021/429, 2021/809, 2021/1096 and 2021/1443. Paragraph 11A of Schedule 2 is inserted by S.I. 2020/1631 and enables the Secretary of State to amend, modify or revoke any retained direct minor EU legislation made under Article 8(4) of Council Directive 2002/99/EC (O.J. No. L 18, 23.1.2008, p.11). S.I. 2020/1666, which is amended by regulation 2 of this instrument, amends Commission Decision 2000/572/EC (EUDN 2000/572). Commission Decision 2000/572/EC (O.J. No. L 240, 23.9.2000, p.19) was adopted under Council Directive 94/65/EC (O.J. No. L 368, 31.12.1994, p.10). Council Directive 94/65/EC was repealed by Directive 2004/41/EC of the European Parliament and of the Council (O.J. No. L 157, 30.4.2004, p.33), which provided in Article 4 that references to certain Directives, including Council Directive 94/65/EC, should be construed as being made, as the context demands, to Council Directive 2002/99/EC.

- (a) may be cited as the Official Controls (Extension of Transitional Periods) (Amendment) (England) Regulations 2022;
- (b) come into force on 30th December 2022;
- (c) extend to England and Wales; and
- (d) apply in relation to England only.

Amendment to the Meat Preparations (Amendment and Transitory Modification) (England) (EU Exit) Regulations 2020

2.—(1) The Meat Preparations (Amendment and Transitory Modification) (England) (EU Exit) Regulations 2020(a) are amended as follows.

(2) In regulation 3(1) (transitory modification of Commission Decision 2000/572/EC), for “31st December 2022” substitute “31st January 2024”.

Amendment to the Official Controls (Extension of Transitional Periods) Regulations 2021

3.—(1) The Official Controls (Extension of Transitional Periods) Regulations 2021(b) are amended as follows.

(2) In regulation 2 (end of the transitional staging period), for “31st December 2022” substitute “31st January 2024”.

Mark Spencer
Minister of State

19th December 2022

Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend, in relation to England, the Official Controls (Extension of Transitional Periods) Regulations 2021 (S.I. 2021/809) (“the 2021 Regulations”), to change the end date of “the transitional staging period” from 31st December 2022 to 31st January 2024 (regulation 3).

“The transitional staging period” is defined in paragraph 2 of Annex 6 to Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products (EUR 2017/625)). In accordance with that definition, the period ends, in relation to England, on the date appointed by the Secretary of State in the 2021 Regulations, as amended.

Regulation 2 amends the Meat Preparations (Amendment and Transitory Modification) (England) (EU Exit) Regulations 2020 (S.I. 2020/1666) to extend the temporary suspension of the requirement for meat preparations to be deep-frozen where they are imported into England from EEA member States, the Faroe Islands, Greenland or Switzerland until 31st January 2024, bringing it into line with the extended duration of the transitional staging period.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

(a) S.I. 2020/1666; relevant amending instruments are S.I. 2021/1443 and 2022/621; there are other amending instruments but none is relevant.

(b) S.I. 2021/809, amended by S.I. 2022/621; there are other amending instruments but none is relevant.

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