The Secretary of State makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972.(1)

The Secretary of State has been designated for the purposes of section 2(2) of the European Communities Act 1972 in relation to measures relating to food (including drink) including the primary production of food.

As required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(2) there has been open and transparent public consultation during the preparation of these Regulations.

Title and commencement

1. These Regulations may be cited as the Meat (Official Controls Charges) (England) (Amendment) Regulations 2019 and come into force on 14th December 2019.

Amendment of the Meat (Official Controls Charges) (England) Regulations 2009

2. The Meat (Official Controls Charges) (England) Regulations 2009(3) are amended as follows.

3. In regulation 2 (interpretation), at paragraph (1)—

   (a) in the definition “audit”, for “Article 2.6 of Regulation 882/2004” substitute “Article 3 (30) of Regulation 2017/625”;

   (b) in the definition “controls”—

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(1) 1972 c.68.
(3) S.I. 2009/1574 as last amended by S.I. 2015/1782.
(i) in sub-paragraph (a), for “Regulation 854/2004” substitute “Regulation 2017/625, Regulation 2019/624 and Regulation 2019/627”;

(ii) in sub-paragraph (b), for “Regulation 854/2004” substitute “Regulation 2017/625, Regulation 2019/624 and Regulation 2019/627”;

(c) in the definition “cutting plant”, in sub-paragraph (a), for “Article 31.2 of Regulation 882/2004” substitute “Article 148 of Regulation 2017/625”;

(d) for the definitions paragraph—


substitute—


(e) in the definition “game-handling establishment”, in sub-paragraph (a), for “Article 31.2 of Regulation 882/2004” substitute “Article 148 of Regulation 2017/625”;

(f) in the definition “official auxiliary”, for “Article 2.1(h) of Regulation 854/2004” substitute “Article 3 (49) of Regulation 2017/625”;

(g) in the definition “official controls”, for “Article 2.1 of Regulation 882/2004” substitute “Article 2(1) of Regulation 2017/625”;

(h) in the definition “official veterinarian”, for “Article 2.1(f) of Regulation 854/2004” substitute “Article 3(32) of Regulation 2017/625”;

(i) in the definition “slaughterhouse”, in sub-paragraph (a), for “Article 31.2 of Regulation 882/2004” substitute “Article 148 of Regulation 2017/625”.

4. For Schedule 1 (definitions of EU legislation), substitute the Schedule set out in the Schedule to these Regulations.

5. In Schedule 2 (calculation of the official controls charge)—

(a) in paragraph 6—

(i) for “specified in Article 1.1 of Regulation 882/2004” substitute “of Regulation 2017/625”;

(ii) for “Article 3.1” substitute “Article 9(1)”;

(b) in paragraph 11, for “Annex VI to Regulation 882/2004”, substitute “Articles 81 and 82 of Regulation 2017/625”.

Review

6.—(1) The Food Standards Agency must from time to time—

(a) carry out a review of the operation and effect of these Regulations;

(b) set out the conclusions of the review in a report; and

(c) publish the report.

(2) The report must in particular—
(a) set out the objectives intended to be achieved by the regulatory provisions made by these Regulations;
(b) assess the extent to which those objectives are achieved; and
(c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.

(3) The first report under this regulation must be published before the end of the period of five years beginning with the day on which these Regulations come into force.

(4) Reports under this regulation are afterwards to be published at intervals not exceeding five years.

Signed by the authority of the Secretary of State for Health and Social Care.

Jo Churchill
Parliamentary Under Secretary of State,
Department of Health and Social Care

22nd November 2019
SCHEDULE 1

DEFINITIONS OF EU LEGISLATION


“Regulation 2073/2005” means Commission Regulation (EC) No. 2073/2005 on microbiological criteria for foodstuffs(8);


“Regulation 2015/1375” means Commission Implementing Regulation (EU) 2015/1375 laying down specific rules on official controls for Trichinella in meat(10);


EXPLANATORY NOTE

(This note is not part of the Regulations)


A full impact assessment of the effect that these Regulations will have on the costs of business and food authorities is available from the Food Standards Agency, Clive House, 70 Petty France, London SW1H 9EX, and is also available together with these Regulations at www.legislation.gov.uk.