STATUTORY INSTRUMENTS

2024 No. 541

ANIMALS
FOOD
PLANT HEALTH
TRADE

The Official Controls (Miscellaneous Amendments) Regulations 2024

Made - - - -	*at 10.02 a.m. on 22nd April 2024*
Laid before Parliament	*at 4.30 p.m. on 22nd April 2024*
Coming into force - -	*30th April 2024*

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

(a) Articles 72(3), 73(2), 76(4) and 105(6) of Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants(**1**) ("the Plant Health Regulation");

(b) Articles 22(2), 48(h), 54(3), 77(1), 90 and 144(6) of, and paragraphs 2 and 3(2) of Annex 6 to, Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products(**2**) "the Official Controls Regulation".

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

(**1**) EUR 2016/2031 ("the Plant Health Regulation"). Articles 72, 73, 76 and 105 were amended by S.I. 2020/1482.

(**2**) EUR 2017/625. Articles 22, 54, 77 and 90 were amended by S.I. 2020/1481. Article 48 was amended by S.I. 2020/1481 and 2022/1315. Article 144 was substituted, and Annex 6 inserted, by S.I. 2020/1481. Annex 6 was inserted for the purpose of the application of Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products ("the Official Controls Regulation") in relation to the entry of relevant goods from a relevant third country during the transitional staging period. The terms "relevant goods", "relevant third country" and "the transitional staging period" are defined in paragraph 2 of Annex 6, as amended by S.I. 2022/1315 and 2023/959. Annex 6 was amended by S.I. 2021/429, 809, 2022/621, 1315 and 2023/959, 1131, 2024/20 and S.I. 2024/[xxxx]. It was amended in relation to England and Wales by S.I. 2021/1096 and 1443 and in relation to Scotland by S.S.I. 2021/342, 493 and 2022/90.

Risk assessments, carried out in accordance with Articles 72(3) and 73(2) of the Plant Health Regulation, demonstrate—

(a) that there is a risk that a specified plant hosts a GB quarantine pest(**3**) or a provisional GB quarantine pest and consequently that that plant should be listed in Part A of Annex 11 to Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031, as regards protective measures against pests of plants(**4**)("the Phytosanitary Conditions Regulation"), in accordance with Article 72(3) of the Plant Health Regulation;

(b) that the risks posed by a plant listed in Part A of Annex 11 to the Phytosanitary Conditions Regulation no longer exists and consequently that reference to that plant should be removed from Part A of Annex 11 to that Regulation, in accordance with Article 72(3) of the Plant Health Regulation;

(c) that a phytosanitary certificate is no longer necessary for a plant listed in Part B of Annex 11 to the Phytosanitary Conditions Regulation and consequently that that plant should be listed under Part C of Annex 11 to the Phytosanitary Conditions Regulation, in accordance with Article 73(2) of the Plant Health Regulation.

In accordance with Article 3(2B) of the Official Controls Regulation and Article 2a(2) of the Plant Health Regulation, the Welsh Ministers, in relation to the application of these Regulations in relation to Wales, and the Scottish Ministers, in relation to the application of these Regulations in relation to Scotland, have consented to the making of these Regulations by the Secretary of State.

PART 1

Introductory

Citation and commencement

1. These Regulations may be cited as the Official Controls (Miscellaneous Amendments) Regulations 2024 and come into force on 30th April 2024.

Extent and application

2. These Regulations extend to, and apply in relation to, England and Wales and Scotland, save that—

(a) regulation 13 applies in relation to England only;

(b) regulations 14 and 15 apply in relation to Wales only; and

(c) regulation 16 applies in relation to Scotland only.

Interpretation

3. In these Regulations—

"baby food" has the meaning given by Article 2(2)(f) of Regulation 609/2013(**5**);

(**3**) See Articles 3 and 4 of the Plant Health Regulation, as amended by S.I. 2020/1482, for the definitions of "quarantine pest" and "GB quarantine pest".
(**4**) EUR 2019/2072, amended by S.I. 2020/1527, 1631, 2021/79, 136, 426, 641, 1171 and 1229, 2022/114, 484, 1090 and 1120 and 2023/497, 959 and 1131.
(**5**) EUR 609/2013. Article 2(2) was amended by S.I. 2019/651 (as amended by S.I. 2020/1476).

"bivalve molluscs" has the meaning given by point 2.1 of Annex 1 to Regulation 853/2004(**6**);

"Decision 2007/275" means Commission Decision 2007/275/EC concerning lists of composite products to be subject to controls at border control posts(**7**);

"Decision 2007/777" means 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(**8**);

"dogchews" has the meaning given by point 17 of Annex 1 to Regulation 142/2011;

"follow-on formula" has the meaning given by Article 2(2)(d) of Regulation 609/2013;

"food for special medical purposes" has the meaning given by Article 2(2)(g) of Regulation 609/2013;

"infant formula" has the meaning given by Article 2(2)(c) of Regulation 609/2013;

"meat" has the meaning given by point 1.1 of Annex 1 to Regulation 853/2004;

"the Official Controls Regulation" means Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products(**9**);

"the Phytosanitary Conditions Regulation" means Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031, as regards protective measures against pests of plants(**10**);

"the Plant Health Regulation" means Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants(**11**);

"poultry" has the meaning given by point 1.3 of Annex 1 to Regulation 853/2004;

"poultry meat" means meat which come from the edible parts of poultry;

"poultry meat products" means processed products resulting from the processing of poultry meat or from the further processing of such processed products, so that the cut surface shows that the product no longer has the characteristics of fresh meat;

"Regulation 853/2004" means Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin(**12**);

"Regulation 798/2008" means 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(**13**);

"Regulation 1251/2008" means Commission Regulation (EC) 1251/2008 implementing Council Directive 2006/88/EC as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species(**14**);

(**6**) EUR 853/2004. Annex 1 was amended by S.I. 2019/640 (as substituted by S.I. 2020/1504).
(**7**) EUDN 2007/275, amended by S.I. 2020/1462.
(**8**) EUDN 2007/777, amended by S.I. 2019/1225, 2020/1462, 2021/211, 2022/735 and 2023/217.
(**9**) EUR 2017/625, amended by S.I. 2020/1481, 2021/429 and 809, 2022/621 and 1315 and 2023/959 and 1131, 2024/20 and S.I. 2024/[xxxx]. It was amended in relation to England and Wales by S.I. 2021/1096 and 1443 and in relation to Scotland by S.S.I. 2021/342, 493 and 2022/90.
(**10**) EUR 2019/2072, amended by S.I. 2020/1527, 1631, 2021/79, 136, 426, 641, 1171 and 1229, 2022/114, 484, 1090 and 1120 and 2023/497, 959 and 1131.
(**11**) EUR 2016/2031, amended by S.I. 2020/1482 and 1631, 2021/79 and 426, 2022/1315 and 1367, 2023/497 and 959.
(**12**) EUR 853/2004, amended by S.I. 2019/640 (as amended by S.I. 2020/1504), 2019/1247 and 2022/1351.
(**13**) EUR 798/2008, amended by S.I. 2020/1462 (as amended by S.I. 2020/1631), 2021/211, 2022/735 and 1315 and 2023/217.
(**14**) EUR 1251/2008, amended by S.I. 2019/817 (as amended by S.I. 2020/1463), 2020/1388 and 2022/835.

"Regulation 1069/2009" means Regulation (EC) No 1069/2009 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(**15**);

"Regulation 119/2009" means Commission Regulation (EC) No 119/2009 laying down a list of third countries or parts of 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(**16**);

"Regulation 206/2010" means 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(**17**);

"Regulation 605/2010" means 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(**18**);

"Regulation 142/2011" means Commission Regulation (EU No 142/2011 implementing Regulation (EC) No 1069/2009 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(**19**);

"Regulation 609/2013" means Regulation (EU) No609/2013 of the European Parliament and of the Council on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control(**20**);

"Regulation 2019/625" means Commission Delegated Regulation (EU) 2019/625 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council with regard to requirements for the entry into the Union of consignments of certain animals and goods intended for human consumption(**21**);

"Regulation 2019/626" means Commission Implementing Regulation (EU) 2019/626 concerning lists of third countries or regions thereof authorised for the entry into the European Union lists of certain animals and goods intended for human consumption amending Implementing Regulation (EU) 2016/759 as regards these lists(**22**);

"Regulation 2019/628" means Commission Implementing Regulation (EU) 2019/628 concerning model official certificates for certain animals and goods and amending Regulation (EC) No 2074/2005 and Implementing Regulation (EU) 2016/759 as regards these model certificates ;

"Regulation 2019/1013" means Commission Implementing Regulation (EU) 2019/1013 on prior notification of certain categories of animals and goods entering the Union(**23**).

(**15**) EUR 1069/2009, amended by S.I 2019/588 (as amended by S.I. 2020/1463) and 2020/1388.
(**16**) EUR 119/2009, amended by S.I. 2020/1462, 2021/211, 2022/735 and 1315.
(**17**) EUR 206/2010, amended by S.I. 2020/1462, 2021//211, 2022/735 and 2023/217.
(**18**) EUR 605/2010, amended by S.I. 2020/1462, 2021/211 and 2022/735.
(**19**) EUR 142/2011, amended by S.I 2019/588, 2020/1388 and 2022/735.
(**20**) EUR 609/2013, amended by S.I. 2019/651 (as amended by S.I. 2020/1476), 2020/1476 and 2023/28 (as amended by 2023/131).
(**21**) EUR 2019/625, amended by S.I. 2020/1631.
(**22**) EUR 2019/626, amended by S.I. 2020/1631 and 2022/735.
(**23**) EUR 2019/1013, amended by S.S.I. 2019/421 (as amended by S.S.I. 2020/176) and S.I. 2020/1481.

PART 2

Transitional modifications relating to official controls

Amendments to Annex 6 to the Official Controls Regulation

4.—(1) Annex 6 to the Official Controls Regulation is amended as follows.

(2) In Part 1, in paragraph 2—

(a) after the definition of "appropriate frequency rate" insert—

""designated border control post", in relation to any particular category of goods included in a consignment, means a border control post designated in relation to goods of that category;";

(b) in the appropriate place insert—

""free circulation under Union customs legislation", in relation to relevant goods, means that the goods were declared, in accordance with European Union customs legislation, for a procedure corresponding to the free-circulation procedure referred to in section 3(3)(a) of the Taxation (Cross-border Trade) Act 2018;";

(3) In Part 2—

(a) in paragraph 5, in the text inserted into Article 44, for paragraph 1B substitute—

"**1B.** The following categories of relevant goods mentioned in Article 47(1)(a) or (b) from a relevant third country may enter Great Britain through any point of entry—

(a) live animals; and

(b) goods exempted from Article 47(1) in accordance with assimilated direct minor legislation or any regulations made under Article 48(d).

1BA. From 30th April 2024, and subject to paragraphs 1BB and 1BC, relevant goods mentioned in Article 47(1)(b) or (d) (other than those falling within paragraph 1B) from a relevant third country must enter Great Britain through a designated border control post.

1BB. Relevant goods falling within paragraph 1BA coming to Great Britain directly from the Republic of Ireland which—

(a) originate in a territory subject to special transitional import arrangements, or

(b) are in free circulation under Union customs legislation,

may enter Great Britain either through a designated border control post or, as regards England and Wales, through any point of entry mentioned in paragraph 1BC.

1BC. The points of entry referred to in paragraph 1BB are—

(a) in relation to England, Heysham; and

(b) in relation to Wales, any point of entry in Wales.

1BD. From 30th April 2024, and subject to paragraphs 1BE and 1BF, relevant goods mentioned in Article 47(1)(c) which are listed in accordance with Article 72(1) of the Plant Health Regulation must enter Great Britain through a designated border control post.

1BE. Relevant goods listed in Annex 8 which either—

(a) originate in a territory subject to special transitional import arrangements, or

(b) are in free circulation under Union customs legislation,

may enter Great Britain through any point of entry.

1BF. Relevant goods falling within paragraph 1BD coming to Great Britain directly from the Republic of Ireland which either—

(a) originate in a territory subject to special transitional import arrangements, or

(b) are in free circulation under Union customs legislation,

may enter Great Britain either through a designated border control post or through any point of entry mentioned in paragraph 1BG.

1BG. The points of entry referred to in paragraph 1BF are—

(a) in relation to England, Heysham;

(b) in relation to Wales, Fishguard and Holyhead;

(c) in relation to Scotland, Cairnryan.";

(b) in paragraph 6—

(i) in sub-paragraph (a), in the text inserted into Article 47, for the words from "any of" to "consignments" substitute "a border control post, at another point of entry into Great Britain or at the destination of the consignment";

(ii) for sub-paragraph (b) substitute—

"(b) in paragraph 5, for the words from "animals" to the end, substitute "relevant goods entering Great Britain from a relevant third country are presented for official controls, as required by the competent authority, at a border control post, another point of entry or at the destination of a consignment.";

(c) in paragraph 8(a), in the text inserted into Article 49(1), for "any of the places specified in Article 44(3)" substitute "a border control post, at another point of entry into Great Britain or at the destination of a consignment.";

(d) in paragraph 13, in the inserted Article 56A—

(i) after paragraph 2 insert—

"**2A.** From 30th April 2024, prior notification required under this Article must be given by the operators responsible for a consignment by completing and submitting the relevant part of the CHED into the appropriate computerised information management system.";

(ii) after paragraph 9B insert—

"**10.** The CHED must be used by the competent authorities to—

(a) record the outcome of any official controls performed and any decisions taken in the light of those controls, including any decision to reject a consignment; and

(b) communicate the information referred to in sub-paragraph (a) through the appropriate computerised information management system.

11. The competent authorities must finalise the CHED as soon as any official controls have been finalised and a decision on the consignment has been taken and recorded on the CHED.".

(e) omit paragraph 13A and after paragraph 13A(**24**) insert—

"**13B.** In Article 66, after paragraph 6, insert—

(**24**) Paragraph 13A was renumbered as such by S.I. 2022/1315.

"**6A.** This paragraph applies where—

(a) there is non-compliance with the rules referred to in Article 1(2) in relation to relevant goods, other than live animals, entering Great Britain from a relevant third country on or after 30th April 2024; and

(b) the competent authority considers that the non-compliance is minor and technical and does not pose a risk to human, animal or plant health or to the environment.

6B. Where paragraph 6A applies—

(a) paragraph 1 applies as if—

(i) for "shall", in the first three places where it occurs, there were substituted "may"; and

(ii) after "consignment and" insert ", where it does so,";

(b) in paragraph 3, in the first place where it occurs, for "shall" there were substituted "may"; and

(c) in paragraph 6, for "shall" there were substituted "may".".".

Transitory derogations relating to the presentation of official certificates at border control posts

5.—(1) This regulation applies during the period beginning with 30th April 2024 and ending with 31st July 2024, in relation to relevant goods originating in relevant third countries which—

(a) are required under the rules mentioned in Article 1(2)(a) to (g) of the Official Controls Regulation to be accompanied by official certificates; and

(b) enter Great Britain through a point of entry for which a border control post is designated.

(2) Where this regulation applies, the official certificates mentioned in paragraph (1)(a) may be either—

(a) presented at the border control post of first arrival—

(i) in the case of a phytosanitary certificate relating to plants, plant products or other objects(**25**), in paper or electronic form meeting the conditions in Article 76 of the Plant Health Regulation;

(ii) in any other case, as a paper certificate meeting the conditions in Article 3 of Regulation 2019/628 or an electronic certificate meeting the conditions in Article 4 of Regulation 2019/628; or

(b) presented to the competent authority of the border control post of first arrival—

(i) through the appropriate computerised information management system as a scanned copy of a certificate mentioned in sub-paragraph (a); and

(ii) attached to the common health entry document at the time that prior notification of arrival is given in accordance with Article 56A(**26**) of the Official Controls Regulation.

(3) Where an official certificate is presented to the competent authority of the border control post in accordance with paragraph (2)(b), the original of that certificate, in a form meeting the

(**25**) "Phytosanitary certificate" has the meaning given by Article 71 of the Plant Health Regulation. Article 71 was amended by S.I. 2020/1482 and 2021/79.

(**26**) Article 56A is a transitional provision inserted by paragraph 13 of Annex 6 to the Official Controls Regulation. It applies in relation to relevant goods entering Great Britain during the transitional staging period. Annex 6 was inserted by S.I. 2020/1481 and amended by S.I 2021/136, 429, 809 and 1096, 2022/621. 2022/1315, 2023/959 and 1131 and 2024/20, in relation to England and Wales by S.I. 2021/1443, and in relation to Scotland by S.S.I. 2021/342 and 493 and 2022/90.

requirements mentioned in paragraph (2)(a)(i), (ii) or (iii) as the case may be, must be presented to the competent authority—

(a) where the official certificate is a phytosanitary certificate, within 3 working days beginning with the day of arrival of the consignment to which the certificate relates; or

(b) in any other case, within 5 working days beginning with the day of arrival of the consignment to which the certificate relates.

(4) In this regulation, the original of an official certificate means—

(a) a certificate signed and issued in accordance with Articles 88 and 89 of the Official Controls Regulation and—

(b) where the certificate is—

(i) a paper certificate, a certificate which meets the requirements of Articles 88 and 89 of the Official Controls Regulation and Article 3 of Regulation 2019/628(**27**); or

(ii) where the certificate is an electronic certificate, a certificate which meets the requirements of Article 39 of Regulation 2019/1715 and Article 4 of Regulation 2019/628.

PART 3

Plant health

Amendments to the Official Controls and Phytosanitary Conditions (Amendment) Regulations 2021

6.—(1) The Official Controls and Phytosanitary Conditions (Amendment) Regulations 2021(**28**) are amended as follows.

(2) In regulation 2—

(a) in paragraph (1), for "specified goods" substitute "relevant goods";

(b) omit paragraph (2);

(c) in paragraph (3)—

(i) after sub-paragraph (c) insert—

"(ca) "relevant goods" means goods within the category referred to in Article 47(1)(c) of the Official Controls Regulation, other than goods which are—

(i) referred to in column 2 of the table in Annex 8 to the Official Controls Regulation, as inserted by paragraph 15 of Annex 6 to that Regulation; and

(ii) come from a country listed in Part A of Annex 11 to the Phytosanitary Conditions Regulation under the entry number, specified in column 3 of the table in Annex 8, which corresponds to the particular goods referred to in column 2;";

(ii) omit sub-paragraph (d).

(3) Omit regulation 3.

(4) In regulation 4—

(**27**) Articles 3 and 4 were amended by S.I. 2020/1631.
(**28**) S.I. 2021/136, amended by S.I. 2021/187 and 426.

(a) in paragraph (1), for "specified goods" substitute "relevant goods";

(b) omit paragraph (2); and

(c) in paragraph (3), omit sub-paragraphs (a) and (b).

(5) Omit the Schedule (list of plants, plant products and other objects which are "specified goods").

Amendment to Commission Implementing Regulation (EU) 2019/2072

7. Schedule 1 amends the Phytosanitary Conditions Regulation.

Amendments to Annex 8 to the Official Controls Regulation, as inserted by paragraph 15 of Annex 6 to that Regulation

8.—(1) The table in Annex 8 to the Official Controls Regulation(**29**) (inserted by paragraph 15 of Annex 6) is amended as follows.

(2) In the section headed "Parts of plants, other than fruit and seeds of:"—

(a) at the beginning, after the heading insert—

"Solanaceae Juss. and *Ipomoea* L.	Vegetable products not elsewhere specified or included, fresh.	7"

(b) in the row beginning with "Leafy vegetables of *Apium graveolens* L."—

(i) in the first column, for "and *Ocimum* L." substitute "*Ocimum* L and *Spinacia oleracea* L."; and

(ii) in the second column, in the line beginning with "Other vegetables", for "Other" substitute "Spinach and other".

(3) In the section headed "Fruits of:"—

(a) in the row beginning with "*Momordica* L.", in the second column, at the beginning insert a new line "Fruits of the genus *Capsicum* or of the genus *Pimenta*.";

(b) in the row beginning with "*Carica papaya* L."—

(i) in the first column, omit—

(aa) "*Carica papaya* L., *Cydonia* Mill.":

(bb) "*Prunus* L.";

(cc) "*Ribes* L."; and

(dd) "*Syzygium* Gaertn.";

(ii) in the second column—

(aa) omit "Papaws (papayas) fresh or chilled.";

(bb) for ", pears and quinces" substitute "and pears";

(cc) omit "Apricots, cherries, peaches (including nectarines), plums and sloes, fresh or chilled.";

(dd) omit "Black, white or red currants and gooseberries, fresh or chilled.".

(**29**) Annex 8, which modifies the application of the Official Controls Regulation during the transitional staging period, is introduced by paragraph 15 of Annex 6 to that Regulation, inserted by S.I. 2023/1131. Annex 8 was renumbered as such by a correction slip dated December 2023 and published as ISBN 978-0-34-825288-0.

Amendments to the Plant Health (Amendment etc.) (EU Exit) Regulations 2020

9.—(1) The table in Schedule 2A to the Plant Health (Amendment etc.) (EU Exit) Regulations 2020(**30**) is amended as follows.

(2) In the section headed "Parts of plants, other than fruit and seeds of:"—

(a) at the beginning insert—

"Solanaceae Juss. and *Ipomoea* L	Vegetable products not elsewhere specified or included, fresh.	7"

(b) in the row beginning with "Leafy vegetables of *Apium graveolens* L.",—

(i) in the first column, for "and *Ocimum* L." substitute "*Ocimum* L. and *Spinacia oleracea* L."; and

(ii) in the second column, in the line beginning with "Other vegetables", for "Other" substitute "Spinach and other".

(3) In the section headed "Fruits of:"—

(a) in the row beginning with "*Momordica* L.", in the second column, at the beginning insert a new line "Fruits of the genus *Capsicum* or of the genus *Pimenta.*";

(b) in the row beginning with "*Carica papaya* L."—

(i) in the first column, omit—

(aa) "*Carica papaya* L., *Cydonia* Mill.,":

(bb) "*Prunus* L.,";

(cc) *"Ribes* L.,"; and

(dd) "*Syzygium* Gaertn.,";

(ii) in the second column—

(aa) omit "Papaws (papayas) fresh or chilled";

(bb) for ", pears and quinces" substitute "and pears";

(cc) omit "Apricots, cherries, peaches (including nectarines), plums and sloes, fresh or chilled.";

(dd) omit "Black, white or red currants and gooseberries, fresh or chilled.".

PART 4

Miscellaneous amendments relating to products of animal origin, animal by-products, derived products and composite products

Partial exemption of goods presenting a low risk or no specific risk from routine official controls under Article 47(1) of the Official Controls Regulation

10.—(1) The categories of goods mentioned in Article 47(1)(b) which meet the conditions specified—

(a) in relation to animal by-products and derived products, in paragraphs (2), (4) and (5), and

(b) in relation to products of animal origin, in paragraphs (2), (3) and (5),

(**30**) S.I. 2020/1482. Schedule 2A was inserted by S.I. 2024/20.

are, subject to paragraphs (6) to (10), exempted from routine official controls under Article 47(1) of the Official Controls Regulation.

(2) The conditions in this paragraph are that the goods—

(a) are listed in the first column of Table 1 or Table 2 in Schedule 2;

(b) meet the appropriate conditions for that category of goods specified in the second and third columns of the corresponding row in Table 1 or Table 2 of that Schedule;

(c) meet any conditions specified for that category of goods under—

(i) the rules referred to in Article 1(2) of the Official Controls Regulation(**31**);

(ii) the rules set out in the Official Controls Regulation or in—

(aa) assimilated direct legislation made under, or having effect as if made under, the Official Controls Regulation(**32**);

(bb) lists published online by the appropriate authority under powers conferred by the Official Controls Regulation or by assimilated direct minor legislation or regulations made under the Official Controls Regulation; and

(cc) lists drawn up by the appropriate authority in accordance with conditions laid down in any regulations made under Article 126(1) and (2) of the Official Controls Regulation; and

(d) are labelled in English.

(3) Where the goods are products of animal origin, they must—

(a) be clearly identified as intended for human consumption;

(b) be securely packaged in visibly clean containers;

(c) not be—

(i) infant formula, follow-on formula, food for special medical purposes or baby food (unless the product is also a composite product otherwise exempted as complying with the conditions listed in Article 6 of Decision 2007/275); or

(ii) bivalve molluscs, echinoderms, tunicates or marine gastropods or their products, or composite products containing those animals or their products;

(d) be accompanied by a commercial document providing—

(i) any information which is required by assimilated direct legislation or regulations applying in relation to the particular category of goods; or

(ii) where there are no specific requirements applying to the category of goods, information which at least—

(aa) identifies the premises of origin of the goods;

(bb) identifies the destination of the goods;

(cc) includes a description of the goods; and

(dd) includes the quantity of the goods;

(**31**) Article 1(2) was amended by S.I. 2020/1481.

(**32**) Article 126 was amended by S.I. 2020/1481 and has effect subject to the transitional provisions specified in that instrument. The third countries from which goods may be imported are listed either in Commission Implementing Regulation (EU) 2019/626 concerning lists of third countries or regions thereof authorised for the entry in the European Union of certain animals and goods intended for human consumption (EUR 2019/626), or in the legislation referred to in that Regulation. The Official Controls Regulation revoked the instruments specified in Article 146 but some assimilated direct minor legislation continues to have effect as if made under the Official Controls Regulation.

(e) be produced, stored and transported in accordance with the relevant standards laid down by Regulation 853/2004 and Regulation 178/2002 and assimilated direct minor legislation or regulations made under, or having effect as made under, those Regulations; and

(f) meet the requirements of Regulation 2019/625 and Regulation 2019/628 relevant to the particular category of goods.

(4) The conditions in this paragraph are that the goods—

(a) come from a third country listed in relation to the import of the particular category of goods either—

(i) in assimilated direct minor legislation made under Article 41(3) or (4) of Regulation 1069/2009(**33**); or

(ii) in regulations made under that provision;

(b) meet the relevant standards and requirements, set out in Regulations 1069/2009 and 142/2011, for that particular category of goods; and

(c) are accompanied, where required by Regulation 1069/2009 or Regulation 142/2011, by a commercial document—

(i) in a form conforming to the requirements of the model form published from time to time by the appropriate authority in accordance with paragraph 1 of Chapter 3 of Annex 8 to Regulation 142/2011(**34**); and

(ii) containing the information specified in Chapter 3 of that Annex.

(5) The conditions in this paragraph are that the goods come from a country or region listed—

(a) in the assimilated direct legislation referred to in relation to that category of goods in the third column of Table 1 or, as the case may be, Table 2 in Schedule 2;

(b) in any documents published by the Secretary of State in accordance with requirements under the legislation referred to in the third column of Table 1 or, as the case may be, Table 2 in Schedule 2; and

(c) in Table 3 in Schedule 2.

(6) An operator(**35**) intending to import goods in reliance on the conditions specified in paragraph (1) ("low risk goods") must pre-notify the arrival of those goods to the competent authority—

(a) in accordance with the requirements of Article 56(3)(a) and (4) of the Official Controls Regulation; and

(b) in accordance with the notice period set out in Article 1 of Regulation 2019/1013.

(7) Low risk goods must enter Great Britain through a point of entry for which a border control post is designated for the relevant category of goods.

(8) The competent authority may carry out checks on goods which an operator is intending to import into Great Britain in reliance on the exemption under paragraph (1) where there is a suspicion—

(a) of non-compliance with the rules referred to in Article 1(2) of the Official Controls Regulation;

(b) that the consignment contains animals or goods—

(i) not declared by the operator to be part of the consignment;

(**33**) Chapter 2 of Annex 14 to Regulation 142/2011, in particular Table 2 in section 1 of that Chapter, sets out requirements for the listing of third countries in relation to imports of animal by-products other than for use in the feed chain.
(**34**) Paragraph 1 of Chapter 3 of Annex 8 was amended by S.I. 2019/588 and 2020/1388.
(**35**) "Operator" is defined in Article 3(29) of the Official Controls Regulation.

(ii) not included in the categories of goods listed in Schedule 2; or

(iii) not meeting the conditions specified in this regulation or in Schedule 2; or

(c) of fraudulent or deceptive practices by an operator.

(9) The competent authority, in deciding whether to carry out checks in accordance with paragraph (8), may, in addition to the factors specified in paragraph (8), take into account the factors specified in Article 44(2) of the Official Controls Regulation.

(10) This regulation does not apply in relation to relevant goods entering Great Britain from relevant third countries in accordance with the transitional arrangements set out in Annex 6 to the Official Controls Regulation.

Amendment to Commission Implementing Regulation (EU) 2019/2007

11.—(1) Commission Implementing Regulation (EU) 2019/2007 laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the lists of animals, products of animal origin, germinal products, animal by-products and derived products and hay and straw subject to official controls at border control posts(**36**) is amended as follows.

(2) In Article 3, after "this Regulation", insert "other than animals and goods exempted under regulations or assimilated direct minor legislation made under Article 48 of Regulation (EU) 2017/625".

Amendments to Commission Implementing Regulation (EU) 2019/2129

12.—(1) Commission Implementing Regulation (EU) 2019/2129 establishing rules for the uniform application of frequency rates for identity checks and physical checks on certain consignments of animals and goods entering the Union(**37**) is amended as follows.

(2) In Article 2(**38**), at the end insert—

"**4.** 'Dogchews' has the meaning given by point 17 of Annex 1 to Regulation 142/2011;

5. 'Meat' has the meaning given by point 1.1 of Annex 1 to Regulation 853/2004;

6. 'Poultry' has the meaning given by point 1.3 of Annex 1 to Regulation (EC) 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin;

7. 'Poultry meat' means meat which come from the edible parts of poultry;

8. 'Poultry meat products' means processed products resulting from the processing of poultry meat or from the further processing of such processed products, so that the cut surface shows that the product no longer has the characteristics of fresh meat.".

(3) In Article 4(**39**)—

(a) in paragraph 1, at the end insert ", except where paragraphs 3 to 8 apply.";

(b) at the end insert—

"**3.** Where the appropriate authority has conducted an assessment in relation to—

(a) the risks attached to the importation of—

(i) a species or category of animal, or

(**36**) EUR 2019/2007, amended by S.I. 202/1481.
(**37**) EUR 2019/2129, amended by S.I. 2020/1481.
(**38**) Article 2 was amended by S.I. 2020/1481.
(**39**) Article 4(2) was substituted by S.I. 20201481.

(ii) a category of goods mentioned in paragraph 1, and

(b) the risks posed by the importation of that category of animals or goods from (as the case may be) a particular region, third country, or part of a country,

the appropriate authority may determine the frequency rate which is to apply to that category of animals or goods.

4. In determining the frequency rate to apply in accordance with paragraph 3, the appropriate authority musttake into account the factors specified in Article 44(2) of the Official Controls Regulation.

5. Where, in accordance with paragraph 3, the appropriate authority has determined the frequency rate to apply to a species of animal or category of goods or products, the authority must publish the frequency rate online.

6. Where—

(a) the appropriate authority has concluded an agreement as referred to in paragraph 2, or

(b) direct assimilated legislation or other national rules require an increase in the frequency rates published online,

the frequency rates determined in accordance with paragraph 3 must be increased, or as the case may be, decreased, in accordance with the requirements of that agreement, legislation or rule.

7. The frequency rates determined by the appropriate authority under or in accordance with this Regulation, in relation to—

(a) meat and edible offal of sheep, fresh, chilled or frozen, originating in New Zealand,

(b) poultry meat products originating in China or Thailand, and

(c) pet food and dogchews originating in any third country,

must be no lower than the frequency rates applying in relation to corresponding goods being imported into Northern Ireland.

8. In this Article, a reference to the determination of the frequency rate by the appropriate authority includes the redetermination of the rate from time to time.".

PART 5

Consequential amendments to the Trade in Animals and Related Products legislation applying in relation to the territories of Great Britain

Consequential amendments to the Trade in Animals and Related Products Regulations 2011

13.—(1) The Trade in Animals and Related Products Regulations 2011(**40**) are amended as follows.

(2) In regulation 2(1), after the definition of "official controls" insert—

""official fish inspector" means a suitably trained person appointed in accordance with regulation 12;

(**40**) S.I. 2011/1197, amended by S.I. 2012/2897, 2013/2996, 2014/3158, 2018/575, 2019/1488, 2020/109, 1462 and 1631, 2021/443, 453, 809, 1096 and 1443, 2022/1315, 1322 and 2024/20.

"official veterinary surgeon" means a suitably trained veterinary surgeon appointed in accordance with regulation 12;".

(3) In Schedule 3(**41**), at the end insert—

"**Case 8: low risk goods exempted from routine checks at border control posts under Article 48(h) of the Official Controls Regulation**

9. Low risk goods exempted from routine identity and physical checks at border control posts under Article 48(h) of the Official Controls Regulation, in accordance with conditions specified by regulation 10 of the Official Controls (Miscellaneous Amendments) Regulations 2024.".

(4) In Schedule 5(**42**)—

(a) for paragraph 4 substitute—

"**4.**—(1) Regulation 13 applies to relevant goods as if for that regulation there were substituted—

"**13.**—(1) From 30th April 2024, and subject to sub-paragraphs (2) and (3), no product may be brought into England from a third country otherwise than through a point of entry for which a border control post is designated for the relevant category of product.

(2) Live animals coming from a relevant third country may continue to enter England through any point of entry.

(3) Relevant goods (other than live animals) coming from the Republic of Ireland—

(a) which fall within the description in paragraph 1(a) of Schedule 5, or

(b) fall within the description in paragraph 1(b) of Schedule 5 and have been cleared for free circulation under Union customs legislation,

may enter England either through a border control post designated in relation to the particular category of product included in the consignment or through Heysham.".";

(b) in paragraph 5—

(i) for sub-paragraph (1) substitute—

"(1) From 30th April 2024, subject to the derogation specified in sub-paragraphs (3C) and (3D), regulation 14(1) to (4) applies to relevant goods, as if—

(a) in sub-paragraph (1), for the words from "notify through" to "border control post", in the second place where it occurs, there were substituted "notify the competent authority in relation to England of the expected date of arrival of the consignment in England";

(b) in sub-paragraph (3), after "made", there were inserted "through the appropriate computerised information management system";

(c) in sub-paragraph (4), in the opening words, after "another" there were inserted "or from any point of entry to a border control post,";

(ii) omit sub-paragraphs (2) to (3A);

(**41**) Schedule 3 was amended by S.I. 2019/1488, 2020/1462 and 2021/453.
(**42**) Schedule 5 was inserted by S.I. 2020/1462, and amended by S.I. 2021/1096, 1443 and 2024/20.

(iii) in sub-paragraph (3C), for the words from "the relevant" to "sub-paragraph (3)" substitute "relevant goods";

(iv) in sub-paragraph (4), omit paragraphs (a) and (b);

(c) in paragraph 6—

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

"(a) from 30th April 2024—

(i) any identity and physical checks carried out on products must take place at a border control post;

(ii) subject to the requirements of Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97, official controls in relation to live animals may take place at the destination indicated in the importation document accompanying the animals;

(aa) the checks referred to in paragraph (a) must be carried out on a risk or random basis and at the appropriate frequency rate;

(ab) the operator responsible for a consignment of products must ensure that the consignment is presented for official controls at a reasonable time during the working day;

(ac) the competent authority, having carried out a documentary check and any necessary identity and physical checks on the consignment, may issue a CHED permitting entry;

(ad) where there are no legislative requirements relating to the consignment, the competent authority may issue a CHED where the importation of the consignment is authorised in accordance with the procedure specified in regulation 15(5) to (7);";

(ii) in sub-paragraph (3), after the opening words, insert—

"(za) "appropriate frequency rate" has the meaning given by paragraph 2 of Annex 6 to the Official Controls Regulation;";

(d) for paragraph 7 substitute—

"**7.** Regulation 19 applies as if for that regulation there were substituted—

"**19.**—(1) Subject to sub-paragraph (4), an enforcement authority may seize any consignment of relevant goods brought into England from a relevant third country otherwise than—

(a) through a point of entry for which a border control post is designated for the category of product included in the consignment; or

(b) where the goods fall within the description in regulation 13(3)(a) or (b), as modified by paragraph 4(1) of Schedule 5, either through a point of entry mentioned in paragraph (a) or through Heysham.

(2) An enforcement authority may seize any consignment which is removed from a point of entry into England without a CHED or without authorisation by the competent authority.

(3) An enforcement authority may seize any consignment which is transported from a point of entry in England to a destination other than that specified in the CHED.

(4) Sub-paragraph (1) does not apply in relation to consignments of live animals.".".

(e) for paragraph 8 substitute—

"**8.**—(1) Regulation 20 applies as if—

(a) for paragraph (1) there were substituted—

"(1) This regulation applies, subject to paragraphs (1A) and (1B), in relation to any consignment of a product if any checks carried out show that the consignment does not comply with—

(a) the requirements of these Regulations, as they have effect subject to the transitional modifications specified in Schedule 5; or

(b) the rules referred to in Article 1(2) of the Official Controls Regulation.

(1A) This paragraph applies where—

(a) there is non-compliance with the rules referred to in paragraph (1); and

(b) the official veterinary surgeon or the official fish inspector (as appropriate) considers that the non-compliance is minor and technical and does not pose a risk to human, animal or plant health, or to the environment.

(1B) Where paragraph (1A) applies, paragraphs (2) and (3) apply as if for "must" there were substituted "may".";".

Consequential amendments to the Trade in Animals and Related Products (Wales) Regulations 2011

14.—(1) The Trade in Animals and Related Products (Wales) Regulations 2011(**43**) are amended as follows.

(2) In regulation 2(1), after the definition of "official controls" insert—

""official fish inspector" ("*arolygydd pysgod swyddogol*") means a suitably trained person appointed in accordance with regulation 12;

"official veterinary surgeon" ("*milfeddyg swyddogol"*) means a suitably trained veterinary surgeon appointed in accordance with regulation 12;".

(3) In Schedule 3(**44**), at the end insert—

"**Case 8: low risk goods exempted from routine checks under Article 48(h) of the Official Controls Regulation**

9. Low risk goods exempted from routine identity and physical checks in accordance with conditions specified by regulation 10 of the Official Controls (Miscellaneous Amendments) Regulations 2024.".

(4) In Schedule 5(**45**)—

(a) for paragraph 4 substitute—

"**4.**—(1) From 30th April 2024, regulation 13 applies in relation to Wales as if—

(**43**) S.I. 2011/2379 (W. 252), amended by S.I. 2018/1612 (W. 249), 2020/44 (W. 5), 177 (W. 38), 1612 (W. 337) and 1639 (W. 344), 2021/1094 (W. 249) and 1480 (W. 382), 2022/1348 (W. 271), 2023/1332 (W. 240) and 2024/20.
(**44**) Schedule 3 was amended by S.I. 2020/44 and 1612 and 2022/1348.
(**45**) Schedule 5 was inserted by S.I. 2020/44, 1612, and amended by S.I. 2021/1480, 1094 and 2024/20.

(a) the existing text were renumbered as paragraph (1); and

(b) in paragraph (1) (as renumbered) for "other than at a border inspection post designated for that animal or product" there were substituted—

"other than—

(a) in accordance with paragraphs (2) or (3); or

(b) as regards any product, following the designation of a border control post for the product in question, through that border control post.";

(c) after paragraph (1) there were inserted—

"(2) Live animals coming from a relevant third country may continue to enter Wales through any point of entry.

(3) Relevant goods (other than live animals) coming from the Republic of Ireland, which—

(a) fall within the description in paragraph 1(a) of Schedule 5, or

(b) fall within the description in paragraph 1(b) of Schedule 5 and have been cleared for free circulation under Union customs legislation,

may enter Wales through any point of entry.".";

(b) in paragraph 5—

(i) for sub-paragraph (1) substitute—

"(1) From 30th April 2024, subject to the derogation specified in sub-paragraphs (3C) and (3D), regulation 14(1) to (4) applies to relevant goods, as if—

(a) in sub-paragraph (1), for the words from "notify through" to "border control post", in the second place where it occurs, there were substituted "notify the competent authority in relation to Wales of the expected date of arrival of the consignment in Wales";

(b) in sub-paragraph (3) after "made", there were inserted "through the appropriate computerised information management system";

(c) in sub-paragraph (4)—

(i) for the opening words, there were substituted—

"(4) In the case of a transhipment of products from a point of entry in Wales to another point of entry or border control post, the person responsible for the consignment must notify the competent authority of the destination of—";

(ii) in paragraph (b), for "border control post at which" there were substituted "place at which, if required,";";

(ii) omit sub-paragraphs (2) to (3A);

(iii) in sub-paragraph (3C), for the words from "the relevant" to "sub-paragraph (3)" substitute "relevant goods";

(iv) in sub-paragraph (4), omit paragraphs (a) and (b);

(c) in paragraph 6—

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

"(a) from 30th April 2024—

(i) any identity and physical checks carried out on products may take place either at the point of entry into Wales or at the

destination indicated in the importation document accompanying the consignment;

(ii) subject to the requirements of Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97, official controls in relation to live animals may take place at the destination indicated in the importation document accompanying the animals;

(aa) the checks referred to in paragraph (a) must be carried out on a risk or random basis and at the appropriate frequency rate;

(ab) the operator responsible for a consignment of products must ensure that the consignment is presented for official controls at a reasonable time during the working day;

(ac) the competent authority, having carried out a documentary check and any necessary identity and physical checks on the consignment, may issue a CHED permitting entry;

(ad) where there are no legislative requirements relating to the consignment, the competent authority may issue a CHED where the importation of the consignment is authorised in accordance with the procedure specified in regulation 15(5) to (7);";

(ii) in sub-paragraph (3), after the opening words, insert—

"(za) "appropriate frequency rate" has the meaning given by paragraph 2 of Annex 6 to the Official Controls Regulation;";

(d) in paragraph 7—

(i) the existing text is renumbered as sub-paragraph (1);

(ii) in the renumbered sub-paragraph (1), after "relevant goods" insert "coming from a relevant third country";

(iii) at the end, insert—

"(2) An enforcement authority may seize any consignment which is removed from a point of entry in Wales without a CHED or without authorisation by the competent authority.

(3) An enforcement authority may seize any consignment which is transported from a point of entry in Wales to a destination other than that specified in the CHED.";

(e) for paragraph 8, substitute—

"**8.**—(1) Regulation 20 applies as if—

(a) for paragraph (1) there were substituted—

"(1) This regulation applies, subject to paragraph (1A), in relation to any consignment of a product if any checks carried out show that the consignment does not comply with—

(a) the requirements of these Regulations, as they have effect subject to the transitional modifications specified in Schedule 5; or

(b) the rules referred to in Article 1(2) of the Official Controls Regulation.

(1A) This paragraph applies where—

(a) there is non-compliance with the rules referred to in paragraph (1); and

(b) the official veterinary surgeon or the official fish inspector (as appropriate) considers that the non-compliance is minor and technical and does not pose a risk to human, animal or plant health, or to the environment.

(1B) Where paragraph (1A) applies, paragraphs (2) and (3) apply as if for "must" there were substituted "may".";".

Consequential amendments to the Trade in Animals and Related Products (Wales) Regulations 2011 (Welsh language text)

15.—(1) The Trade in Animals and Related Products (Wales) Regulations 2011 (Rheoliadau'r Fasnach mewn Anifeiliaid a Chynhyrchion Perthynol (Cymru) 2011)(**46**) are amended as follows.

(2) In regulation 2(1), at the appropriate place insert—

"ystyr "arolygydd pysgod swyddogol" ("*official fish inspector*") yw person sydd wedi ei hyfforddi'n addas a benodir yn unol â rheoliad 12;

ystyr "milfeddyg swyddogol" ("*official veterinary surgeon*") yw milfeddyg sydd wedi ei hyfforddi'n addas a benodir yn unol â rheoliad 12;.".

(3) In Schedule 3(**47**)—

(a) at the end insert—

"**Achos 8: nwyddau risg isel sydd wedi eu hesemptio rhag gwiriadau rheolaidd o dan Erthygl 48(h) o'r Rheoliad Rheolaethau Swyddogol**

9. Nwyddau risg isel sydd wedi eu hesemptio rhag gwiriadau adnabod a gwiriadau ffisegol rheolaidd yn unol ag amodau a bennir gan reoliad 10 o Reoliadau Rheolaethau Swyddogol (Diwygiadau Amrywiol) 2024.".

(4) In Schedule 5(**48**)—

(a) for paragraph 4 substitute—

"**4.**—(1) O 30 Ebrill 2024 ymlaen, mae rheoliad 13 yn gymwys mewn perthynas â Chymru—

(a) fel pe bai'r testun presennol wedi ei ailrifo'n baragraff (1); a

(b) ym mharagraff (1) (fel y mae wedi ei ailrifo) fel pe bai'r canlynol wedi ei roi yn lle'r geiriau "ac eithrio drwy arolygfa ffin sydd wedi ei ddynodi ar gyfer yr anifail neu'r cynnyrch hwnnw"—

"ac eithrio—

(a) yn unol â pharagraffau (2) neu (3); neu

(b) mewn perthynas ag unrhyw gynnyrch, ar ôl i safle rheolaethau'r ffin gael ei ddynodi ar gyfer y cynnyrch o dan sylw, drwy'r safle rheolaethau'r ffin hwnnw.";

(c) fel pe bai'r canlynol wedi ei fewnosod ar ôl paragraff (1)—

"(2) Caiff anifeiliaid byw sy'n dod o drydedd wlad berthnasol barhau i ddod i Gymru drwy unrhyw bwynt mynediad.

(**46**) S.I. 2011/2379 (W. 252), amended by S.I. 2018/1612 (W. 249), 2020/44 (W. 5), 177 (W. 38), 1612 (W. 337) and 1639 (W. 344), 2021/1094 (W. 249) and 1480 (W. 382), 2022/1348 (W. 271), 2023/1332 (W. 240) and 2024/20.
(**47**) Schedule 3 was amended by S.I. 2020/44 and 1612 and 2022/1348.
(**48**) Schedule 5 was inserted by S.I. 2020/44, 1612, and amended by S.I. 2021/1480, 1094 and 2024/20.

(3) Caiff nwyddau perthnasol (ac eithrio anifeiliaid byw) sy'n dod o Weriniaeth Iwerddon, sydd—

(a) yn dod o fewn y disgrifiad ym mharagraff 1(a) o Atodlen 5, neu

(b) yn dod o fewn y disgrifiad ym mharagraff 1(b) o Atodlen 5 ac sydd wedi eu clirio i'w cylchredeg yn rhydd o dan ddeddfwriaeth tollau'r Undeb,

ddod i Gymru drwy unrhyw bwynt mynediad.".";

(b) in paragraph 5—

(i) for sub-paragraph (1) substitute—

"(1) O 30 Ebrill 2024 ymlaen, yn ddarostyngedig i'r rhanddirymiad a bennir yn is-baragraffau (3C) a (3D), mae rheoliad 14(1) i (4) yn gymwys i nwyddau perthnasol—

(a) yn is-baragraff (1) fel pe bai "hysbysu'r awdurdod cymwys mewn perthynas â Chymru am y dyddiad y disgwylir i'r llwyth gyrraedd Cymru" wedi ei roi yn lle''r geiriau o "drwy'r system" hyd at "safle rheoli ar y ffin" yn yr ail le y mae'n digwydd;

(b) yn is-baragraff (3) fel pe bai "drwy'r system rheoli gwybodaeth gyfrifiadurol briodol" wedi ei fewnosod ar ôl "hysbysiad";

(c) yn is-baragraff (4)—

(i) fel pe bai'r canlynol wedi ei roi yn lle'r geiriau agoriadol—

"(4) Yn achos trawslwytho cynhyrchion o bwynt mynediad yng Nghymru i bwynt mynediad neu safle rheolaethau'r ffin arall, rhaid i'r person sy'n gyfrifol am y llwyth hysbysu awdurdod cymwys y gyrchfan am—";

(ii) fel pe bai "y fan lle y bydd y trawslwythiad yn cael ei wirio, os oes angen hynny,";" wedi ei roi yn lle paragraff (b);

(ii) omit sub-paragraphs (2) to (3A);

(iii) in sub-paragraph (3C), for the words from "cynhyrchion" to "is-baragraff (3)" substitute "nwyddau perthnasol";

(iv) in sub-paragraph (4), omit paragraphs (a) and (b);

(c) in paragraph 6—

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

"(a) o 30 Ebrill 2024 ymlaen—

(i) caniateir i unrhyw wiriadau adnabod a gwiriadau ffisegol a wneir ar gynhyrchion ddigwydd naill ai yn y pwynt mynediad i Gymru neu yn y gyrchfan a nodir yn y ddogfen fewnforio sy'n cyd-fynd â'r llwyth;

(ii) yn ddarostyngedig i ofynion Rheoliad y Cyngor (CE) Rhif 1/2005 ar ddiogelu anifeiliaid wrth eu cludo a gweithrediadau cysylltiedig a Chyfarwyddebau diwygio 64/432/EEC a 93/119/EC a Rheoliad (CE) Rhif 1255/97, caniateir i reolaethau swyddogol mewn perthynas ag anifeiliaid byw ddigwydd yn y gyrchfan a nodir yn y ddogfen fewnforio sy'n cyd-fynd â'r anifeiliaid;

(aa) rhaid i'r gwiriadau y cyfeirir atynt ym mharagraff (a) gael eu cynnal ar sail risg neu ar hap ac ar y gyfradd amlder briodol;

(ab) rhaid i'r gweithredwr sy'n gyfrifol am lwyth o gynhyrchion sicrhau bod y llwyth yn cael ei gyflwyno ar gyfer rheolaethau swyddogol ar adeg resymol yn ystod y diwrnod gwaith;

(ac) caiff yr awdurdod cymwys, ar ôl cynnal gwiriad dogfennol ac unrhyw wiriadau adnabod a gwiriadau ffisegol angenrheidiol ar y llwyth, ddyroddi DMIG sy'n caniatáu mynediad;

(ad) pan nad oes gofynion deddfwriaethol yn ymwneud â'r llwyth, caiff yr awdurdod cymwys ddyroddi DMIG pan fo mewnforio'r llwyth wedi ei awdurdodi yn unol â'r weithdrefn a bennir yn rheoliad 15(5) i (7);";

(ii) in sub-paragraph (3), after the opening words, insert—

"(za) mae i "cyfradd amlder briodol" yr ystyr a roddir i "appropriate frequency rate" gan baragraff 2 o Atodiad 6 i'r Rheoliad Rheolaethau Swyddogol;";

(d) in paragraph 7—

(i) the existing text is renumbered as sub-paragraph (1);

(ii) in the renumbered sub-paragraph (1), after "nwyddau perthnasol" insert "sy'n dod o drydedd wlad berthnasol";

(iii) at the end, insert—

"(2) Caiff yr awdurdod gorfodi ymafael mewn unrhyw lwyth sy'n cael ei symud o bwynt mynediad yng Nghymru heb DMIG neu heb awdurdod yr awdurdod cymwys.

(3) Caiff yr awdurdod gorfodi ymafael mewn unrhyw lwyth sy'n cael ei gludo o bwynt mynediad yng Nghymru i gyrchfan ac eithrio'r gyrchfan a bennir yn y DMIG.";

(e) for paragraph 8, substitute—

"**8.**—(1) Mae rheoliad 20 yn gymwys fel pe bai—

(a) y canlynol wedi ei roi yn lle paragraff (1)—

"(1) Mae'r rheoliad hwn yn gymwys, yn ddarostyngedig i baragraff (1A), mewn perthynas ag unrhyw lwyth o gynnyrch os bydd unrhyw wiriadau a gynhelir yn dangos nad yw'r llwyth yn cydymffurfio â'r canlynol—

(a) gofynion y Rheoliadau hyn, fel y maent yn cael effaith yn ddarostyngedig i'r addasiadau trosiannol a bennir yn Atodlen 5; neu

(b) y rheolau y cyfeirir atynt yn Erthygl 1(2) o'r Rheoliad Rheolaethau Swyddogol.

(1A) Mae'r paragraff hwn yn gymwys—

(a) pan na chydymffurfir â'r rheolau y cyfeirir atynt ym mharagraff (1); a

(b) pan fo'r milfeddyg swyddogol neu'r arolygydd pysgod swyddogol (fel y bo'n briodol) yn ystyried bod y diffyg cydymffurfio yn fân a thechnegol ac nad yw'n peri risg i iechyd pobl, anifeiliaid neu blanhigion, nac i'r amgylchedd.

(1B) Pan fo paragraff (1A) yn gymwys, mae paragraffau (2) a (3) yn gymwys fel pe bai "caniateir" wedi ei roi yn lle "rhaid".";".

Consequential amendments to the Trade in Animals and Related Products (Scotland) Regulations 2012

16.—(1) The Trade in Animals and Related Products (Scotland) Regulations 2012(**49**) are amended as follows.

(2) In regulation 2(1), after the definition of "official controls" insert—

""official fish inspector" means a suitably trained person appointed in accordance with regulation 10(2);".

(3) In Schedule 3(**50**), at the end insert—

"**Case 8: low risk goods exempted under Article 48(h) of the Official Controls Regulation**

8. Low risk goods exempted from official controls in accordance with conditions specified by regulation 10 of the Official Controls (Miscellaneous Amendments) Regulations 2024.".

(4) In Schedule 5(**51**)—

(a) for paragraph 3 substitute—

"**3.**—(1) From 30th April 2024, and subject to sub-paragraph (2), no product may be brought into Scotland from a relevant third country otherwise than through a point of entry for which a border control post is designated in relation to that category of product.

(2) Live animals may continue to enter Scotland through any point of entry.".

(b) in paragraph 4—

(i) for sub-paragraph (1) substitute—

"(1) From 30th April 2024, subject to the derogation specified in sub-paragraphs (3C) and (3D), regulation 12 applies to relevant goods, as if—

(a) in sub-paragraph (1), for the words from "notify" to "border control post", in the second place where it occurs, there were substituted "notify the competent authority in relation to Scotland of the expected date of arrival of the consignment in Scotland";

(b) in sub-paragraph (3), after "made" there were inserted "through the appropriate computerised information management system",";

(ii) omit sub-paragraph (2);

(iii) in sub-paragraph (3C), for the words from "the relevant" to "sub-paragraph (3)" substitute "relevant goods"; and

(iv) omit sub-paragraphs (4), (5) and (6)(a) to (e).

(c) in paragraph 5—

(i) after sub-paragraph (1), insert—

"(1A) From 30th April 2024—

(a) any identity and physical checks carried out on products must take place at a border control post; and

(**49**) S.S.I. 2012/177, amended by S.S.I. 2012/198, 2014/3158, 2015/401, 2018/391, 2019/5, 71 and 412, 2020/455, 458, 2021/138, 297, 342, 432, 453 and 493, and 2022/90, 138 and 1322.
(**50**) Schedule 3 was amended by S.S.I. 2019/412, 2020/458 and S.I. 2021/453.
(**51**) Schedule 5 was inserted by S.S.I. 2020/458 and amended by S.S.I. 2021/297, 342, 432 and 493 and 2024/20.

(b) the operator responsible for a consignment of products must ensure that the consignment is presented for official controls at a reasonable time during the working day.

(1B) Subject to the requirements of Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97, official controls in relation to live animals may take place at the destination indicated in the importation document accompanying the animals;

(1C) The checks referred to in paragraph (1A) and (1B) must be carried out on a risk or random basis and at the appropriate frequency rate.

(1D) The competent authority, having carried out a documentary check and any necessary identity and physical checks on the consignment—

(a) may issue a CHED permitting entry; or

(b) where there are no legislative requirements relating to the consignment, may issue a CHED where importation is authorised in accordance with the procedure specified in regulation 13(5) to (7).";

(ii) in sub-paragraph (4), for "sub-paragraph (2)" substitute "sub-paragraph (2) or (2A), as the case may be";

(iii) omit sub-paragraph (5);

(iv) in sub-paragraph (6), after the opening words, insert—

"(za) "appropriate frequency rate" has the meaning given by paragraph 2 of Annex 6 to the Official Controls Regulation;";

(d) for paragraph 6 substitute—

"**6.** Regulation 17 applies as if for that regulation there were substituted—

"**17.**—(1) Subject to sub-paragraph (4), an enforcement authority may seize any consignment of relevant goods brought into Scotland from a relevant third country otherwise than through a point of entry with a border control post designated for the category of goods included in the consignment.

(2) An enforcement authority may seize any consignment which is removed from a point of entry in Scotland without a CHED or without authorisation by the competent authority.

(3) An enforcement authority may seize any consignment which is transported from a point of entry to a destination other than that specified in the CHED.

(4) Paragraph (1) does not apply in relation to consignments of live animals.".";

(e) for paragraph 7 substitute—

"**7.**—(1) Regulation 18 applies as if—

(a) for paragraph (1) there were substituted—

"(1) This regulation applies, subject to paragraph (1A), in relation to any consignment of a product if any checks carried out show that the consignment does not comply with—

(a) the requirements of these Regulations, as they have effect subject to the transitional modifications specified in Schedule 5; or

(b) the rules referred to in Article 1(2) of the Official Controls Regulation.

(1A) This paragraph applies where—

(a) there is non-compliance with the rules referred to in paragraph (1); and

(b) the official veterinarian or the official fish inspector (as appropriate) considers that the non-compliance is minor and technical and does not pose a risk to human, animal or plant health, or to the environment.

(1B) Where paragraph (1A) applies, paragraph (2) applies as if for "must" there were substituted "may".";".

(f) for paragraph 8 substitute—

"**8.** Regulation 21 applies as if, in paragraph (1)—

(a) for "checks at a border control post" there were substituted "checks"; and

(b) after "Official Controls Regulation" there were inserted "or in the case of relevant goods, does not comply with the provisions of Schedule 5,"".

Douglas-Miller
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

At 10.02 a.m. on 22nd April 2024

SCHEDULE 1

Regulation 7

Amendments to Commission Implementing Regulation (EU) 2019/2072

1. The Phytosanitary Conditions Regulation is amended as follows.

2. In Annex 11(**52**), in the table at Part A—

(a) in entry 7—

(i) in column 1, for the existing text substitute—

"Solanaceae Juss. and *Ipomoea* L.*"; and*

(ii) in column 2, for the existing text substitute—

"Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh:

ex 0603 19 70

Foliage, branches and other parts of plants, without flowers or flower buds, being goods of a kind suitable for bouquets or for ornamental purposes, fresh:

ex 0604 20 90

Vegetable products not elsewhere specified or included, fresh:

ex 1404 90 00.";

(b) in entry 9, in column 1, for the existing text substitute—

"Convolvulus L. and *Micromeria* Benth";

(c) in entry 10—

(i) in column 1, for "and *Ocimum* L" substitute ", *Ocimum* L. and *Spinacia oleracea* L."; and

(ii) in column 2, at the end insert—

"Spinach, New Zealand spinach and orache spinach (garden spinach)

ex 0709 70 00";

(d) in entry 20—

(i) in column 1, omit—

(aa) "*Carica papaya* L., *Cydonia* Mill.";

(bb) "*Prunus* L.";

(cc) "*Ribes* L."; and

(dd) "*Syzygium* Gaertn.";

(ii) in column 2, omit the words—

(aa) from "Guavas" to "ex 0804 50 00";

(bb) from "Melons" to "0807 20 00";

(cc) from "0808 40 00" to "0809 40 90";

(dd) from "Black-, white-" to "0810 30 90";

(ee) from "Kiwifruit" to "0810 50 00"; and

(ff) from "Persimmons" to "0810 70 00";

(e) after entry 20A(**53**), insert—

(**52**) Annex 11 was substituted by S.I. 2020/1527, and amended by S.I. 2021/426, 641, 1171, 2022/114, 1120 and 2023/959.
(**53**) Entry 20A was inserted by S.I. 2021/1171.

“20B.	*Cydonia* Mill.	Apples, pears and quinces, fresh or chilled: Quinces: 0808 40 00	Canada, Mexico and the USA
20C.	*Prunus* L.	Apricots, cherries, peaches (including nectarines), plums and sloes, fresh or chilled: 0809 10 00 0809 21 00 0809 29 00 0809 30 10 0809 30 90 0809 40 05 0809 40 90	Any third country other than Albania, Andorra, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Canary Islands, EU member States, Faroe Islands, Georgia, Iceland, Liechtenstein, Moldova, Monaco, Montenegro, North Macedonia, Norway, the following parts of Russia: Central Federal District (Tsentralny federalny okrug), Northwestern Federal District (Severo-Zapadny federalny okrug), Southern Federal District (Yuzhny federalny okrug), North Caucasian Federal District (Severo-Kavkazsky federalny okrug) and Volga Federal District (Privolzhsky federalny okrug), San Marino, Serbia, Switzerland, Turkey and Ukraine
20D.	*Ribes* L.	Black-, white- or re-currants and gooseberries, fresh or chilled; 0810 30 10 0810 30 30	Anguilla, Antigua and Barbuda, Aruba, the Bahamas, Barbados, Belize, Bermuda, Bonaire, British Virgin Islands, Canada, Cayman Islands,

	0810 30 90	Clipperton Island, Costa Rica, Cuba, Curaçao, Dominica, Dominican Republic, El Salvador, Greenland, Grenada, Guadeloupe, Guatemala, Haiti, Honduras, Jamaica, Martinique, Mexico, Montserrat, Nicaragua, Panama, Puerto Rico, Saba, Saint Barthélemy, Saint Kitts and Nevis, Saint Lucia, Saint Martin, Saint Pierre and Miquelon, Saint Vincent and the Grenadines, Sint Eustatius, Sint Maarten, Trinidad and Tobago, Turks and Caicos Islands, United States of America and United States Virgin Islands"

3. In Annex 11, in the table at Part B, in entry 1, column 2—

(a) omit—

"Coffee berries (other than beans), fresh, whole in husk not roasted:

ex 0901 11 00;";

(b) omit—

"Hop cones, fresh:

ex 1210 10 00;".

4. In Annex 11, in Part C, for the table substitute—

	"(1) Description of plants, plant products or other objects	*(2) Country of origin or dispatch*
1.	Fruit of *Actinidia* sp. Lindl	Any third country
2.	Fruit of *Ananas comosus* (L.) Merrill	Any third country
3.	Flower buds and fruit of *Capparis spinosa* L. (capers and caper berries)	Any third country

	"(1) Description of plants, plant products or other objects	*(2) Country of origin or dispatch*
4.	Fruit of *Carica papaya* L.	Any third country
5.	Leafy vegetables of *Cichorium intybus* L.	Any third country
6.	Fruit and leaves of *Citrus* sp. L.	Any third country
7.	Fruits of *Cocos nucifera* L.	Any third country
8.	Fruit of *Coffea arabica* L.	Any third country
9.	Fruit of *Coffea canephora* Pierre ex A.Frohner	Any third country
10.	Fruit of *Cucumis sativus* L.	Albania, Andorra, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Canary Islands, Faroe Islands, Georgia, Iceland, Liechtenstein, Moldova, Monaco, Montenegro, North Macedonia, Norway, the following parts of Russia: Central Federal District (Tsentralny federalny okrug), Northwestern Federal District (Severo-Zapadny federalny okrug), Southern Federal District (Yuzhny federalny okrug), North Caucasian Federal District (Severo-Kavkazsky federalny okrug) and Volga Federal District (Privolzhsky federalny okrug), San Marino, Serbia, Switzerland, and Ukraine
11.	Flower buds of *Cynara cardunculus* var. *scolymus* (L.) Benth. (globe artichoke)	Any third country
12.	Fruit of *Diospyros* sp. L.	Any third country
13.	Fruit of *Durio zibethinus* Murray	Any third country
14.	Leafy vegetables and bulb-like structures of *Foeniculum vulgare* Miller not for planting (fennel bulbs)	Any third country
15.	Fruit of Fortunella sp. Swingle	Any third country
16.	Fruit (bolls) of *Gossypium* spp.	Any third country

	"(1) Description of plants, plant products or other objects	*(2) Country of origin or dispatch*
17.	Flowers of *Humulus lupulus* L. (hop cones)	Any third country
18.	Cones of *Juniperus communis* L. (juniper berries)	Any third country
19.	Fruit of *Mangifera* sp. L.	Any third country
20.	Leaves of *Murraya* spp.	Any third country
21.	Fruit of *Musa*	Any third country
22.	Fruit of *Olea europaea* L.	Any third country
23.	Fruits of *Passiflora* sp. L	Any third country
24.	Fruit of Phoenix dactylifera L.	Any third country
25.	Fruit of Poncirus L. Raf	Any third country
26.	Fruit of *Psidium* sp.	Any third country
27.	Fruit of *Ribes* L.	Any third country other than Anguilla, Antigua and Barbuda, Aruba, the Bahamas, Barbados, Belize, Bermuda, Bonaire, British Virgin Islands, Canada, Cayman Islands, Clipperton Island, Costa Rica, Cuba, Curaçao, Dominica, Dominican Republic, El Salvador, Greenland, Grenada, Guadeloupe, Guatemala, Haiti, Honduras, Jamaica, Martinique, Mexico, Montserrat, Nicaragua, Panama, Puerto Rico, Saba, Saint Barthélemy, Saint Kitts and Nevis, Saint Lucia, Saint Martin, Saint Pierre and Miquelon, Saint Vincent and the Grenadines, Sint Eustatius, Sint Maarten, Trinidad and Tobago, Turks and Caicos Islands, United States of America and United States Virgin Islands
28.	Fruit of *Syzygium* Gaertn.	Any third country
29.	All plants other than those specified in Part A of this Annex and fruit of *Cydonia* Mill. and *Prunus* L.	EU member States and Switzerland"

SCHEDULE 2 Regulation 10(2) and (5)

Categories of goods posing a low risk exempted from routine checks at border control posts

Table 1

Animal by-products and derived products

Product	*Intended use of the product in Great Britain*	*Additional conditions and permitted countries*
Apiculture by-products	For use other than in apiculture.	Must meet the requirements in entry 10 of Table 2 (apiculture by-products) in Section 1 of Chapter 2 of Annex 14 to Regulation 142/2011.
Collagen	Other than as feed material.	The product must— (a) be derived from animals born, continuously reared and slaughtered in permitted countries where the BSE risk is negligible or controlled; and (b) come from a country which is listed either in the column headed "third countries' lists" in the appropriate row of Table 1 in Chapter 1, section 1 of Annex 14 to Regulation 142/2011, or as referred to in that column.
Dicalcium phosphate	Other than as feed material.	The product must— (a) be derived from animals born, continuously reared and slaughtered in permitted countries where the BSE risk is negligible or controlled; and (b) come from a country which is listed either in the column headed "third countries' lists" in the

(1) Product is intended to be used as a stabiliser or carrier for any of—

— monoclonal antibodies, polyclonal antibodies, proteins, enzymes, peptides and polypeptides separated from plasma or serum and purified to the extent that they do not contain any viable pathogenic micro-organisms;

— cells which do not contain a pathogen;

— cell cultures which are more than one generation removed from tissue harvested from an animal;

— stem cells derived from animals born and reared exclusively in a laboratory environment; and

— material other than animal by-products or derived products.

(2) The animal by-product used as the stabiliser or carrier—

— is at a concentration of either 3% or less of the entire product, with no limit on the individual unit size, or a percentage greater than 3% but no more than 10% of the entire product, with a maximum individual unit size of 100 ml;

— is intended for laboratory or pharmaceutical use only; and

— is not for any subsequent use other than as a carrier or stabliser.

Product	*Intended use of the product in Great Britain*	*Additional conditions and permitted countries*
		appropriate row of Table 1 in section 1 of Chapter 1 of Annex 14 to Regulation 142/2011, or as referred to in that column.
Fish oil	Other than as feed material.	The product must come from a country listed— (a) in the column headed "third countries' lists" in the appropriate row of Table 1 in Chapter 1, section 1 of Annex 14 to Regulation 142/2011; or (b) under legislation or lists as referred to in that column.
Gelatine, other than photogelatine	Other than as feed material.	The product must— (a) be derived from animals born, continuously reared and slaughtered in permitted countries where the BSE risk is negligible or controlled; and (b) come from a country which is listed either in the column headed "third countries' lists" in the appropriate row of Table 1 in Chapter 1, section 1 of Annex 14 to Regulation 142/2011, or as referred to in that column.
Highly processed derived products from animal by-products in a category specified in Chapter 1, section 1, Table 1 or in Chapter 2, section 1, Table 2 of Annex 1 to Regulation 142/2011	For use as laboratory reagents and pharmaceutical use, including in the manufacture of pharmaceuticals and laboratory reagents.	The product must— (a) meet the specific import requirements which apply under Annex 14 to Regulation 142/2011 to the category of animal by-product from which the highly processed product was derived;

(1) Product is intended to be used as a stabiliser or carrier for any of—

— monoclonal antibodies, polyclonal antibodies, proteins, enzymes, peptides and polypeptides separated from plasma or serum and purified to the extent that they do not contain any viable pathogenic micro-organisms;

— cells which do not contain a pathogen;

— cell cultures which are more than one generation removed from tissue harvested from an animal;

— stem cells derived from animals born and reared exclusively in a laboratory environment; and

— material other than animal by-products or derived products.

(2) The animal by-product used as the stabiliser or carrier—

— is at a concentration of either 3% or less of the entire product, with no limit on the individual unit size, or a percentage greater than 3% but no more than 10% of the entire product, with a maximum individual unit size of 100 ml;

— is intended for laboratory or pharmaceutical use only; and

— is not for any subsequent use other than as a carrier or stabliser.

Product	*Intended use of the product in Great Britain*	*Additional conditions and permitted countries*
		(b) have undergone processing which ensures that it does not carry any risk of transmission of a disease communicable to humans or animals; and (c) cannot be returned to its original structure or composition.
Hydrolysed protein	Other than as feed material.	The product must— (a) be derived from animals born, continuously reared and slaughtered in permitted countries where the BSE risk is negligible or controlled; and (b) come from a country which— (i) is listed either in the column headed "third countries' lists" in the appropriate row of Table 1 in Chapter 1, section 1 of Annex 14 to Regulation 142/2011, or as referred to in that column; and (ii) is not South Africa, India or Uruguay.
Intermediate products	Use as specified in paragraph 35 of Annex 1 to Regulation 142/2011.	The product must— (a) have undergone processing which ensures that the product carries no risk of transmission of a disease communicable to humans or animals and cannot be returned to its original structure or composition; (b) come from a third country listed as a member of the

(1) Product is intended to be used as a stabiliser or carrier for any of—

— monoclonal antibodies, polyclonal antibodies, proteins, enzymes, peptides and polypeptides separated from plasma or serum and purified to the extent that they do not contain any viable pathogenic micro-organisms;

— cells which do not contain a pathogen;

— cell cultures which are more than one generation removed from tissue harvested from an animal;

— stem cells derived from animals born and reared exclusively in a laboratory environment; and

— material other than animal by-products or derived products.

(2) The animal by-product used as the stabiliser or carrier—

— is at a concentration of either 3% or less of the entire product, with no limit on the individual unit size, or a percentage greater than 3% but no more than 10% of the entire product, with a maximum individual unit size of 100 ml;

— is intended for laboratory or pharmaceutical use only; and

— is not for any subsequent use other than as a carrier or stabliser.

Product	*Intended use of the product in Great Britain*	*Additional conditions and permitted countries*
		World Organisation for Animal Health(**54**); and (c) meet the requirements of Annex 12 to Regulation 142/2011, other than paragraph 3, insofar as it relates to the requirement for checking at a border control post; and paragraph 5.
Treated blood products, other than from equidae	Other than as feed material; for in-vitro use only, for the manufacture of derived products for uses outside the feed chain for farmed animals.	The product— (a) must meet the requirements specified in entry 2 of Table 2, in Section 1 of Chapter 2 of Annex 14 to Regulation 142/2011; and (b) must be derived from animals born, continuously reared and slaughtered in permitted countries where the BSE risk is negligible or controlled. (c) must not be blood derived from — (i) bovine or ovine animals in South Africa; (ii) poultry in Canada or the USA; (iii) mixed species in Brazil, Israel, South Africa, Thailand or the USA; or (iv) aquatic species in Israel, South Africa, South Korea, Uruguay or the USA.
Treated feathers, parts of feathers and down	Other than as feed material.	Must meet the requirements in entry 9 of Table 2 (treated feathers) in Section 1

(1) Product is intended to be used as a stabiliser or carrier for any of—

— monoclonal antibodies, polyclonal antibodies, proteins, enzymes, peptides and polypeptides separated from plasma or serum and purified to the extent that they do not contain any viable pathogenic micro-organisms;

— cells which do not contain a pathogen;

— cell cultures which are more than one generation removed from tissue harvested from an animal;

— stem cells derived from animals born and reared exclusively in a laboratory environment; and

— material other than animal by-products or derived products.

(2) The animal by-product used as the stabiliser or carrier—

— is at a concentration of either 3% or less of the entire product, with no limit on the individual unit size, or a percentage greater than 3% but no more than 10% of the entire product, with a maximum individual unit size of 100 ml;

— is intended for laboratory or pharmaceutical use only; and

— is not for any subsequent use other than as a carrier or stabliser.

(**54**) A list of members can be found on the website of the World Organisation for Animal Health at Members - WOAH - World Organisation for Animal Health.

Product	*Intended use of the product in Great Britain*	*Additional conditions and permitted countries*
		of Chapter 2 of Annex 14 to Regulation 142/2011.
Treated milk and milk-based products and treated blood products	For use only as a stabiliser or carrier for materials specified in Note [(1)].	The animal by-product used as the stabiliser or carrier must meet the conditions specified in Note [(2)]. The product must— (a) for treated milk and milk-based products, meet the requirements specified, in entry 4 of Table 1 in Section 1 of Chapter 1 of Annex 14 to Regulation 142/2011; or (b) for treated blood products— (i) in entry 2 of Table 2 in Section 1 of Chapter 2 of Annex 14 to Regulation 142/2011; or (ii) in entry 3 of Table 2 in Section 1 of Chapter 2 of Annex 14 to Regulation 142/2011 and have been treated in accordance with the requirements in point 2(b)(ii) of Chapter 4 of Annex 13 to Regulation 142/2011. (c) come from a country listed for the relevant category of product in the column headed “Third countries’ lists”— (i) for treated milk and milk-based products, in entry 4 of Table 1 in Section 1 of Chapter 1 of Annex 14 to Regulation 142/2011; and

(1) Product is intended to be used as a stabiliser or carrier for any of—

— monoclonal antibodies, polyclonal antibodies, proteins, enzymes, peptides and polypeptides separated from plasma or serum and purified to the extent that they do not contain any viable pathogenic micro-organisms;

— cells which do not contain a pathogen;

— cell cultures which are more than one generation removed from tissue harvested from an animal;

— stem cells derived from animals born and reared exclusively in a laboratory environment; and

— material other than animal by-products or derived products.

(2) The animal by-product used as the stabiliser or carrier—

— is at a concentration of either 3% or less of the entire product, with no limit on the individual unit size, or a percentage greater than 3% but no more than 10% of the entire product, with a maximum individual unit size of 100 ml;

— is intended for laboratory or pharmaceutical use only; and

— is not for any subsequent use other than as a carrier or stabliser.

Product	*Intended use of the product in Great Britain*	*Additional conditions and permitted countries*
		(ii) for treated blood products, in entry 2 of Table 2 in Section 1 of Chapter 2 of Annex 14 to Regulation 142/2011.

(1) Product is intended to be used as a stabiliser or carrier for any of—

— monoclonal antibodies, polyclonal antibodies, proteins, enzymes, peptides and polypeptides separated from plasma or serum and purified to the extent that they do not contain any viable pathogenic micro-organisms;

— cells which do not contain a pathogen;

— cell cultures which are more than one generation removed from tissue harvested from an animal;

— stem cells derived from animals born and reared exclusively in a laboratory environment; and

— material other than animal by-products or derived products.

(2) The animal by-product used as the stabiliser or carrier—

— is at a concentration of either 3% or less of the entire product, with no limit on the individual unit size, or a percentage greater than 3% but no more than 10% of the entire product, with a maximum individual unit size of 100 ml;

— is intended for laboratory or pharmaceutical use only; and

— is not for any subsequent use other than as a carrier or stabliser.

Table 2

Low risk products of animal origin from permitted countries

1. Commodity	*2. Conditions for inclusion in low risk category*	*3. Comments*
Apiculture products for human consumption	Low risk for Argentina, Australia, Brazil, Canada, Chile, India, New Zealand, Ukraine, United States, Uruguay and Vietnam.	Must come from a country— (a) listed in the Annex to Decision 2011/163; and (b) specified as approved for inclusion in a document published by the Secretary of State in accordance with Article 17 of Regulation 2019/626.
Bovine meat and meat products	Low risk for chilled or fresh meat and meat products from New Zealand. As regards New Zealand and any other permitted country which has a negligible or controlled BSE status: low risk if shelf stable at ambient temperature and sterilised.	Fresh meat and meat products must meet the relevant requirements of Regulation 853/2004. Fresh meat and meat used to make meat products must meet the requirements for fresh meat in Regulation 206/2010 and come from a country listed in Annex 1 to Regulation 206/2010 and specified in a document published by the

1. Commodity	*2. Conditions for inclusion in low risk category*	*3. Comments*
		Secretary of State for the purposes of Article 3a of that Regulation. Bovine meat products must— (a) meet the requirements of, Decision 2007/777; (b) come from a country or part of a country listed in Annex 2 to Decision 2007/777 and specified in a document published by the Secretary of State in accordance with the requirements of Article 3(a) and (b) (for imports) or 5(1)(a) (for goods in transit) of that Decision; (c) meet the relevant requirements in Regulation 999/2001; and (d) not include specified risk material.
Composite products, other than those containing bivalve molluscs, echinoderms, tunicates or marine gastropods or their products.	As regards all permitted countries, low risk if shelf stable at ambient temperature and sterilised.	Composite products (other than those otherwise exempted from official controls under Article 6 of Decision 2007/275, or by listing in accordance with Article 3(1)(b) of Decision 2007/275) must— (a) so far as concerns any milk or dairy products they contain, come from a country listed by the Secretary of State in accordance with Article 3 or 4 of Regulation 605/2010(**55**); (b) so far as concerns any bovine meat or meat products they contain, come from a country with negligible or controlled BSE status.

(**55**) Article 6(2) of Commission Decision 2007/275 refers to the countries listed in Annex 1 of Regulation 605/2010. However, Article 3 of, and Annex 1 to, Regulation 605/2010 were amended by S.I. 2022/735 to require such of those countries or parts of countries listed in Annex 1 from which milk, dairy products, colostrum and colostrum-based products are to be authorised by the appropriate authority for importation to be specified in a document published by the Secretary of State.

1. Commodity	*2. Conditions for inclusion in low risk category*	*3. Comments*
Dairy products and colostrum-based products which are preserved at frozen or chilled temperatures.	Low risk for Canada and New Zealand only. Products must only contain milk which has been subject to pasteurisation or an equivalent or higher level of treatment (eg UHT processing).	Products must meet the requirements of Regulations 605/2010 and 853/2004 and of any assimilated direct minor legislation or regulations made under those Regulations.
Dairy products and colostrum-based products (other than those preserved at frozen or chilled temperatures).	Low risk for Canada and New Zealand if shelf-stable at ambient temperature. Low risk for all permitted countries if shelf stable at ambient temperature and sterilised.	Goods in this category must— (a) meet the requirements of Article 4 of Regulation 605/2010 and of Regulation 853/2004 and any assimilated direct legislation or regulations made under those Regulations; and (b) come from a country specified in a document published by the Secretary of State in accordance with the requirements of Article 3 of Regulation 605/2010.
Egg products	Low risk for the USA if shelf-stable at ambient temperature.	Goods in this category must meet the requirements of Regulation 798/2008, Regulation 853/2004 and any assimilated direct minor legislation or regulations made under those Regulations.
Fishery products, including crustaceans	Low risk for New Zealand, except for species of the families of *Scombridae, Clupeidae, Engraulidae, Corfenidae, Pomatomidae* or *Scombresosidae* (“histamine susceptible species”), except for fishery products from aquaculture. Low risk, with the exception of histamine susceptible species, bivalve molluscs, echinoderms, tunicates or marine gastropods, for all permitted countries if shelf stable at ambient temperature and sterilised	Goods in this category must meet the applicable requirements of Regulations 852/2004, 853/2004 and 1251/2008. Country of origin must be listed in Annex 2 of Regulation 2019/626. Must meet the requirements for fishery products in Regulation 2019/628.

1. Commodity	*2. Conditions for inclusion in low risk category*	*3. Comments*
Gelatine and collagen	Low risk for bovine products from permitted countries where BSE risk is negligible or controlled.	Must meet the applicable requirements of Regulations 852/2004, 853/2004 and 2019/628.
	Low risk for non-bovine products from all permitted countries.	For gelatine and collagen derived from bovine or ovine animals— (a) must meet the requirements of Regulation 999/2001; and (b) must not include specified risk material.
Highly refined products of animal origin	Low risk for all permitted countries.	Must meet the relevant requirements of Regulation 2019/628 and Regulation 853/2004.
Honey	Low risk for Argentina, Australia, Brazil, Canada, Chile, India, New Zealand, Ukraine, United States, Uruguay and Vietnam.	Must come from a country— (a) listed in the Annex to Decision 2011/163; and (b) specified as approved for inclusion in a document published by the Secretary of State in accordance with Article 17 of Regulation 2019/626.
Milk	Low risk for all permitted countries if shelf stable at ambient temperature and sterilised.	Goods in this category must— (a) be authorised by the Secretary of State to be imported into Great Britain from a third country listed in Annex 1 to Regulation 605/2010 and specified in a document in accordance with the requirement of Article 2 of that Regulation; and (b) meet the other requirements of Regulation 605/2010, Regulation 853/2004 and any assimilated direct minor legislation or regulations made under those Regulations.

1. Commodity	*2. Conditions for inclusion in low risk category*	*3. Comments*
Ovine, caprine and camelid meat and meat products	Low for fresh meat and meat products from Australia. Low risk for all permitted countries if shelf stable at ambient temperature and sterilised.	Fresh meat or meat products in this category imported from Australia must meet the requirements applicable to fresh meat in Regulation 206/2010. For meat products which are shelf stable at ambient temperature— (a) must come from a country or part of a country listed in Annex 2 to Decisions 2007/777 and specified in a document published by the Secretary of State in accordance with the requirement of Article 3(a) and (b) (for imports) or 5(1)(a) (for goods in transit) of Decision 2007/777(**56**); (b) for ovine and caprine animals, must meet the requirements of Regulation 999/2001; and (c) must not include specified risk material.
Porcine meat and meat products	Low risk for all permitted countries if shelf stable at ambient temperature and sterilised.	Must meet the requirements of Regulation 853/2004 and Decision 2007/777, and of any applicable assimilated direct minor legislation or regulations made under Regulation 853/2004.
Poultry meat and poultry meat products	Low risk for all permitted countries if shelf stable at ambient temperature and sterilised. Poultry meat products must not originate in China or Thailand.	Must— (a) meet the applicable requirements of Regulations 853/2004, Regulation 798/2008 and Decision 2007/777, and of any applicable assimilated direct minor legislation or regulations

(**56**) Article 5 of Decision 2007/777 was amended by S.I. 2020/1462 and 2022/735.

1. Commodity	*2. Conditions for inclusion in low risk category*	*3. Comments*
		made under Regulation 853/2004; and (b) come from a country or territory listed in Annex 1 to Regulation 798/2008 and specified in a document published by the Secretary of State in accordance with Article 3 of Regulation 798/2008.
Rabbit meat, game meat and rabbit and game meat products	Low risk for all permitted countries if shelf stable at ambient temperature and sterilised.	Must meet the requirements of Regulations 853/2004 and Decision 2007/777, and of any applicable assimilated direct minor legislation or regulations made under Regulation 853/2004. Must— (a) come from a country listed in Part 1 of Annex 1 to Regulation 119/2009 and specified in a document published by the Secretary of State for the purposes of Article 3 of Regulation 119/2009; and (b) meet the relevant requirements of Regulation 119/2009.
Rendered animal fat and greaves	Low risk for bovine products from permitted countries where the BSE risk is negligible or controlled. Low risk for non-bovine products from all permitted countries.	Must— (a) meet the requirements of Regulations 852/2004 and 853/2004 and of any applicable assimilated direct minor legislation or regulations made under those instruments; and (b) for products derived from bovine, ovine or caprine animals, meet the relevant requirements in Regulation 999/2001 and not include specified risk material.

1. Commodity	*2. Conditions for inclusion in low risk category*	*3. Comments*
Soliped meat and meat products	Low risk for all permitted countries if shelf stable at ambient temperature and sterilised.	Must— (a) meet the requirements of Regulation 853/2004 and any instruments made under that Regulation; (b) for meat products, meet the requirements of Decision 2007/777; (c) come from a country or part of a country listed in Annex 2 to Decision 2007/777; and (d) come from a country or part of a country specified in a document published by the Secretary of State in accordance with the requirements of Articles 3(a) and (b) (for imports) or 5(1)(a) (for goods in transit) of Decision 2007/777.

Table 3

Permitted countries

Country or region
Argentina
Australia
Botswana
Brazil
Canada
Chile
China
Ecuador
India
Israel
Japan
Namibia
New Zealand
Nicaragua

Country or region
Singapore
South Africa
South Korea
Thailand
Turkey
Ukraine
United States
Uruguay
Vietnam

In this Schedule—

"BSE risk status" refers to the risk status(**57**)—

(a) mentioned in Article 5(1) of Regulation 999/2001(**58**); and

(b) determined by the Secretary of State in accordance with Article 5(7) of, and Annex 2 to, Regulation 999/2001 and published in accordance with Article 5(7B) of that Regulation(**59**);

"collagen" has the meaning given by—

(a) in relation to animal by-products, point 11 of Annex 1 to Regulation 142/2011(**60**); and

(b) in relation to products of animal origin, point 7.8 of Annex 1 to Regulation 853/2004;

"composite product" has the meaning given by Article 2(a) of Decision 2007/275 concerning lists of composite products to be subject to controls at border control posts;

"egg products" has the meaning given by point 7.3 of Annex 1 to Regulation 853/2004;

"F_0 value" means the thermal lethality time required to eliminate all microorganisms present in foods, by exposing them to a temperature of 121.1^{o} C, expressed in minutes;

"feed material" means—

(a) feed material as defined in point 3 of Annex 1 to Regulation 142/2011; and

(b) petfood;

"fish oil" has the meaning given by point 9 of Annex 1 to Regulation 142/2011;

"fishery products" has the meaning given by point 3.1 of Annex 1 to Regulation 853/2004;

"fresh meat" means fresh meat as defined in point 1.10 of Annex 1 to Regulation 853/2004;

"gelatine" has the meaning given—

(**57**) The reference to a country's BSE status is to the status of a country determined in accordance with Article 5 of Regulation 999/2001 of the European Parliament and the Council, laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies. Details of each country's BSE status are included in the document entitled "Bovine Spongiform Encephalopathy (BSE) risk status of trading partners", published by the Secretary of State on 10th February 2023 in accordance with Article 5(7B) of that Regulation. This document can be found at. bse.pdf (amazonaws.com) and a hard copy of that document may be inspected at DEFRA, Seacole Building, 2 Marsham Street, London SW1P 4DF.

(**58**) EUR 999/2001. Article 5 was amended by S.I. 2019/170 (as amended by S.I. 2020/1388), 2019/588 (as amended by S.I. 2020/1463), 2020/1388 and 2022/735.

(**59**) The document referred to in Article 5(7B) is published online and can be found at Animal health status of countries approved to export animals and animal products to Great Britain - data.gov.uk. A hard copy of that document may be inspected at DEFRA, Seacole Building, 2 Marsham Street, London SW1P 4DF.

(**60**) EUR 142/2011. Annex 1 was amended by S.I. 2020/1388.

(a) in relation to animal by-products, by point 12 of Annex 1 to Regulation 142/2011; or

(b) in relation to products of animal origin, by point 7.7 of Annex 1 to Regulation 853/2004;

"greaves" has the meaning given—

(a) in relation to animal by-products, by point 13 of Annex 1 to Regulation 142/2011; or

(b) in relation to products of animal origin, by point 7.6 of Annex 1 to Regulation 853/2004;

"highly refined products of animal origin" means—

(a) chondroitin sulphate;

(b) hyaluronic acid;

(c) other hydrolysed cartilage products;

(d) chitosan;

(e) glucosamine;

(f) rennet;

(g) isinglass; and

(h) amino acids that are authorised as food additives in accordance with Regulation (EC) No 1333/2008 of the European Parliament and of the Council on food additives(**61**).

"honey" means the natural sweet substance produced by Apis mellifera bees from the nectar of plants or from secretions of living parts of plants or excretions of plant-sucking insects on the living parts of plants, which the bees collect, transform by combining with specific substances of their own, deposit, dehydrate, store and leave in honeycombs to ripen and mature;

"hydrolysed protein" has the meaning given by point 14 of Annex 1 to Regulation 142/2011;

"intermediate product" has the meaning given by point 35 of Annex 1 to Regulation 142/2011, and for the purposes of that definition "derived product" is to be construed in accordance with Article 3.2 of Regulation 1069/2009;

"laboratory reagent" has the meaning given by point 36 of Annex 1 to Regulation 142/2011;

"meat products" has the meaning given by point 7.1 of Annex 1 to Regulation 853/2004;

"permitted countries" means those countries listed in Table 3;

"petfood" has the meaning given by point 19 of Annex 1 to Regulation 142/2011;

"photogelatine" means gelatine which has been produced from material containing bovine vertebral column in accordance with Article 8(b) of Regulation 1069/2009 and which is intended for the photographic industry;

"Regulation 999/2001" means 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(**62**);

"Regulation 852/2004" means Regulation (EC) No 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs(**63**);

"specified risk material" means the material referred to in Article 8 of, and listed in Annex 5 to, Regulation 999/2001(**64**);

(**61**) EUR 2008/1333, as amended by S.I. 2019/860.
(**62**) EUR 999/2001, amended by S.I. 2019/170 (as amended by S.I. 2019/1220 and 2020/1388), 2019/588 (as amended by S.I. 2020/1463), 1220 and 1229, 2020/1388 and1463, 2021/1229, 2022/735, 1090 and 1315.
(**63**) EUR 852/2004, amended by S.I. 2019/642 (as amended by S.I. 2020/1504) and 2023/959.
(**64**) Article 8 was amended by S.I. 2019/170 (as amended by S.I 2020/1388), 2019/588 (as amended by S.I. 2020/1463) and 2020/1388.

"sterilised" in relation to a product, means that the product has been sterilised either by undergoing specific treatment in a hermetically sealed container that achieves an F_0 value of three or more or by undergoing heat treatment, prior to aseptic packaging, that achieves commercial sterilisation;

"treated blood products" means blood products, as defined in point 4 of Annex 1 to Regulation 142/2011, which meet the specific requirements listed for such products in Chapter 2, Section 1 of Annex 14 to that Regulation;

"treated feathers" means feathers or parts of feathers which have been treated with a steam current or by a method that ensures that no risks to human or animal health or to the environment remain.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make changes to the operation of official controls during the transitional staging period ("the TSP"), established under Annex 6 to Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products ("the Official Controls Regulation"), during which the requirements for certain official documents and for the performance of official controls in relation to some categories of animals, plants and other goods imported into Great Britain ("relevant goods") have been temporarily eased. The TSP applies in relation to those categories of imports arriving in Great Britain from a European Economic Area member State, the Faroe Islands, Greenland or Switzerland ("relevant third countries").

Regulation 4 amends Annex 6 to the Official Controls Regulation to introduce border controls on relevant goods coming to Great Britain from relevant third countries on or after 30th April 2024. These goods must, from 30th April 2024, be pre-notified by submitting a common health entry document through the import of products, food and feed system for Great Britain ("IPAFFS") and, subject to certain exceptions, will be required to enter Great Britain through a border control post. Live animals may continue to enter Great Britain through any point of entry and checks will take place at the destination of the consignment. Relevant goods which are products of animal origin coming from the Republic of Ireland may also enter through any point of entry in Wales or through Heysham. Certain plants coming from the Republic of Ireland may also enter through specified points of entry in England, Wales and Scotland.

Regulation 4 includes a transitory derogation from enforcement provisions which would otherwise apply where there is a minor or technical breach of the rules referred to in Article 2(1) of the Official Controls Regulation which poses no risk to human, animal or plant health or to the environment.

Regulation 5 allows scanned copies of the official certificates required to accompany relevant goods entering Great Britain from relevant third countries to be accepted during the period beginning with 30th April and ending on 31st July 2024.

Part 3 makes changes to plant health legislation. Regulations 6 and 8 amend the Official Controls and Phytosanitary Conditions (Amendment) Regulations 2021 (S.I. 2020/136) and Annex 6 and Annex 8 to the Official Controls Regulation, which supplement and modify the application of plant health rules in relation to certain categories of plants and plant products during the TSP. Regulation 7

and Schedule 1 amend Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031, as regards protective measures against pests of plants (EUR 2019/2072).

Part 4 makes amendments to certain exemptions from official controls, and to rules governing the determination of the frequency of physical and identity checks on goods entering Great Britain. Regulation 10 and Schedule 2 introduce a partial exemption from official controls for certain categories of products of animal origin and animal by-products entering Great Britain from specified third countries. These products are considered to present a low risk, or no specific risk, of harm and will be subject to checks on a random or risk basis rather than at a minimum frequency rate.

Regulation 12 amends Commission Implementing Regulation (EU) 2019/2129 establishing rules for the uniform application of frequency rates for identity checks and physical checks on certain consignments of animals and goods entering the Union (EUR 2019/2129). This Regulation allows the minimum frequency of physical and identity checks on goods entering Great Britain from risk-assessed third countries to be determined by the competent authority and published online, rather than being prescribed by regulations. It also requires the frequency rates applying to retail goods from outside the European Economic Area subject to the Windsor Framework agreement with the European Union (C.P. 806) to be set at a rate no lower than that applying to the corresponding goods being imported into Northern Ireland.

Part 5 contains consequential and supplemental amendments to the Trade in Animal and Related Products Regulations (S.I. 2011/1197), the Trade in Animals and Related Products (Wales) Regulations 2011 (S.I. 2011/2379) (W. 252) and the Trade in Animals and Related Products (Scotland) Regulations 2012 (S.S.I. 2012/177).

An impact assessment for this instrument has been produced. It can be accessed at www.legislation.gov.uk. An Explanatory Memorandum has been published alongside these Regulations on www.legislation.gov.uk.