

**2022 No. 735**

**AGRICULTURE**

**ANIMALS**

**FOOD**

**The Import of Animals and Animal Products and Approved  
Countries (Amendment) Regulations 2022**

*Made* - - - -

*30th June 2022*

*Coming into force*

*1st July 2022*

The Secretary of State, in exercise of the powers conferred by section 8(1) and (6) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018(a), makes the following Regulations.

In accordance with paragraph 1(3) of Schedule 7 to that Act, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

**Citation, commencement and extent**

**1.**—(1) These Regulations may be cited as the Import of Animals and Animal Products and Approved Countries (Amendment) Regulations 2022.

(2) These Regulations come into force on the day after the day on which they are made.

(3) An amendment made by these Regulations has the same extent as the provision being amended.

**Amendment of Regulation (EC) No. 999/2001**

**2.**—(1) Regulation (EC) No. 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies(b) is amended as follows.

(2) In Article 5 (BSE classification)—

(a) in paragraph 6, for “inclusion in the list of countries or regions approved” substitute “approval”;

(b) in paragraph 7—

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(a) 2008 c. 16. Section 8 was amended by section 27 of the European Union (Withdrawal Agreement) Act 2020 (c. 1). Paragraph 21 of Schedule 7 was amended by paragraph 53 of Schedule 5 to that Act. Paragraph 38 of Schedule 7 is cited because it allows the combination of instruments subject to different Parliamentary procedures.

(b) EUR 2001/999; amended by S.I. 2019/170, S.I. 2019/588.

- (i) omit “to change”;
- (ii) omit “from a date specified in the decision”.
- (c) after paragraph 7 insert—

“7A. A decision under paragraph 7 must include the date from which the BSE classification for the country or region is to apply.

7B. A decision under paragraph 7 must be set out in a document published by the Secretary of State for the purposes of this Article.”.

- (3) In Annex 9 (importation)—

- (a) in Chapter B—

- (i) in Section A, in point (a), for “Commission Decision 2007/453/EC” substitute “this Regulation”;
- (ii) in Section B, in point (a), for “Decision 2007/453/EC” substitute “this Regulation”;
- (iii) in Section C, in point (a), for “Decision 2007/453/EC” substitute “this Regulation”;

- (b) in Chapter C—

- (i) in Section B, in points (a), (d), (e), (f), (g) and (h), for “Decision 2007/453/EC” substitute “this Regulation”;
- (ii) in Section C, in paragraphs 1(a) and 5(a), for “Decision 2007/453/EC” substitute “this Regulation”;
- (iii) in Section D, in paragraph 5(a), for “Decision 2007/453/EC” substitute “this Regulation”;

- (c) in Chapter D in Section B, in paragraphs 1(a)(ii) and (iii), 1(b), and 2(a) and (b), for “Decision 2007/453/EC” substitute “this Regulation”.

### **Amendment of Commission Regulation (EC) No. 798/2008**

**3.—**(1) Commission Regulation (EC) No. 798/2008 laying down a list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Community and the veterinary certification requirements<sup>(a)</sup> is amended as follows.

(2) In Article 1 (subject matter and scope), in paragraph 1, in the words after point (b), for “, territories, zones or compartments” substitute “and makes provision for the specification for the purposes of this Regulation by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), of territories, zones and compartments”.

- (3) In Article 2 (definitions), at the end insert—

“(23) “additional guarantees”, except in Annex 3, means the guarantees set out in the list headed “Additional guarantees (AG)” in Part 2 of Annex 1.”.

- (4) After Article 2, at the end of Chapter 1, insert—

*“Article 2a*

#### **Code of third country, territory, zone or compartment**

The Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article a system of words, letters or numbers representing, for the purposes of a veterinary certificate under this Regulation, a third country or a territory, zone or compartment of a third country.”.

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(a) EUR 2008/798, amended by S.I. 2020/1462, S.I. 2021/211 and 2021/1454.

(5) In Article 3 (lists of third countries, territories, zones or compartments of origin from which commodities may be imported into and transit through Great Britain)—

- (a) in the heading, omit “Lists of”;
- (b) for “the third countries, territories, zones or compartments” substitute “such of the third countries”;
- (c) for “columns 1 and 3” substitute “column 1”;
- (d) after “Annex 1”, insert “or a territory, zone or compartment of those third countries as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article”.

(6) After Article 4 insert—

*“Article 4a*

**Publication of closing dates and opening dates**

1. The Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article a closing date or an opening date in relation to a third country listed in Annex 1 or a territory, zone or compartment of any such third country.

2. Commodities produced on or before a closing date, including those transported on the high seas, may not be imported into Great Britain from the third country, territory, zone or compartment to which the closing date relates after 90 days from that date.

3. Where an opening date has been specified in relation to a third country, territory zone or compartment under paragraph 1, only commodities produced after that opening date may be imported into Great Britain from that country, territory, zone or compartment.”

(7) In Article 5 (conditions for import and transit)—

- (a) in paragraph 1—
  - (i) for point (b), substitute—

“(b) any additional guarantees that the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may require from time to time;”;
  - (ii) in point (c)—
    - (aa) for “the specific conditions set out in column 6”, substitute “such of the conditions set out in the list headed “Specific conditions” in Part 2 of Annex 1 as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article”;
    - (bb) for “the closing dates set out in column 6A” substitute “such closing dates as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify under Article 4a”;
    - (cc) for “the opening dates set out in column 6B” substitute “such opening dates as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify under Article 4a”;
    - (dd) omit “, of the table in Part 1 of Annex 1”;
  - (iii) in point (d)—
    - (aa) for “the conditions” substitute “subject to paragraph 3, such conditions”;

- (bb) for “which shall only apply when indicated in the appropriate column of the table in Part 1 of Annex 1” substitute “such as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article”;
- (b) after paragraph 1 insert—
  - “1A. Where the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), requires an additional guarantee under paragraph 1(b), the Secretary of State must specify the additional guarantee in a document published for the purposes of this Article.”;
- (c) in paragraph 2(b), at the end, insert “to the final consumer or to local retail establishments directly supplying the primary products to the final consumer, and which are certified in accordance with model veterinary certificate LT20”;
- (d) after paragraph 2 insert—
  - “3. In this Article, “salmonella control programme” is to be construed in accordance with the table headed “Salmonella control programme” in Part 2 of Annex 1.”.
- (8) In Article 10 (avian influenza surveillance programmes), in point (a), for “in column 7 of the table in Part 1 of Annex 1” substitute “by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), in a document published for the purposes of this Article”.
- (9) In Article 11 (vaccination against avian influenza), in point (a), for “in column 8 of the table in Part 1 of Annex 1” substitute “by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), in a document published for the purposes of this Article”.
- (10) After Article 18a but within Chapter 6 insert—

*“Article 18b*

**Matters relating to the exercise of powers under this Regulation**

1. The powers exercisable by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under the provisions listed in paragraph 2 may be exercised only where it is necessary or appropriate to do so in the light of an assessment of the risk to animal or public health in the United Kingdom, taking into account the criteria and matters specified in paragraph 3.
2. The provisions are—
  - (a) Article 3 (specification of third country or part thereof from which certain poultry and poultry products may be imported into Great Britain);
  - (b) Article 4a (power to specify an opening and closing date);
  - (c) in Article 5—
    - (i) paragraph 1(b) (requirement of additional guarantees);
    - (ii) paragraph 1(c) (specification of specific conditions);
    - (iii) paragraph 1(d) (specification of conditions relating to salmonella control);
  - (d) Article 10(a) (avian influenza control programme);
  - (e) Article 11(a) (vaccination against avian influenza).
3. Any assessment in respect of live poultry, hatching eggs (including specified pathogen free eggs), day-old chicks and poultry products which is relied upon for the purposes of paragraph 1 must have been approved by the Secretary of State, the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), taking into account the animal health criteria, the public health criteria and the following matters—

- (a) the assurances which the third country can give with regard to compliance with poultry health requirements in the third country;
  - (b) the degree of compliance with regulatory requirements in the United Kingdom relating to growth hormones and veterinary medicines.
4. Any assessment which is relied upon for the purposes of paragraph 1 must be appropriate to the circumstances and must have been approved by the Secretary of State, the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales).
5. Where the Scottish Ministers or the Welsh Ministers request that the Secretary of State exercise a power under a provision listed in paragraph 2 the Secretary of State must have regard to that request.
6. In this Article—
- “animal health criteria” means the criteria set out in Schedule 1 to the Trade in Animals and Animal Products (Legislative Functions) and Veterinary Surgeons (Amendment) (EU Exit) Regulations 2019(a);
  - “public health criteria” means the criteria set out in Schedule 2 to those Regulations.”.
- (11) In Annex 1—
- (a) in the heading to Part 1, omit “, territories, zones or compartments”;
  - (b) in the table in Part 1 (list of third countries, territories, zones or compartments)—
    - (i) omit column 2 (code of third country, territory, zone or compartment);
    - (ii) omit column 3 (description of third country, territory, zone or compartment);
    - (iii) in column 4—
      - (aa) in the eighth row relating to “IL – Israel”, omit “POU”;
      - (bb) in the second row relating to “IS – Iceland”, omit “EP, E”;
      - (cc) in the first row relating to “UA – Ukraine”, after “EP, E” insert “WGM, POU, RAT”;
      - (dd) omit all the other rows relating to “UA – Ukraine”;
      - (ee) in the first row relating to “US – United States”, after “SPF” insert “EP, E, WGM, POU, RAT, BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20”;
      - (ff) omit all the other entries relating to “US – United States”;
    - (iv) omit column 5 (Veterinary certificate – Additional Guarantees) (but not the heading “Veterinary certificate” to columns 4 and 5);
    - (v) omit columns 6 to 9 (specific conditions, avian influenza surveillance and avian influenza vaccination status);
    - (vi) in the remaining footnotes to the table—
      - (aa) omit the footnote relating to Switzerland;
      - (bb) omit the footnote relating to EU member States, Lichtenstein and Norway and Iceland.

**Amendment of Commission Regulation (EC) No. 119/2009**

4.—(1) Commission Regulation (EC) No. 119/2009 laying down lists of third countries or parts thereof, for imports into, or transit through, the Community of meat of wild leporidae, of certain wild land mammals and of farmed rabbits and the veterinary certification requirements(b), is amended as follows.

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(a) S.I. 2019/1225; amended by S.I. 2020/1462.

(b) EUR 2009/119, amended by S.I. 2020/1462, S.I. 2021/211.

(2) In Article 1 (subject matter and scope), in paragraph 1(a), in the words before point (i), for “or parts” substitute “and makes provision for the specification for the purposes of this Regulation by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), of third countries or parts”.

(3) For Article 2 (interpretation) substitute—

*“Article 2*

### **Interpretation**

For the purposes of this Regulation—

- (a) “additional guarantee” means the guarantee given under paragraph 2 of Article 2a;
- (b) “wild leporidae” means wild rabbits and hares.”.

(4) After Article 2, insert—

*“Article 2a*

### **Additional guarantees**

1. The Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may impose conditions relating to the protection of public health, animal health or food safety in Great Britain on the import of a commodity from a third country listed in Part 1 of Annex 1, or a part thereof.

2. The person exporting the commodity from the third country to Great Britain, or another person acting on their behalf, must provide evidence that any condition imposed under paragraph 1 in relation to the commodity is satisfied by giving an additional guarantee in accordance with the veterinary certificate for the commodity concerned.

3. The Secretary of State must publish any conditions imposed under paragraph 1 and the commodities to which they relate in a document published for the purposes of this Article.

*Article 2b*

### **Code of third country or part thereof**

The Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article a system of words, letters or numbers representing, for the purposes of a veterinary certificate under this Regulation, a third country listed in Part 1 of Annex 1, or part thereof.”.

(5) In Article 3 (lists of third countries or parts thereof from which commodities may be imported into, or transit through, Great Britain)—

- (a) in the heading, omit “Lists of”;
- (b) for “a third country or parts thereof” substitute “such of the third countries”;
- (c) after “Annex 1” insert “or parts thereof, as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article”.

(6) After Article 5 insert—

*“Article 5a*

### **Matters relating to the exercise of powers under this Regulation**

1. The powers exercisable by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under the provisions listed in paragraph 2 may be exercised only where it is necessary or appropriate to do so in the light of an assessment of the risk to animal or public health in the United Kingdom, taking into account the animal health criteria and the public health criteria.

2. The provisions are—

- (a) Article 2a (additional guarantees)
  - (b) Article 3 (specification of third countries or parts thereof from which commodities may be imported into, or transit through, Great Britain).
3. Any assessment which is relied upon for the purposes of paragraph 1 must have been approved by the Secretary of State, the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales).
4. Where the Scottish Ministers or the Welsh Ministers request that the Secretary of State exercise a power under a provision listed in paragraph 2, the Secretary of State must have regard to that request.
5. In this Article—
- “animal health criteria” means the criteria set out in Schedule 1 to the Trade in Animals and Animal Products (Legislative Functions) and Veterinary Surgeons (Amendment) (EU Exit) Regulations 2019;
  - “public health criteria” means the criteria set out in Schedule 2 to those Regulations.”.
- (7) In Annex 1 (meat of wild leporidae, certain wild land mammals and farmed rabbits), in Part 1 (list of third countries and parts thereof and additional guarantees)—
- (a) in the heading, omit “and parts thereof and additional guarantees”;
  - (b) in the table—
    - (i) omit column 2 (code of territory);
    - (ii) omit column 4 (wild rabbits – AG) (but not the headings “Wild” or “Leporidae”);
    - (iii) omit column 6 (farmed rabbits – AG) (but not the headings “Farmed rabbits” or “Leporidae”);
    - (iv) omit column 8 (wild land mammals other than ungulates and leporidae – AG) (but not the heading “wild land mammals other than ungulates and leporidae”);
  - (c) omit the footnote to the table relating to EU member States, Iceland, Liechtenstein and Norway.

#### **Amendment of Commission Regulation (EU) No. 206/2010**

**5.—(1)** Commission Regulation (EU) No. 206/2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements<sup>(a)</sup> is amended as follows.

(2) In Article 1 (subject matter and scope), in paragraph 2, for “territories or parts thereof” substitute “and makes provision for the specification for the purposes of this Regulation by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), of territories or parts thereof,”.

(3) In Article 2 (definitions), after point (h), insert—

- “(i) “specific condition” has the meaning given in Article 2c;
- (j) “supplementary guarantee”—
  - (i) in relation to ungulates, means the guarantee given under paragraph 2 of Article 2d;
  - (ii) in relation to fresh meat, means the guarantee given under paragraph 2 of Article 13b.”.

(4) After Article 2, but within Chapter 2, insert—

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(a) EUR 2010/206, amended by S.I. 2020/1462, S.I. 2021/211.

*“Article 2a*

**Publication of code representing country or part thereof**

The Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article a system of words, letters or numbers representing, for the purposes of a veterinary certificate under this Regulation, a third country listed in Annex 1 or Annex 2, or a territory or part thereof.

*Article 2b*

**Publication of closing date and opening date**

1. The Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article a “closing date” or an “opening date” in relation to a third country listed in Annex 2, or a territory or part thereof.

2. Meat from animals slaughtered on or before a closing date may be imported into Great Britain from the country or territory to which the closing date relates for 90 days from that date. Consignments carried on vessels on the high seas may be imported into Great Britain from the country or territory to which the closing date relates if certified before the closing date for 40 days from that date.

3. Where an opening date has been specified in relation to a third country or territory or part thereof under paragraph 1, only meat slaughtered on or after that opening date may be imported into Great Britain from that country or part.

*Article 2c*

**Specific conditions – live ungulates and fresh meat**

1. The Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may impose a specific condition on the introduction of an ungulate into Great Britain, or on the importation of fresh meat of an ungulate intended for human consumption into Great Britain.

2. The Secretary of State must publish any specific condition required under this Article in a document published for the purposes of this Article.

3. “Specific condition” means one of the conditions set out in the list headed “Specific Conditions (see footnotes in each certificate)” in Annex 1.

*Article 2d*

**Supplementary guarantees – live ungulates**

1. The Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may impose conditions relating to the protection of public health, animal health or food safety in Great Britain on the import of an ungulate into Great Britain from a third country listed in column 1 of Annex 1, or a territory or part thereof.

2. The person exporting the ungulate from the third country to Great Britain, or another person acting on their behalf, must provide evidence that any condition imposed under paragraph 1 in relation to the ungulate is satisfied by giving a supplementary guarantee in accordance with the veterinary certificate for the ungulate concerned.

3. The Secretary of State must publish any conditions imposed under paragraph 1 in a document published for the purposes of this Article.”.

(5) In Article 3 (general conditions for the introduction of ungulates into Great Britain)—

(a) in point (a)—



- (i) for “the third countries, territories or parts thereof” substitute “such of the third countries”;
  - (ii) for “columns 1, 2 and 3” substitute “column 1”;
  - (iii) after “Annex 1”, in the first place it appears, insert “or a territory or part of any such third country, as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article”;
- (b) in point (b), for “the specific conditions” to “Annex 1” substitute “any specific conditions that the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may require under Article 2c”;
- (c) for point (c)(i) substitute—
- “(i) any supplementary guarantees laid down in that certificate that the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may require under Article 2d;”.
- (6) In Article 3a (conditions for the introduction of ungulates intended for an approved body, institute or centre), in paragraph 1(b)—
- (a) in the words before point (i), omit “a third country, territory or part thereof which is included in one of the lists set out in”;
  - (b) in point (i)—
    - (i) at the beginning, insert “such of the third countries included in one of the lists set out in”;
    - (ii) after “Regulation” insert “, or territories or parts thereof, as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales) may specify in a document published for the purposes of this Article”;
  - (c) in point (ii), at the beginning insert “a third country, territory or part thereof which is included in one of the lists set out in, or specified by the Secretary of State in accordance with”.
- (7) In Article 7 (general conditions for the introduction into Great Britain of certain species of bees)—
- (a) in paragraph 1—
    - (i) in the words before point (a), omit “third countries or territories”;
    - (ii) in point (a)—
      - (aa) at the beginning insert “such third countries”;
      - (bb) at the end insert “, or territories or parts thereof, as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this paragraph”;
    - (iii) in point (b), at the beginning insert “third countries or territories”;
  - (b) in paragraph 2, in the words before point (a), after “Annex 2” insert “and specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), in a document published for the purposes of this paragraph,”.
- (8) In Article 14 (general conditions for the importation of fresh meat)—
- (a) in point (a)—
    - (i) for “the third countries, territories or parts thereof” substitute “such of the third countries”;
    - (ii) for “columns 1, 2 and 3” substitute “column 1”;

- (iii) after “Annex 2”, in the first place it appears, insert “or a territory or part of any such third country, as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article”;
  - (b) in point (b), for “the specific conditions” to “Annex” substitute “any specific conditions that the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may require under Article 2c”;
  - (c) for point (c)(i), substitute—
    - “(i) any supplementary guarantees that the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may require under Article 14b(2);”.
- (9) After Article 14 insert—

*“Article 14b*

**Supplementary guarantees, fresh meat**

1. The Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may impose conditions relating to the protection of public health, animal health or food safety in Great Britain on the import into Great Britain of a consignment of meat intended for human consumption from a third country listed in column 1 of Annex 2, or a territory or part thereof.
  2. The person exporting the consignment from the third country to Great Britain, or another person acting on their behalf, must provide evidence that any condition imposed under paragraph 1 in relation to the consignment is satisfied by giving a supplementary guarantee in accordance with the veterinary certificate for the consignment concerned.
  3. The Secretary of State must publish any conditions imposed under paragraph 1 in a document published for the purposes of this Article.”
- (10) In Article 16 (transit and storage of fresh meat), in point (a)—
- (a) for “the third countries, territories or parts thereof” substitute “such of the third countries”;
  - (b) for “columns 1, 2 and 3” substitute “column 1”;
  - (c) after “Annex 2” insert “or territory or part of any such third country, as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article”.
- (11) Before Article 18 but within Chapter 4 insert—

*“Article 17b*

**Matters relating to the exercise of powers under this Regulation**

1. The powers exercisable by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under the provisions listed in paragraph 2 are exercisable only where it is necessary or appropriate to do so in the light of an assessment of the risk to animal or public health in the United Kingdom, taking into account the public health criteria and matters specified in paragraph 3.
2. The provisions are—
  - (a) Article 2b (specification of closing date and opening date);
  - (b) Article 2c (specific conditions – live ungulates and fresh meat);
  - (c) Article 2d (supplementary guarantees – live ungulates);
  - (d) in Article 3 (specification of third country, territory or part thereof from which ungulates may be imported into Great Britain), paragraph 1;

- (e) in Article 3a (specification of third country, territory or part thereof from which ungulates may be imported into Great Britain for an approved body, institute or centre), paragraph 1(b)(i);
- (f) in Article 7, (specification of third country or part thereof from which certain species of bees may be imported into Great Britain), paragraph 1(a) and paragraph 2;
- (g) in Article 14 (general conditions for the import into Great Britain of fresh meat), point (a);
- (h) in Article 14b (supplementary guarantees – fresh meat), paragraph 1;
- (i) Article 16 (specification of third countries and parts thereof authorised for the transit and storage of fresh meat).

3. Any assessment which is relied on for the purposes of paragraph 1 with regard to imports of ungulate animals listed in Annex 1 to Council Directive 2004/68/EC must be appropriate to the circumstances and have been approved by the Secretary of State, the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), taking into account—

- (a) the health status of livestock, other domestic animals and wildlife and the environmental situation in the third country, with particular regard to the general situation as regards animal health in the third country and any animal disease that is exotic, notifiable or reportable in the United Kingdom that may pose a risk to the health and environmental situation of the United Kingdom;
- (b) the legislation of the third country in relation to animal health and welfare;
- (c) the organisation of the competent veterinary authority and its inspection services in the third country, the powers available to undertake those services, the supervision to which they are subject, and the means at their disposal, including staff and laboratory capacity, to apply the third country's legislation effectively;
- (d) the assurances which the competent veterinary authority of the third country can give regarding compliance with legislation in that country that is of relevance to protection of animal health in the United Kingdom;
- (e) whether the third country is a member of the OIE, and the regularity and rapidity of the information supplied by the third country relating to the existence of infectious or contagious animal diseases in its territory, in particular those diseases listed by the OIE;
- (f) the assurances given by the third country to inform the United Kingdom within 24 hours of the confirmation of the occurrence of any diseases of ungulates listed in Annex 2 to Council Directive 2004/68/EC and of any change in the vaccination policy concerning such diseases, or any proposed changes in the national health rules concerning live ungulate animals, in particular regarding importation;
- (g) any experience of previous imports of live animals from the third country and the results of any import controls carried out;
- (h) the animal health requirements applying to the production, manufacture, handling, storage and dispatch of products of animal origin intended for Great Britain;
- (i) the results of inspections or audits carried out in the third country, in particular the results of the assessment of the competent authorities of those inspections or audits;
- (j) the rules on the prevention and control of infectious or contagious animal diseases in force in the third country and their implementation, including rules on importation from other third countries.

4. Any assessment which is relied upon for the purposes of paragraph 1 with regard to the imports of fresh meat in accordance with Council Directive 2002/99/EC must be

appropriate to the circumstances and must have been approved by the Secretary of State the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales).

5. Where the Scottish Ministers or the Welsh Ministers request that the Secretary of State exercise a power under a provision listed in paragraph 2, the Secretary of State must have regard to that request.

6. In this Article—

“the OIE” means the World Organisation for Animal Health;

“public health criteria” means the criteria set out in Schedule 2 to the Trade in Animals and Animal Products (Legislative Functions) and Veterinary Surgeons (Amendment) (EU Exit) Regulations 2019(a).”.

(12) In Annex 1 (ungulates), in Part 1 (list of third countries, territories or parts thereof), in the table—

- (a) in the heading, omit “, territories or parts thereof”;
- (b) omit the row relating to “PM – St. Pierre and Miquelon”;
- (c) omit column 2 (code of territory);
- (d) omit column 3 (description of third country, territory or part thereof);
- (e) omit column 5 (veterinary certificate - SG) (but not the heading “Veterinary certificate”);
- (f) omit column 6 (specific conditions);
- (g) in the remaining footnotes to the table—
  - (i) omit the footnote relating to Switzerland;
  - (ii) omit the footnote relating to EU member States, Liechtenstein and Norway.

(13) In Annex 2 (fresh meat), in Part 1 (list of third countries, territories or parts thereof)—

- (a) in the table—
  - (i) in the heading omit “, territories and parts thereof”;
  - (ii) omit the row that includes territory code “AR-1”, relating to “AR – Argentina”;
  - (iii) omit the row that includes territory code “AR-2”, relating to “AR – Argentina”;
  - (iv) omit the row that includes territory code “AR-3”, relating to “AR – Argentina”;
  - (v) omit the row that includes territory code “AR-4”, relating to “AR – Argentina”;
  - (vi) omit the row that includes territory code “BR-1”, relating to “BR – Brazil”;
  - (vii) omit the row that includes territory code “BR-2”, relating to “BR – Brazil”;
  - (viii) omit the row that includes territory code “BR-3”, relating to “BR – Brazil”;
  - (ix) omit the row that includes territory code “BR-4”, relating to “BR – Brazil”;
  - (x) omit the row that includes territory code “BW-1”, relating to “BW – Botswana”;
  - (xi) omit the row that includes territory code “BW-2”, relating to “BW – Botswana”;
  - (xii) omit the row that includes territory code “BW-3”, relating to “BW – Botswana”;
  - (xiii) omit the row that includes territory code “BW-4”, relating to “BW – Botswana”;
  - (xiv) omit the row that includes territory code “BW-5”, relating to “BW – Botswana”;
  - (xv) omit the row that includes territory code “NA-1”, relating to “NA – Namibia”;
  - (xvi) omit the row that includes the second instance of territory code “PY-0”, relating to “PY – Paraguay”;
  - (xvii) omit the row that includes territory code “RU-1”, relating to “RU – Russia”;
  - (xviii) omit the row that includes territory code “SZ-1”, relating to “SZ – Swaziland”;

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(a) S.I. 2019/1225; amended by S.I. 2020/1462.

- (xix) omit the row that includes territory code “SZ-2”, relating to “SZ – Swaziland”;
- (xx) omit the row that includes territory code “TR-1”, relating to “TR – Turkey”;
- (xxi) omit the second and third row relating to “UY – Uruguay”;
- (xxii) omit columns 2 (code of territory) and 3 (description of third country, territory or part thereof);
- (xxiii) in column 4 (veterinary certificate – model(s))—
  - (aa) in the entry relating to “AR – Argentina”, after “EQU” insert “BOV, OVI, RUF, RUW”;
  - (bb) in the entry relating to “BR – Brazil”, after “EQU” insert “BOV”;
  - (cc) in the entry relating to “BW – Botswana”, after “EQW” insert “BOV, OVI, RUF, RUW”;
  - (dd) in the entry relating to “NA – Namibia”, after “EQW” insert “BOV, OVI, RUF, RUW”;
  - (ee) in the entry relating to “PY – Paraguay”, after “EQU” insert “BOV”;
  - (ff) in the entry relating to “RU – Russia” insert “RUF”;
  - (gg) in the entry relating to “SZ – Swaziland”, after “EQW” insert “BOV, RUF, RUW”;
  - (hh) in the entry relating to “TR – Turkey” insert “EQU”;
  - (ii) in the entry relating to “UY – Uruguay”, after “EQU” insert “BOV, OVI”;
- (xxiv) omit column 5 (veterinary certificate - SG) (but not the heading “veterinary certificate”);
- (xxv) omit columns 6 (specific conditions), 7 (closing date) and 8 (opening date);
- (b) in the remaining footnotes to the table—
  - (i) omit the footnote relating to Switzerland;
  - (ii) omit the footnote relating to EU member States, Liechtenstein and Norway;
- (c) omit the section headed ““1” Category restrictions”.

#### **Amendment of Commission Regulation (EU) No. 605/2010**

**6.—(1)** Commission Regulation (EU) No. 605/2010 laying down animal and public health and veterinary certification conditions for the introduction into the European Union of raw milk, dairy products, colostrum and colostrum-based products intended for human consumption<sup>(a)</sup> is amended as follows.

(2) In Article 2 (importation of raw milk, dairy products, colostrum and colostrum-based products from third countries or parts thereof listed in column A of Annex 1)—

- (a) in the heading, omit “listed in column A of Annex 1”;
- (b) in the unnumbered paragraph, for the words from “the third” to the end” substitute “such of the third countries listed in Annex 1, or parts thereof, as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article”.

(3) In Article 3 (imports of certain dairy products from third countries or parts not at risk of foot-and-mouth disease)—

- (a) in the heading, for “listed in column B of Annex 1” substitute “not at risk of foot-and-mouth disease”;
- (b) in the unnumbered paragraph, for the words before point (a), substitute—

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(a) EUR 2010/605, amended by S.I. 2020/1462, S.I. 2021/211.

“The appropriate authority shall authorise the importation of consignments of dairy products derived from raw milk of cows, ewes, goats or buffaloes from such of the third countries listed in Annex 1, or parts thereof, not at risk from foot-and-mouth disease as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article, provided that such dairy products have undergone, or been produced from raw milk which has undergone, a pasteurisation treatment involving a single heat treatment—”.

(4) In Article 4 (imports of certain dairy products from third countries or parts thereof at risk of foot-and-mouth disease)—

- (a) in the heading, for “listed in column C of Annex 1” substitute “at risk of foot-and-mouth disease”;
- (b) in paragraph 1, for the words before point (a) substitute—

“1. The appropriate authority shall authorise the importation of consignments of the dairy products listed in paragraph 1A, provided that the dairy products have undergone, or been produced from raw milk which has undergone, a heat treatment involving—”;

(c) after paragraph 1 insert—

“1A. The dairy products referred to in paragraph 1 are—

- (a) dairy products derived from raw milk of cows, ewes, goats or buffaloes from such of the third countries or territories listed in Annex 1 (excluding the Emirates of Abu Dhabi and Dubai of the United Arab Emirates), or parts thereof, at risk of foot-and-mouth disease as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this paragraph;
- (b) dairy products derived from raw milk from camels of the species *Camelus dromedarius* from the Emirates of Abu Dhabi and Dubai of the United Arab Emirates, or parts thereof, where such products are specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), in a document published for the purposes of this paragraph.”;
- (d) in paragraph 2, in the words before point (a), for the words from “the third countries” to “column C of Annex 1” substitute “such of the third countries listed in Annex 1 or parts thereof, at risk of foot-and-mouth disease as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this paragraph”.

(5) After Article 8 insert—

“Article 8a

#### **Matters relating to the exercise of powers under this Regulation**

1. The powers exercisable by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under the provisions listed in paragraph 2 may be exercised only where it is necessary or appropriate to do so in the light of an assessment of the risk to animal or public health in the United Kingdom, taking into account the animal health criteria and the public health criteria.

2. The provisions are—

- (a) Article 2 (importation of raw milk, dairy products, colostrum and colostrum-based products from third countries or parts thereof);
- (b) Article 3 (importation of dairy products from third countries or parts thereof not at risk of foot-and-mouth disease);
- (c) in Article 4 (importation of dairy products from third countries or parts thereof at risk of foot-and-mouth disease ), paragraphs 1A(a) and (b) and 2.

3. Any assessment which is relied upon for the purposes of paragraph 1 must have been approved by the Secretary of State, the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales).

4. Where the Scottish Ministers or the Welsh Ministers request that the Secretary of State exercise a power under a provision listed in paragraph 2 the Secretary of State must have regard to that request.

5. In this Article—

“animal health criteria” means the criteria set out in Schedule 1 to the Trade in Animals and Animal Products (Legislative Functions) and Veterinary Surgeons (Amendment) (EU Exit) Regulations 2019(a);

“public health criteria” means the criteria set out in Schedule 2 to those Regulations.”.

(6) In Annex 1 (list of third countries or parts thereof authorised for the introduction into Great Britain of consignments of raw milk, dairy products, colostrum and colostrum-based products and indicating the type of heat treatment required for such commodities)—

(a) in the heading, omit “or parts thereof”;

(b) in the table—

(i) in the heading to the second column, omit “or part thereof”;

(ii) omit the third column (column A);

(iii) omit the fourth column (column B);

(iv) omit the fifth column (column C);

(c) in the remaining footnotes to the table—

(i) in footnote a, for “in column A” substitute “by the Secretary of State with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales)”;

(ii) omit the second footnote labelled “(\*\*)” (Switzerland);

(iii) omit the footnote labelled “#”, relating to Iceland.

### **Amendment of Commission Regulation (EU) No. 142/2011**

7.—(1) Commission Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 2009/1069 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive(b) is amended as follows.

(2) In Chapter 1 of Annex 14 (importation, export and transit)—

(a) in the Table 1 in Section 1, in column 5—

(i) in row 2 (blood products for feed material), in point (a)—

(aa) omit “or parts of third countries”;

(bb) after “206/2010” insert “, or territories or parts of those third countries, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 14 of that Regulation in a document published for the purposes of that Article”;

(ii) in row 4 (milk and colostrum-based products), for point (b) substitute—

“(b) in the case of colostrum and colostrum products third countries listed in Annex 1 to Regulation (EU) No 605/2010 and specified by the Secretary of State, with the

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(a) S.I. 2019/1225; amended by S.I. 2020/1462.

(b) EUR 2011/142, amended by S.I. 2020/1388.

- consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 2 of that Regulation in a document published for the purposes of that Article.”;
- (iii) in row 9 (egg products)—
    - (aa) omit “or parts of third countries”;
    - (bb) after “798/2008” insert “, or territories, zones or compartments of those third countries, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 3 of that Regulation in a document published for the purposes of that Article”;
  - (b) in Section 4 (imports from third countries of milk, milk-based products etc.), in point A.2, in the words before point (a)
    - (i) for “so authorised in column ‘A’ of Annex 1 to” substitute “, or parts of those third countries, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 2 of”;
    - (ii) after “605/2010” insert “in a document published for the purposes of that Article”.
- (3) In Chapter 2 of Annex 14, in column 5 of Table 2—
- (a) in row 2 (blood products, excluding from equidae, for the manufacture of derived products for uses outside the feed chain for farmed animals)—
    - (i) in point (a)—
      - (aa) omit “or parts of third countries”;
      - (bb) after “206/2010” insert “, or territories or parts of those third countries, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 14 of that Regulation in a document published for the purposes of that Article”;
    - (ii) in point (b)—
      - (aa) omit “or parts of third countries”;
      - (bb) after “798/2008” insert “, or territories, zones or compartments of those third countries, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 3 of that Regulation in a document published for the purposes of that Article”;
  - (b) in row 3 (blood and blood products from equidae)—
    - (i) for point (a) substitute—
      - “(a) in the case of blood that has been collected in accordance with point 1 of Chapter IV of Annex 13 or where blood products have been produced in accordance with point 2(b)(i) of that Chapter: Third countries listed in Annex 1 to Commission Implementing Regulation (EU) 2018/659 on the conditions for the entry into the Union of live equidae and of semen, ova and embryos of live equidae, or parts of the territory of those third countries, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 3, 4 or 5 of that Regulation in a document published for the purposes of the Article in question, from which the importation of equidae is authorised for breeding and production.”;
    - (ii) in point (b), after “206/2010” insert “, or territories or parts of those third countries, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 14 of that Regulation in a document published for the purposes of that Article”;
  - (c) in row 4 (fresh or chilled hides and skins of ungulates)—



- (i) omit “, or, in the case of regionalisation in accordance with retained EU law, a part of a third country”;
  - (ii) after “206/2010” insert “, or any territory or part of any such third country, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 14 of that Regulation in a document published for the purposes of that Article”;
- (d) in row 5 (treated hides and skins of ungulates), in point (a)—
- (i) omit “or parts of third countries”;
  - (ii) at the end insert “, or any territories or parts of those third countries specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 14 of that Regulation in a document published for the purposes of that Article”;
- (e) in row 6 (game trophies and other preparations from animals), in point (b)(i) after “798/2008” insert “, or territories, zones or compartments of those third countries, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 3 of that Regulation in a document published for the purposes of that Article”;
- (f) in row 7 (pig bristles), in point (a)—
- (i) omit “or, in the case of regionalisation, regions thereof”;
  - (ii) after “206/2010” insert “, or in the case of regionalisation, any territories or parts of those third countries specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 3 of that Regulation in a document published for the purposes of the Article”;
- (g) in row 8 (untreated wool and hair produced from animals other than those of the porcine species), in paragraph 2—
- (i) in the words before point (a), for “or region thereof” substitute “listed in Part 1 of Annex 2 to Regulation (EU) No. 206/2010, or territory or part thereof, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 14 of that Regulation in a document published for the purposes of that Article and—”;
  - (ii) in point (a)—
    - (aa) omit “listed in Part 1 of Annex 2 to Regulation (EU) No. 206/2010 and”;
    - (bb) for “therein” substitute “in Regulation (EU) No. 206/2010”;
- (h) in row 12 (petfood including dogchews), in point (a)—
- (i) after “206/2010” insert “, or territories or parts of those third countries, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 14 of that Regulation in a document published for the purposes of that Article”;
  - (ii) after “or” in the first place it appears insert “third countries listed”;
  - (iii) after “798/2008” insert “, or territories, zones or compartments of those third countries, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 3 of that Regulation in a document published for the purposes of that Article”;
- (i) in row 13 (flavouring innards for the manufacture of petfood)—
- (i) after “206/2010” insert “, or territories or parts of those third countries, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 14 of that Regulation in a document published for the purposes of that Article”;

- (ii) after “798/2008” insert “, or territories, zones or compartments of those third countries, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 3 of that Regulation in a document published for the purposes of that Article”;
    - (iii) after “119/2009” insert “, or parts of those third countries, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 3 of that Regulation in a document published for the purposes of that Article”;
  - (j) in row 14 (animal by-products for the manufacture of petfood other than raw petfood and of derived products for uses outside the feed chain)—
    - (i) in point (a)(i)—
      - (aa) omit “or parts of third countries”;
      - (bb) after “206/2010” insert “, or territories or parts of those third countries, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 14 of that Regulation in a document published for the purposes of that Article”;
    - (ii) in point (a)(ii)—
      - (aa) omit “or parts of third countries”;
      - (bb) after “798/2008” insert “, or territories, zones or compartments of those third countries, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 3 of that Regulation in a document published for the purposes of that Article”;
    - (iii) in point (c), after “206/2010” insert “, or territories or parts of those third countries, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 14 of that Regulation in a document published for the purposes of that Article”;
  - (k) in row 15 (animal by-products for use as raw petfood)—
    - (i) after “206/2010” insert “, or territories or parts of those third countries, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 14 of that Regulation in a document published for the purposes of that Article”;
    - (ii) after “798/2008” insert “, or territories, zones or compartments of those third countries, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 3 of that Regulation in a document published for the purposes of that Article”;
  - (l) in row 16 (animal by-products for use in feed for fur animals)—
    - (i) after “206/2010” insert “, or territories or parts of those third countries, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 14 of that Regulation in a document published for the purposes of that Article”;
    - (ii) after “798/2008” insert “, or territories, zones or compartments of those third countries, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 3 of that Regulation in a document published for the purposes of that Article”.
- (4) In Chapter 3 of Annex 14—
- (a) in Section 1 (research and diagnostic samples), in point (c)(ii)—

- (i) omit from “or parts” to “authorised”;
  - (ii) after “206/2010 insert “, or territories or parts of those third countries, from which imports into Great Britain of fresh meat of domestic bovine animals are authorised by virtue of being specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 14 of that Regulation in a document published for the purposes of that Article”;
- (b) in Section 2 (import and transit of trade samples), for point 1(a)(ii) substitute—
- “(ii) in the case of trade samples which consist of milk, milk-based products or milk-derived products, third countries listed in Annex 1 to Regulation (EU) No 605/2010 and specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 2, 3 or 4 of that Regulation in a document published for the purposes of the Article in question.”.

#### **Amendment of Commission Decision 2006/168/EC**

**8.**—(1) Commission Decision 2006/168/EC establishing the animal health and veterinary certification requirements for imports into the Community of bovine embryos(a) is amended as follows.

- (2) In Annex 1, in the footnotes following the table, omit footnote c.

#### **Amendment of Commission Decision 2007/453/EC**

**9.**—(1) Commission Decision 2007/453/EC establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk(b) is amended as follows.

- (2) In Article 1 (BSE status of countries or regions)—
- (a) omit paragraph 1;
  - (b) in paragraph 2, for “However, the” substitute “The”.
- (3) Omit the Annex (list of countries or regions).

#### **Amendment of Commission Decision 2007/777/EC**

**10.**—(1) Commission Decision 2007/777/EC laying down the animal and public health conditions and model certificates for imports of certain meat products and treated stomachs, bladders and intestines for human consumption from third countries(c) is amended as follows.

- (2) After Article 1 (subject matter and scope) insert—

*“Article 1a*

#### **Publication of code representing part of a country in Annex 2**

The Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may for the purposes of an animal and public health certificate under this Decision specify, in a document published for the purposes of this Article, a system of words, letters or numbers representing a part of a third country listed in Part 2 or 3 of Annex 2.”.

- (3) In Article 3(b) (animal health requirements concerning the origin and treatment of meat products and treated stomachs, bladders and intestines)—
- (a) in the words before point (i) for “and” substitute “or”;

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(a) EUDN 2006/168, which is amended by S.I. 2020/1462; there is another amending instrument but it is not relevant to this instrument.  
 (b) EUDN 2007/453, amended by S.I. 2019/170.  
 (c) EUDN 2007/777, amended by S.I. 2020/1462, S.I. 2021/211.

- (b) in point (i)—
    - (i) for “listed”, in the first place it appears, substitute “identified with the code “AP” in the table”;
    - (ii) for “and the parts thereof” to the end, substitute “, or any parts thereof that the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this point”;
  - (c) in point (ii)—
    - (i) after “Annex 1,” insert “such of”;
    - (ii) for “listed”, in the first place it appears, substitute “identified with the code “AP” in the table”;
    - (iii) for “and the parts thereof” to the end, substitute “or any parts thereof that the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this point”.
- (4) In Article 5 (consignments of meat products and treated stomachs, bladders and intestines in transit or storage in Great Britain),—
- (a) renumber the unnumbered paragraph as paragraph 1;
  - (b) in point (a) of paragraph 1 (as renumbered by this paragraph)—
    - (i) omit “or a part thereof”;
    - (ii) after “Annex 2” insert “or any parts thereof that the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this point.”;
    - (iii) omit “provided for therein”.
  - (c) after paragraph 1 (as renumbered by this paragraph) insert—
 

“2. In point (a) of paragraph 1, “the minimum treatment” is whichever of the specific treatments set out in Part 4 of Annex 2 that the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), specifies in a document published for the purposes of that paragraph as being the minimum treatment.”.
- (5) After Article 5 insert—

*“Article 5a*

**Matters relating to the exercise of powers under this Decision**

1. The powers exercisable by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under the provisions listed in paragraph 2 may be exercised only where it is necessary or appropriate to do so in the light of an assessment of the risk to animal or public health in the United Kingdom, taking into account the animal health criteria and the public health criteria.
2. The provisions are—
  - (a) Article 3(b)(i) (specification of third country or part thereof from which certain meat products not subject to specific treatment may be imported into Great Britain);
  - (b) Article 3(b)(ii) (specification of third country or part thereof from which certain meat products subject to specific treatment may be imported into Great Britain);
  - (c) in Article 5—
    - (i) paragraph 1(a) (specification of third country or part thereof from which certain meat products may be imported into Great Britain for transit to a further third country);

- (ii) paragraph 2 (specification of minimum treatment for certain meat products which are to be imported into Great Britain for transit to a further third country).
- (d) in Annex 1—
  - (i) paragraph 2(a)(ii) (specification of treatment for certain meat products);
  - (ii) paragraph 2(b)(i) (specification of treatment for certain meat products from more than one animal or animals of more than one species);
  - (iii) paragraph 2(b)(ii) (severity of final treatment for certain meat products);
  - (iv) paragraph 2(c)(ii) (severity of treatment for certain meat products made for mixing previously treated meat);
  - (v) the first sub-paragraph of paragraph 3 (specification of part of a third country from which certain meat products may be imported into Great Britain for transit to a further third country);
  - (vi) the second sub-paragraph of paragraph 3 (specification of treatment for certain unauthorised offal).
- 3. Any assessment which is relied upon for the purposes of paragraph 1 must have been approved by the Secretary of State, the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales).
- 4. Where the Scottish Ministers or the Welsh Ministers request that the Secretary of State exercise a power under a provision listed in paragraph 2 the Secretary of State must have regard to that request.
- 5. In this Article—
  - “animal health criteria” means the criteria set out in Schedule 1 to the Trade in Animals and Animal Products (Legislative Functions) and Veterinary Surgeons (Amendment) (EU Exit) Regulations 2019(a);
  - “public health criteria” means the criteria set out in Schedule 2 to those Regulations.”.
- (6) In Annex 1—
  - (a) in paragraph 2(a)—
    - (i) in point (i), for “set out under” substitute “indicated by the code “AP” in”;
    - (ii) for point (ii) substitute—
      - “(ii) have undergone any specific treatment, as set out in Part 4 of Annex 2, for meat of that species or animal that the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this point”;
  - (b) in paragraph 2(b)—
    - (i) in point (i)—
      - (aa) for “set out under” substitute “indicated by the code “AP” in”;
      - (bb) for “their final treatment” substitute “such final treatment”;
      - (cc) at the end insert “, as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this point”;
    - (ii) in point (ii)—
      - (aa) for “treatment”, in the second place where it appears, substitute “of the treatments”;
      - (bb) for “set out under the relevant column in Parts 2 and 3 of Annex 2” substitute “the Secretary of State, with the consent of the Scottish Ministers (in relation

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(a) S.I. 2019/1225; amended by S.I. 2020/1462.

to Scotland) and the Welsh Ministers (in relation to Wales) may specify in a document published for the purposes of this point”;

- (c) in paragraph 2(c)(ii)—
  - (i) for “the relevant treatment” substitute “such of the treatments” ;
  - (ii) after “Part 4 of Annex 2” insert “as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales) may specify in a document published for the purposes of this point”;
  - (iii) omit “as set out under the relevant column in Parts 2 and 3 of Annex 2”.
- (d) in the first sub-paragraph of paragraph 3—
  - (i) omit “or parts thereof”;
  - (ii) after “Annex 2”, in the second place where it appears, insert “or such parts thereof as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this paragraph”;
- (e) in the second sub-paragraph of paragraph 3 (beginning “However, in cases”), for “the relevant treatment referred to in Part 2 of Annex 2” substitute “any treatment that the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales) may specify in a document published for the purposes of this paragraph”.

(7) Omit Part 1 of Annex 2 (regionalised territories for the countries listed in Parts 2 and 3).

(8) In Part 2 of Annex 2 (third countries or parts thereof from which the introduction of meat products and treated stomachs, bladders and intestines into Great Britain is authorised), in the table—

- (a) in the heading, omit “or parts thereof”;
- (b) omit the row that relating to “Argentina AR-1”;
- (c) omit the row relating to “Argentina AR-2”;
- (d) in the row relating to “Brazil”, in columns 3, 4, 5 and 10 insert “AP”;
- (e) omit the row relating to “Brazil BR-1”;
- (f) omit the row relating to “Brazil BR-2”;
- (g) omit the row relating to “Brazil BR-3”;
- (h) omit the row relating to “Brazil BR-4”;
- (i) in the row relating to “Canada CA”, in columns 7, 8 and 14 insert “AP”;
- (j) omit the row relating to “Canada CA-1”;
- (k) omit the row relating to “Canada CA-2”;
- (l) omit the row relating to “China CN-1”;
- (m) in the row relating to “Malaysia-MY”, in columns 7, 8, 9, 13 and 14 insert “AP”;
- (n) omit the row relating to “Malaysia MY-1”;
- (o) in the row relating to “Russia RU”, in columns 3, 4, 5 and 6 insert “AP”;
- (p) omit the row relating to “Russia RU-1”;
- (q) omit the row relating to “Russia RU-2”;
- (r) in the row relating to “Ukraine UA”, in columns 7, 8 and 14 insert “AP”;
- (s) omit the row relating to “Ukraine UA-1”;
- (t) omit the row relating to “Ukraine UA-2”;
- (u) in the row relating to “United States US”, in columns 7, 8 and 14 insert “AP”;
- (v) omit the row relating to “United States US-1”;
- (w) omit the row relating to “United States US-2”;

- (x) in the heading to the second column (country of origin or part thereof), omit “or part thereof”;
  - (y) in the second column—
    - (i) in the row relating to “Argentina-AR”, omit “AR”;
    - (ii) in the row relating to “Canada-CA”, omit “CA”;
    - (iii) in the row relating to “Malaysia-MY”, omit “MY”;
    - (iv) in the row relating to “Russia-RU”, omit “RU”;
    - (v) in the row relating to “Switzerland”, omit the footnote reference (“e”);
    - (vi) in the row relating to “Ukraine-UA”, omit “UA”;
    - (vii) in the row relating to “United States-US”, omit “US”;
  - (z) in columns 3 to 15 (heat treatment authorisations)—
    - (i) in the row relating to EU member States, Liechtenstein and Norway, insert “AP”;
    - (ii) for “A”, “B”, “C”, “D”, “E” or “F”, in each place they appear, except in column 7 in the row relating to Kosovo, substitute “AP”;
    - (iii) in column 7, in the row relating to Kosovo, for “C or D” substitute “AP”.
- (9) In the remaining footnotes in Part 2 of Annex 2 (third countries or parts thereof from which the introduction of meat products and treated stomachs, bladders and intestines is authorised), (following the amendments made by paragraph (8)) following the table—
- (a) in footnote c, for “the Union” substitute “Great Britain”;
  - (b) in footnote d—
    - (i) for “a Member State of the European Union” substitute “Great Britain”;
    - (ii) for “the Union” substitute “Great Britain”;
  - (c) omit footnote e;
  - (d) omit the footnote labelled “#”, relating to EU member States, Liechtenstein and Norway.
- (10) In Part 3 of Annex 2 (third countries or parts thereof not authorised for certain species under the non-specific treatment regime (A) but from where imports of biltong, jerky and pasteurised meat products are authorised), in the table—
- (a) in the heading, omit “or parts thereof”;
  - (b) in the heading to column 2 (country of origin or part thereof) omit “or part thereof”;
  - (c) in column 2—
    - (i) in the entry relating to Argentina, omit “— AR”;
    - (ii) in the entry relating to Brazil, omit “-BR-2”;
    - (iii) omit the row relating to “Namibia NA-1”;
  - (d) in column 3, in the entry relating to Brazil, for “E or F” substitute “AP”;
  - (e) in columns 3 and 4, in the entries relating to Namibia, for “XXX”, in both places, substitute “AP”;
  - (f) in columns 3 to 15, for “A”, “D”, “E” and “F”, in each place they appear, except in column 3 in the entry relating to Brazil, substitute “AP”.
- (11) in Part 4 of Annex 2, for the heading substitute “HEAT TREATMENTS AND RELATED CODES”.

## **Amendment of Commission Decision 2010/472/EU**

**11.**—(1) Commission Decision 2010/472/EU on imports of semen, ova and embryos of animals of the ovine and caprine species into the Union(a), is amended as follows.

(2) In Article 1 (subject matter and definitions)—

(a) in paragraph 1, before “or parts thereof” insert “and makes provision for the specification by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), of those third countries”;

(b) in paragraph 2, before the definition of “appropriate authority” insert—

““additional guarantee” means the guarantee given under paragraph 2 of Article 1a;”.

(3) After Article 1 insert—

### *“Article 1a*

#### **Additional guarantees**

1. The Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may impose conditions relating to the protection of public health or animal health in Great Britain on the import of a consignment of semen, ova or embryos of the ovine or caprine species into Great Britain from a third country listed in Annex 1.

2. The person exporting the consignment from the third country to Great Britain, or another person acting on their behalf, must provide evidence that any condition imposed under paragraph 1 in relation to the consignment is satisfied by giving an additional guarantee in accordance with the health certificate for the consignment concerned.

3. The Secretary of State must publish any conditions imposed under paragraph 1 in a document published for the purposes of this Article.”.

(4) In Article 2 (imports of semen)—

(a) in point (a)—

(i) for “a third country or part thereof” substitute “such third country”;

(ii) after “Annex 1” insert “; or part thereof, as the Secretary of State may, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), specify in a document published for the purposes of this Article”;

(b) at the end of point (c) omit “and”;

(c) after point (c) insert—

“(ca) they comply with any additional guarantees that the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may require under Article 1a; and”.

(5) In Article 3 (imports of ova and embryos)—

(a) in point (a)—

(i) for “a third country or part thereof” substitute “such third country”;

(ii) after “Annex 3” insert “; or part thereof, as the Secretary of State may, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), specify in a document published for the purposes of this Article”;

(b) after point (c) insert—

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(a) EUDN 2010/472, amended by S.I. 2020/1462.



“(ca) they comply with any additional guarantees that the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may require under Article 1a;”.

(6) After Article 4 insert—

*“Article 4a*

**Matters relating to the exercise of powers under this Decision**

1. The powers exercisable by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under the provisions listed in paragraph 2 may be exercised only where it is necessary or appropriate to do so in the light of an assessment of the risk to animal and human health in the United Kingdom, taking into account—

- (a) whether there are any diseases referred to in Annex A of Council Directive 92/65/EEC, or other exotic animal diseases present in the third country, which might endanger animal health in the United Kingdom;
- (b) whether the third country is capable of guaranteeing the implementation of its legislation, and whether the organisation of its veterinary and inspection services enables the country effectively to undertake or supervise such services;
- (c) whether the veterinary services of the third country are able to provide assurance that health requirements at least equivalent to those laid down in Chapter 2 of Council Directive 92/65/EEC are being complied with;
- (d) any on-the-spot inspections by experts from the United Kingdom undertaken to verify whether the assurances given by the third country regarding the conditions of production and placing on the market can be considered equivalent to those applied in the United Kingdom.

2. The provisions are—

- (a) Article 1a (additional guarantees);
- (b) Article 2(a) (specification of third country or part thereof from which semen of the ovine and caprine species may be imported into Great Britain);
- (c) Article 3(a) (specification of third country or part thereof from which ova and embryos of the ovine and caprine species may be imported into Great Britain).

3. Any assessment which is relied upon for the purposes of paragraph 1 must have been approved by the Secretary of State, the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales).

4. Where the Scottish Ministers or the Welsh Ministers request that the Secretary of State exercise a power under a provision listed in paragraph 1 the Secretary of State must have regard to that request.”.

(7) In Annex 1 (list of third countries or parts thereof from which the appropriate authority is to authorise imports of consignments of semen of animals of the ovine and caprine species)—

- (a) in the heading, omit “or parts thereof”;
- (b) in the table, omit the third and fourth columns (description of the territory, additional guarantees) and the heading “Remarks”;
- (c) in the footnotes to the table—
  - (i) omit the footnote relating to Switzerland;
  - (ii) omit the footnote relating to EU Member States, Liechtenstein and Norway.

(8) In Annex 3 (list of third countries or parts thereof from which the appropriate authority is to authorise imports of consignments of ova and embryos of animals of the ovine and caprine species)—

- (a) in the heading, omit “or parts thereof”;

- (b) in the table, omit the third and fourth columns (description of the territory, additional guarantees) and the heading “Remarks”;
- (c) in the footnotes to the table—
  - (i) omit the footnote relating to Switzerland;
  - (ii) omit the footnote relating to EU Member States, Liechtenstein and Norway.

**Amendment of Commission Decision 2011/163/EU**

**12.—**(1) Commission Decision on the approval of plans submitted by third countries in accordance with Article 29 of Council Directive 96/23/EC(a) is amended as follows.

(2) In Article 1 (approval of plans)—

(a) for paragraph 1 substitute—

“1. Subject to paragraphs 1A to 1F, the Secretary of State may, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales) specify, in a document published for the purposes of this point—

- (a) the relevant third countries who may submit relevant plans to the appropriate authority;
- (b) the relevant animals and animal products for which those relevant plans are approved.

1A. The Secretary of State may not specify under paragraph 1 any plans from the United Arab Emirates as being approved for—

- (a) milk, except in the case of plans relating only to camel’s milk;
- (b) products for human consumption using aquaculture animals, other than those products produced only with raw material of animal origin obtained from the United Kingdom or from third countries which have submitted a relevant plan.

1B. The Secretary of State may not specify under paragraph 1 any plans from Russia as being approved for farmed game, other than plans relating only to farmed reindeers from the Murmansk and Yamalo-Nenets regions.

1C. The Secretary of State may not specify under paragraph 1 any plans from Singapore as being approved for equine animals, wild game or farmed game, other than plans relating only to commodities of fresh meat originating from New Zealand, destined for Great Britain and being transited with or without storage through Singapore and unloaded and reloaded there.

1D. The Secretary of State may not specify under paragraph 1 any plans from Bosnia and Herzegovina or Tunisia as being approved for aquaculture animals, other than plans relating only to finfish.

1E. The Secretary of State may not specify under paragraph 1 any plans from South Africa as being approved for farmed game, other than plans relating only to ratites.

1F. The Secretary of State may not specify under paragraph 1 any plans from Iran or New Caledonia as being approved for aquaculture animals, other than plans relating only to crustaceans.

1G. In paragraph 1—

“relevant third country” means the third countries listed in the table set out in the Annex;

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(a) EUDN 2011/163, amended by S.I. 2020/1141, S.I. 2020/1462, S.I. 2021/211.

“relevant animals and animal products” means the animals and animal products set out in the table in the Annex;

“relevant plans” means the plans provided for in Article 29 of Directive 96/23/EC(a) or under the correlating provisions of, or under, Regulation (EU) 2017/625.”.

- (b) in paragraph 2, for “In paragraph 1” substitute “In this Decision”;
- (3) In Article 2 (complementary plans), omit paragraph 2.
- (4) After Article 2 insert—

*“Article 2a*

**Matters relating to the exercise of powers under this Decision**

1. The powers exercisable by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 1(1)(a) and (b) may be exercised only where it is necessary or appropriate to do so in the light of an assessment of the risk to animal or public health in the United Kingdom, taking into account the matters specified in this Article.

2. Any assessment which is relied on for the purposes of paragraph 1 must be appropriate to the circumstances and have been approved by the Secretary of State, the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales).

3. For the purpose of submission for approval under paragraph 2, an assessment of a residue monitoring plan submitted by the central competent authority of the third country must take into account the extent to which it complies with the regulatory requirements in the United Kingdom and must set out the following information—

- (a) legislation on the use of the substances listed in Annex 1 to Directive 96/23/EC and, in particular, provisions on their prohibition or authorisation, distribution and placing on the market and the rules governing their administration, in so far as that legislation is different from that in force in the United Kingdom;
- (b) the infrastructure of the relevant competent authorities in the third country (with, in particular, details of the type and size of the bodies involved in implementing the plans);
- (c) a list of approved laboratories, with details of their capacity for processing samples;
- (d) national tolerances for authorised substances in cases where no maximum United Kingdom residue levels have been set under Regulation (EC) No 470/2009;
- (e) a list of the substances to be detected, methods of analysis, standards for interpreting the findings and, in the case of the substances listed in Annex 1 to Directive 96/23/EC, the number of samples to be taken, and the reasons for this number;
- (f) the number of official samples to be taken in relation to the number of animals of the species concerned slaughtered in preceding years in accordance with the frequencies laid down in Annex 4 to Directive 96/23/EC;
- (g) details of the rules governing the collection of official samples, and in particular the rules concerning the particulars to appear on official samples;
- (h) the type of measures laid down by the competent authorities in the third country with regard to animals or products in which residues have been detected;
- (i) confirmation that the relevant competent authority of the third country coordinates the activities of the central and regional departments responsible for monitoring the various residues to prevent the fraudulent or unlawful use of substances or products on stock farms;

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(a) Repealed, subject to transitional provisions in EUR 2017/625.

- (j) confirmation that the relevant competent authority of the third country collects residue monitoring data needed to evaluate the means used and the results, and will supply a report of the data to the Secretary of State, the Scottish Ministers and the Welsh Ministers annually by 31st March each year.

4. The plan must provide for the detection of groups of residues or substances according to type of animal, in accordance with Annex 2 to Directive 96/23/EC, and in accordance with the sampling rules and levels set down in Annex 3 and Annex 4 to that Directive, and must specify in particular the measures for the detection of—

- (a) the relevant substances in animals in accordance with Annex 2 to that Directive, or in the drinking water, and in all places where animals are bred or kept;
- (b) residues of such substances found in live animals, their excrement and body fluids or in animal tissues, meat, milk, eggs or honey.

5. Compliance with the requirements of, and adherence to the assurances offered by, the plans submitted by third countries must be verified by means of checks carried out by the relevant competent authority in the third country, and, where such checks reveal the use of unauthorised products or substances for the treatment of the animals in a given batch, or the presence of such products or substances in all or part of a batch originating in the same establishment, the Secretary of State, the Scottish Ministers and the Welsh Ministers may—

- (a) impose remedial measures, after making enquiries of the competent authorities of the third country and concluding that the third country has failed to fulfil its obligations and the assurances in the residue monitoring plan;
- (b) send United Kingdom experts to visit the third country, at that country's expense, in order to verify that remedial measures have been taken.

6. A third country ("TC1") using raw material imported from another third country approved for production of food of animal origin in accordance with Commission Decision 2011/163/EU and which is unable to provide a residue monitoring plan, must provide an assurance that animal products for human consumption exported to Great Britain must only come from establishments approved by the competent authority of TC1 as having reliable procedures in place.

7. Where the Scottish Ministers or the Welsh Ministers request that the Secretary of State exercise a power under Article 1(1)(a) or (b) the Secretary of State must have regard to that request."

(5) In the Annex, in the table, omit "X" in every place it appears.

#### **Amendment of Commission Decision 2011/630/EU**

**13.—**(1) Commission Implementing Decision on imports into the Union of semen of domestic animals of the bovine species(a) is amended as follows.

(2) In Article 1 (subject matter)—

- (a) in paragraph 1, for "or parts thereof" substitute "and makes provision for the specification of parts thereof";
- (b) in paragraph 2, before the definition of "appropriate authority" insert—  
"“additional guarantee” means the guarantee given under Article 3a;"

(3) In Article 2 (imports of semen) in paragraph 1(a)—

- (a) for "a third country or part thereof" substitute "such third country";
- (b) after "Annex 1" insert ", or part thereof, as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article".

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(a) Commission Implementing Decision 2011/630/EU, amended by S.I. 2019/778, S.I. 2019/795, S.I. 2020/1462.

(4) After Article 3 insert—

*“Article 3a*

**Additional guarantees**

1. The Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may impose conditions relating to the protection of public health or animal health in Great Britain on the import of a consignment of semen into Great Britain from a third country listed in Annex 1, or part thereof.
2. The person exporting the consignment from the third country to Great Britain, or another person acting on their behalf, must provide evidence that any condition imposed under paragraph 1 in relation to the consignment is satisfied by giving an additional guarantee in accordance with the veterinary certificate for the consignment concerned.
3. The Secretary of State must publish any conditions imposed under paragraph 1 in a document published for the purposes of this Article.

*Article 3b*

**Matters relating to the exercise of powers under this Decision**

1. The powers exercisable by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under the provisions specified in paragraph 3 may be exercised only where it is necessary or appropriate to do so in the light of an assessment of the risk to animal and public health in the United Kingdom, in accordance with paragraph 2.
  2. Any assessment which is relied upon for the purposes of paragraph 1 must be appropriate to the circumstances and must have been approved by the Secretary of State, the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), taking into account—
    - (a) the state of health of the livestock, other domestic animals and wildlife and the environmental situation in the third country, with particular reference to animal diseases that are exotic, notifiable or reportable in the United Kingdom and which might endanger the health and environmental status of the United Kingdom;
    - (b) the regularity and rapidity of the provision of information by the third country concerning the existence of the contagious animal diseases in its territory listed by the World Organisation for Animal Health;
    - (c) the relevant legislation on animal disease prevention and control;
    - (d) the structures, skills, independence and qualifications of the competent authority’s veterinary inspection services in the third country;
    - (e) the organisation and implementation of measures to prevent and control contagious animal diseases;
    - (f) the assurances which the third country can give with regard to compliance with the animal health requirements related to imports of bovine semen.
  3. The provisions are—
    - (a) paragraph 1(a) of Article 2 (import of semen);
    - (b) paragraph 1 of Article 3a (additional guarantees).
  4. Where the Scottish Ministers or the Welsh Ministers request that the Secretary of State exercise a power under a provision listed in paragraph 3 the Secretary of State must have regard to that request.”.
- (5) In Annex 1 (list of third countries and parts thereof from which imports of semen of domestic animals of the bovine species are to be authorised under Article 2)—
- (a) in the heading, omit “or parts thereof”;

- (b) in the table, omit the entry containing the heading “Remarks” and both columns under it (the third and fourth columns - description of territory, additional guarantees);
- (c) in the footnotes to the table—
  - (i) omit the footnote relating to Switzerland;
  - (ii) omit the footnote relating to EU Member States, Liechtenstein and Norway.

**Amendment of Commission Implementing Decision 2012/137/EU**

**14.**—(1) Commission Implementing Decision on imports into the Union of semen of domestic animals of the porcine species(a) is amended as follows.

(2) In Article 1 (subject matter), in paragraph 1—

- (a) for “or parts thereof” substitute “and makes provision for the specification of parts thereof”;
- (b) for “shall” substitute “may”.

(3) In Article 2 (imports of semen), in paragraph 1(a) for “a third country, or part thereof, listed in Annex 1” substitute “such third country listed in Annex 1, or a part thereof, as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article”.

(4) In Article 2a (conditions for listing of semen collection centres), in paragraph 1(a) for “one of the third countries listed in Annex 1” substitute “such third country listed in Annex 1 as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article”.

(5) After Article 3 insert—

*“Article 3a*

**Matters relating to the exercise of powers under this Decision**

1. The powers exercisable by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under the provisions listed in paragraph 2 may be exercised only where it is necessary or appropriate to do so in the light of an assessment of the risk to animal health in the United Kingdom and the matters specified in paragraph 3.

2. The provisions are—

- (a) paragraph 1(a) of Article 2 (specification of third country or part thereof authorised for import of semen);
- (b) paragraph 1(a) of Article 2a (specification of third country or part thereof authorised for import of semen dispatched from a collection centre).

3. Any assessment which is relied on for the purposes of paragraph 1 must be appropriate to the circumstances and have been approved by the Secretary of State, the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), taking into account—

- (a) the state of health of the livestock, other domestic animals and wildlife and the environmental situation in the third country, with particular reference to animal diseases that are exotic, notifiable or reportable in the United Kingdom and which might endanger the health and environmental situation of the United Kingdom;
- (b) the regularity and rapidity of the provision of information by the third country concerning the existence of contagious animal diseases in its territory, in particular those diseases listed by the World Organisation for Animal Health;

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(a) Commission Implementing Decision 2012/137/EU, amended by S.I. 2019/795, S.I. 2019/1225, S.I. 2020/1462.

- (c) the third country's rules on animal disease prevention and control;
- (d) the structures, skills, independence and qualifications of the competent authority's veterinary service and inspection services in the third country;
- (e) the organisation and implementation of measures to prevent and control contagious animal diseases;
- (f) the assurances which the third country can give with regard to compliance with the animal health requirements relating to the collection, processing, storage and transport of porcine semen that is approved for export.

4. Where the Scottish Ministers or the Welsh Ministers request that the Secretary of State exercise a power under a provision listed in paragraph 2 the Secretary of State must have regard to that request.”.

(6) In Annex 1 (list of third countries or parts thereof from which imports of semen of domestic animals of the porcine species are to be authorised)—

- (a) in the heading, omit “or part thereof”;
- (b) in the table, omit the third column (remarks);
- (c) in the footnotes to the table—
  - (i) omit the footnote relating to Switzerland;
  - (ii) omit the footnote relating to EU Member States, Liechtenstein and Norway.

#### **Amendment of Commission Implementing Regulation (EU) 2013/139**

**15.**—(1) Commission Implementing Regulation (EU) 2013/139 laying down animal health conditions for imports of certain birds into the Union and the quarantine conditions thereof(a) is amended as follows.

(2) In Annex 1 (third countries from which imports of captive bred birds are authorised), in point 1—

- (a) for “or parts thereof listed in columns 1 and 3” substitute “listed in column 1”;
- (b) after “798/2008” insert “, or territories, zones or compartments thereof, specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 3 of that Regulation in a document published for the purposes of that Article”.

#### **Amendment of Commission Implementing Regulation (EU) 2018/659**

**16.**—(1) Commission Implementing Regulation (EU) 2018/659 on the conditions for the entry into the Union of live equidae and of semen, ova and embryos of equidae(b) is amended as follows.

- (2) In Article 1 (subject matter and scope) omit “list of”.
- (3) After Article 2, but within Section 1, insert—

*“Article 2a*

#### **Publication of code representing third country or territory**

The Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article a system of words, letters or numbers representing, for the purposes of an animal health or veterinary certificate under this Regulation, a third country, listed in Annex 1 or, where regionalisation is applied, any part of the territory of such third countries.”.

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(a) EUR 2013/139, amended by S.I. 2020/1462 and 2021/1229.

(b) EUR 2018/659, amended by S.I. 2020/1462, S.I. 2020/1631.

(4) In Article 3 (list of third countries and parts of the territory of third countries from which the entry of equidae into Great Britain is authorised)—

- (a) in the heading, omit “List of”;
- (b) in paragraph 1, in the words before point (a)—
  - (i) for “the third countries” substitute “such of the third countries”;
  - (ii) omit “, or, where regionalisation is applied, parts of the territory of third countries,”;
  - (iii) for “columns 2 and 4” substitute “column 2”;
  - (iv) after “Annex 1” insert “or, where regionalisation is applied, such parts of the territory of those third countries, as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this paragraph”;
  - (v) omit “in accordance with the indications set out in that Annex”;
- (c) in paragraph 1(a), for “in column 6 of the table set out in Annex 1” substitute “by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), in a document published for the purposes of this point”;
- (d) in paragraph 1(b), for “in column 15 of the table set out in Annex 1” substitute “by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), in a document published for the purposes of this point”;
- (e) in paragraph 1(c), for “in column 7 of the table set out in Annex 1” substitute “by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), in a document published for the purposes of this point”;
- (f) in paragraph 1(d), for “in column 8 of the table set out in Annex 1” substitute “by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), in a document published for the purposes of this point”;
- (g) in paragraph 1(e), for “in column 9 of the table set out in Annex 1” substitute “by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), in a document published for the purposes of this point”;
- (h) in paragraph 1(f), for “in column 10 of the table set out in Annex 1” substitute “by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales) in a document published for the purposes of this point”;
- (i) in paragraph 2, for “in column 16 of the table in Annex 1” substitute “by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), in a document published for the purposes of this paragraph”.

(5) In Article 4 (third countries and parts of the territory of third countries from which the entry into Great Britain of semen of equidae is authorised), in the words before point (a)—

- (a) for “the third countries” substitute “such of the third countries”;
- (b) omit “, or, where regionalisation is applied, parts of the territory of third countries,”;
- (c) for “columns 2 and 4” substitute “column 2”;
- (d) after “Annex 1” insert “or, where regionalisation is applied, parts of the territory of those third countries, as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article”;
- (e) omit “as indicated in columns 11, 12 and 13 of that table”.



(6) In Article 5 (third countries and parts of the territory of third countries from which the entry into Great Britain of ova and embryos of equidae is authorised), in the words before point (a)—

- (a) for “the third countries” substitute “such of the third countries”;
- (b) omit “, or, where regionalisation is applied, parts of the territory of third countries,”;
- (c) for “columns 2 and 4” substitute “column 2”;
- (d) after “Annex 1” insert “or, where regionalisation is applied, parts of the territory of those third countries as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article”;
- (e) omit “as indicated in column 14 of that table”.

(7) In Article 6 (certification), for paragraph 1(a) substitute—

“(a) any applicable supplementary guarantees or conditions that the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article;”.

(8) In Article 19 (conversion of temporary admission into permanent entry and death or loss of registered horse), in paragraph 1(a), for “Annex 1” substitute “Article 3”.

(9) After Article 19 insert—

*“Article 19a*

**Sanitary groups**

1. The Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may assign a third country listed in Annex 1 or, as the case may be, part of the territory of any such third country, to a sanitary group, in accordance with column 1 of the table headed “sanitary groups” in Annex 1.

2. Where the Secretary of State assigns a third country, or part of the territory of a third country, to a sanitary group under paragraph 1, the Secretary of State must specify the third country, or part of the third country, and the sanitary group to which it is assigned, in a document published for the purposes of this Article.

3. Imports of equidae from a third country or part of a third country assigned to a sanitary group are subject to the specific animal health guarantees required for entry into Great Britain for that sanitary group in accordance with column 2 of the table headed “sanitary groups” in Annex 1.”.

(10) After Article 21 but within Section 8 insert—

*“Article 21a*

**Matters relating to the exercise of powers under this Regulation**

1. The powers exercisable by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under the provisions listed in paragraph 2 may be exercised only where it is necessary or appropriate to do so in the light of an assessment of the risk to animal or public health in the United Kingdom, taking into account the matters specified in this Article.

2. The provisions are—

- (a) in Article 3 (specification of third country or part thereof from which consignments of equidae may be imported into Great Britain)—
  - (i) paragraph 1, the words before point (a) (specification of third countries or parts of third countries in relation to which the appropriate authority may authorise consignments of equidae);
  - (ii) paragraph 1(a) (temporary admission of registered horses);

- (iii) paragraph 1(b) (transit of equidae);
- (iv) paragraph 1(c) (re-entry of registered horses for racing, competition and cultural events);
- (v) paragraph 1(d) (import of registered horses);
- (vi) paragraph 1(e) (import of consignments of equidae for slaughter);
- (vii) paragraph 1(f) (importation of registered equidae and equidae for breeding and production);
- (viii) paragraph 2 (specification of specific conditions with which the competent authority of the third country must comply);
- (b) Article 4 (specification of third countries and parts of the territory of third countries from which the entry into Great Britain of semen of equidae is authorised);
- (c) Article 5 (specification of third countries and parts of the territory of third countries from which the entry into Great Britain of ova and embryos of equidae is authorised);
- (d) Article 6 (specification of applicable supplementary guarantees or conditions).

3. Any assessment which is relied on for the purposes of paragraph 1 with regard to imports of live equidae must be appropriate to the circumstances and have been approved by the Secretary of State, the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), taking into account—

- (a) how the third country applies and implements international animal health standards, in particular the principle of regionalisation, within its own territory and in relation to its sanitary requirements for importation from other third countries and from the United Kingdom;
- (b) the health status of the equidae, other domestic animals and wildlife and the environmental situation in the third country, with particular regard to exotic, notifiable and reportable animal diseases and any aspects of the general situation as regards health in the third country which may pose a risk to the health and environmental situation of the United Kingdom;
- (c) the legislation of the third country in relation to animal health and welfare;
- (d) the organisation of the competent veterinary authority and its inspection services, the powers of those services, the supervision to which they are subject, and the means at their disposal, including staff and laboratory capacity, to apply national legislation effectively;
- (e) the assurances which the competent veterinary authority of the third country can give regarding compliance or equivalence with the relevant animal health conditions applicable in the United Kingdom;
- (f) whether the third country is a member of the OIE, and the regularity and rapidity of its provision of information relating to the existence of infectious or contagious diseases of equidae in its territory, in particular those diseases listed by the OIE and in Annex 1 to Council Directive 2009/156/EC(a);
- (g) the assurances given by the third country to inform the United Kingdom—
  - (i) within 24 hours, of the confirmation of the occurrence of infectious diseases of equidae listed in Annex 1 to Council Directive 2009/156/EC, and of any change in the vaccination policy concerning such diseases;
  - (ii) within an appropriate period, of any proposed changes in the national sanitary rules concerning equidae, in particular regarding the importation of equidae; and
  - (iii) at regular intervals, of the animal health status of its territory concerning equidae;

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(a) EUDN 2009/156, relevant amending instrument is S.I. 2019/591.

- (h) any experience of previous imports of live equidae from the third country and the results of any import controls carried out;
- (i) the results of inspections or audits carried out in the third country, in particular the results of the assessment of the competent authorities of the third country of those inspections or audits;
- (j) the rules on the prevention and control of infectious or contagious animal diseases in force in the third country and their implementation, including rules on importation from other third countries;
- (k) any special import conditions that may be required by the United Kingdom having regard to the situation as regards the health of equidae in the third country.

4. Any assessment which is relied upon for the purposes of paragraph 1 with regard to the imports of equine semen, ova or embryos must be appropriate to the circumstances and must have been approved by the Secretary of State, the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), taking into account—

- (a) whether there are any diseases referred to in Annex A to Council Directive 92/65/EC or any other disease exotic to the United Kingdom present in the third country;
- (b) whether the third country is capable of guaranteeing the implementation of its legislation, and whether the organisation of its veterinary and inspection services enables the country effectively to undertake or supervise such services;
- (c) whether the veterinary services of the third country are able to guarantee that health requirements at least equivalent to those laid down in Chapter 2 of Council Directive 92/65/EC are being complied with;
- (d) any on-the-spot inspections by experts from the United Kingdom undertaken to verify whether the assurances given by the third country regarding the conditions of production and placing on the market can be considered equivalent to those applied in the United Kingdom.

5. Where the Scottish Ministers or the Welsh Ministers request that the Secretary of State exercise a power under a provision listed in paragraph 2 the Secretary of State must have regard to that request.

6. In this Article “the OIE” means the World Organisation for Animal Health.”.

(11) In Annex 1 (list of third countries and parts of the territory of third countries from which the entry into Great Britain of consignments of equidae and of semen, ova and embryos of equidae is authorised)—

- (a) in the heading, omit “and parts of the territory of third countries”;
- (b) omit the table except for columns 1 and 2 (ISO Code and third country);
- (c) in the footnotes to the table—
  - (i) omit the footnote relating to Switzerland;
  - (ii) omit the footnote relating to EU Member States, Liechtenstein and Norway;
- (d) omit the legend to Annex 1 except for the table headed “Sanitary Groups”.

#### **Amendment of Commission Implementing Regulation (EU) 2019/626**

17.—(1) Commission Implementing Regulation (EU) 2019/626 concerning lists of third countries or regions thereof authorised for the entry into the European Union of certain animals and goods intended for human consumption<sup>(a)</sup> is amended as follows.

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(a) EUR 2019/626, amended by S.I. 2020/1631.

(2) In paragraph 4 of Article 14 (list of third countries or regions thereof authorised for entry into Great Britain of gelatine and collagen)—

- (a) omit “or regions thereof”;
- (b) after “119/2009” insert “, or parts thereof specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 3 of that Regulation in a document published for the purposes of that Article”.

(3) In Article 15 (list of third countries or any regions thereof authorised for entry into Great Britain of raw materials for the production of gelatine and collagen)—

- (a) in paragraph 2—
  - (i) omit “regions thereof”;
  - (ii) after “798/2008” insert “or territories, zones or compartments thereof”;
  - (iii) for “in that part of the Annex” substitute “by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 3 of that Regulation in a document published for the purposes of that Article”;
- (b) in paragraph 4—
  - (i) omit “or regions thereof”;
  - (ii) after “119/2009” insert “, or parts thereof specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 3 of that Regulation in a document published for the purposes of that Article”.

(4) In paragraph 4 of Article 16 (list of third countries or regions thereof authorised for entry into Great Britain of treated raw materials for the production of gelatine and collagen)—

- (a) omit “or regions thereof”;
- (b) after “119/2009” insert “, or any parts thereof specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under Article 3 of that Regulation in a document published for the purposes of that Article”.

(5) In Article 17 (third countries authorised for the entry into Great Britain of honey and other apiculture products)—

- (a) renumber the un-numbered paragraph as paragraph 1;
- (b) in paragraph 1 (as re-numbered by sub-paragraph (a)), for “marked with an ‘X’ in the ‘Honey’ column in that Annex” substitute “are specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), as being a third country whose relevant plans are approved in relation to honey under Article 1(b) of that Decision in a document published for the purposes of that point”;
- (c) after paragraph 1 (as re-numbered by sub-paragraph (a)), insert—

“2. In this Decision—

“relevant plans” has the same meaning as in Article 1 of Commission Decision 2011/163/EU;

“third country” means any other country or territory other than the British Islands.”.

(6) In point 4 of Article 21 (list of third countries or regions thereof authorised for entry into Great Britain of other products of animal origin)—

- (a) omit “or regions thereof”;
- (b) after “119/2009” insert “, or any parts thereof specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in

relation to Wales), under Article 3 of that Regulation in a document published for the purposes of that Article”.

30th June 2022

*Benyon*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural Affairs

### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations are made in exercise of powers in the European Union (Withdrawal) Act 2018 (c. 16) (in particular under section 8(2)(a), (b), (f) and (g) and (3)(a)) in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

These Regulations amend retained EU law relating to the imports of animals and animal products. The amendments omit various entries relating to animals and animal products from tables in the Annexes to the retained EU law and replace them with a power for the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), to specify and publish equivalent information.

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

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