
STATUTORY INSTRUMENTS

2020 No. 1631

The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) (No. 2) Regulations 2020

PART 3

Amendment of retained direct EU legislation

Commission Implementing Regulation (EU) 2019/627 laying down uniform practical arrangements for the performance of official controls on products of animal origin intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council and amending Commission Regulation (EC) No. 2074/2005 as regards official controls

16.—(1) Commission Implementing Regulation (EU) 2019/627 laying down uniform practical arrangements for the performance of official controls on products of animal origin intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council and amending Commission Regulation (EC) No. 2074/2005 as regards official controls ^{M1} is amended as follows.

(2) In Article 1(c), omit “Union”.

(3) In Article 2, after point (48) insert—

“(49) “food safety authority” means—

(i) as regards England and Wales, the Food Standards Agency;

(ii) as regards Scotland, Food Standards Scotland.

(50) “British fishing vessel” means a fishing vessel registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995 ^{M2} for which the entry in the register specifies a port in Great Britain as the port to which the vessel is to be treated as belonging;

(51) “the Residues Regulations” means—

(i) as regards England and Scotland, the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (England and Scotland) Regulations 2015 ^{M3};

(ii) as regards Wales, the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (Wales) Regulations 2019 ^{M4}.”.

(4) In Article 3(3)(b)—

(a) omit “Union”;

(b) for “Council Directive 96/23/EC” substitute “ the Residues Regulations ”;

(c) for “Council Directive 96/22/EC,” substitute “ the Residues Regulations and ”.

(5) Omit Chapter 3 of Title 2 (Article 6).

(6) Omit Article 9(3).

- (7) In Article 13(2)—
- (a) in the opening words, for “a Member State”, substitute “ Great Britain ”;
 - (b) omit the last unnumbered paragraph (which begins “In such case”).
- (8) In Article 14(1)(b)(ii)—
- (a) omit the words “as referred to in Directive 96/23/EC and Decision 97/747/EC”;
 - (b) for “Directive 96/22/EC” substitute “ , the Residues Regulations ”.
- (9) In Article 18—
- (a) in paragraph 1(b), for “Member State or region of a Member State”, substitute “ constituent territory of Great Britain ”;
 - (b) in paragraph 2(a), for “Member States” substitute “ the competent authority ”.
- (10) Omit Article 28(1).
- (11) In Article 30(1)(c), after “Directive 2003/99/EC” insert “ or any other applicable legislation in force in the relevant constituent territory of Great Britain ”.
- (12) In Article 32—
- (a) in paragraph (1)—
 - (i) for “a Member State” substitute “ the British Islands ”;
 - (ii) for “the Union” substitute “ Great Britain ”;
 - (b) in paragraph (2), for “a Member State or” substitute “ the British Islands or a ”.
- (13) In Article 35, omit paragraphs 1(c) and 3.
- (14) In Article 36, omit paragraph 3.
- (15) In Article 37(1)(c)—
- (a) omit “Union”;
 - (b) omit “and in Article 5 of Directive 96/23/EC”.
- (16) In Article 39—
- (a) in paragraph (3), after “is required under” insert “ legislation which, immediately before IP completion day, implemented ”;
 - (b) omit paragraph (6).
- (17) In Article 43(5)—
- (a) for “Union legislation”, substitute “ legislation in force in the relevant constituent territory of Great Britain ”;
 - (b) for “Articles 16 to 19 of Directive 96/23/EC” substitute “ the Residues Regulations and Articles 105(1) and 138 of Regulation (EU) 2017/625 ”.
- (18) In Article 44(4), for “Union legislation”, substitute “ legislation in force in the relevant constituent territory of Great Britain ”.
- (19) In Article 45—
- (a) in point (e)—
 - (i) omit “Union”;
 - (ii) after “provided for in” insert “ legislation which, immediately before IP completion day, implemented ”;
 - (b) in point (i), for “Directive 96/22/EC” substitute “ the Residues Regulations ”;
 - (c) in point (j)—

- (i) omit the words from “implementation” to “revealed”;
 - (ii) after “environment” insert “ has been revealed ”;
 - (d) in point (n), for “Union legislation or, in the absence of Union legislation, under national rules”, substitute “ legislation in force in the relevant constituent territory of Great Britain ”.
- (20) In Article 49(2), for “Union provisions”, substitute “ legislation in force in the relevant constituent territory of Great Britain ”.
- (21) In Article 60—
- (a) in paragraph 2—
 - (i) after “In accordance with” insert “ legislation which, immediately before IP completion day, implemented ”;
 - (ii) after “as defined in” insert “ legislation which, immediately before IP completion day, implemented ”;
 - (b) in paragraph 3, after “In accordance with” insert “ legislation which, immediately before IP completion day, implemented ”.
- (22) In Article 68—
- (a) in paragraph 1—
 - (i) for “a Member State”, substitute “ Great Britain ”;
 - (ii) for “EU ports, irrespective of flag”, substitute “ ports in Great Britain ”;
 - (b) for paragraph 2, substitute—

“(2) Competent authorities in Great Britain may carry out official controls on British fishing vessels while the vessel is at sea or in a port in another constituent territory of the British Islands or a third country”.
- (23) In Article 69—
- (a) in paragraph 1—
 - (i) for “flying the flag of a Member State” substitute “ which is a British fishing vessel ”;
 - (ii) for “of the flag Member State” substitute “in Great Britain”;
 - (iii) for “Member State” substitute “ constituent territory of the British Islands ”;
 - (b) in paragraph 2—
 - (i) for “of the flag Member State” substitute “ in Great Britain ”;
 - (ii) in the second and third place where it occurs, for “Member State” substitute “ constituent territory of the British Islands ”;
 - (c) in paragraph 3—
 - (i) for “of a Member State” substitute “ in Great Britain ”;
 - (ii) for “Member State”, in the second place it occurs, substitute “ constituent territory of the British Islands ”;
 - (iii) for “of the flag Member State” substitute “ in Great Britain ”.
- (24) In Article 71(b)—
- (a) for “Directive [96/22/EC](#)” substitute “ the Residues Regulations ”;
 - (b) omit “Union”.
- (25) In Article 72—

- (a) in the heading, for the words from “vessels” to “Union”, substitute “ British fishing vessels entering Great Britain ”;
- (b) in paragraph 1—
 - (i) for “vessels flying the flag of a Member State”, substitute “ British fishing vessels ”;
 - (ii) for “the Union”, substitute “ Great Britain ”.
- (26) After Article 75, omit the words from “This Regulation” to “Member States.”.
- (27) In Annex 2—
 - (a) for paragraph 1 substitute—

“1. The health mark must be an oval mark at least 6.5 cm wide by 4.5 cm high bearing the following information in perfectly legible characters:

 - (a) when applied in an establishment located in Great Britain, the abbreviation “UK” or “GB” or the words “UNITED KINGDOM”;
 - (b) when applied in an establishment located in Northern Ireland, abbreviation “UK(NI)” or the words “UNITED KINGDOM (NORTHERN IRELAND)”;
 - (c) when applied in an establishment located in a third country, the name of the country in which the establishment is located, which may be written out in full in capitals or shown as a two-letter code in accordance with the relevant ISO code;
 - (d) the approval number of the slaughterhouse.

Products imported into Great Britain from establishments located outside the United Kingdom must not be marked in any way which indicates or suggests that they were produced in the United Kingdom.”;
 - (b) in paragraph 3, for “Union rules”, substitute “ the legislation in force in the relevant constituent territory of Great Britain ”.
- (28) In Annex 5—
 - (a) in Chapter 3, Part A, for the third paragraph (which begins “Total toxicity equivalence”) substitute—

“Total toxicity equivalence shall be calculated by the food safety authority. TEFs identified by EU or international bodies may be used to support calculations.”;
 - (b) in Chapter 4, omit “elaborated by the Member States”.
- (29) In Annex 6—
 - (a) in Chapter 1, Part D—
 - (i) in the opening words, omit—
 - (aa) “in accordance with Directive [96/23/EC](#) and Decision [97/747/EC](#)”;
 - (bb) “EU”;
 - (ii) in the second indent, for “Directive [96/22/EC](#)” substitute “ the Residues Regulations ”;
 - (b) in Chapter 2, Part A—
 - (i) in paragraph 1(d)—
 - (aa) for “Member States”, substitute “ the appropriate authority ”;
 - (bb) for “Union” substitute “ national ”;
 - (ii) in the text after paragraph 4 (which begins “Member States shall recommend”), for “Member States” substitute “ The food safety authority ”.

Changes to legislation: There are currently no known outstanding effects for the The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) (No. 2) Regulations 2020, Section 16. (See end of Document for details)

Commencement Information

I1 Reg. 16 in force at 31.12.2020 on IP completion day, see [reg. 1\(2\)](#)

Marginal Citations

M1 EUR 2019/627.

M2 1995 c. 21.

M3 S.I. 2015/787.

M4 S.I. 2019/569 (W. 125).

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There are currently no known outstanding effects for the The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) (No. 2) Regulations 2020, Section 16.