

**2021 No. 809**

**ANIMALS**

**FOOD**

**PLANT HEALTH**

**The Official Controls (Extension of Transitional Periods)  
Regulations 2021**

<i>Made</i> - - - -	<i>7th July 2021</i>
<i>Laid before Parliament</i>	<i>8th July 2021</i>
<i>Coming into force</i> - -	<i>30th July 2021</i>

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

- (a) Article 144(6) of, and paragraph 2 of Annex 6 to, Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products(a),
- (b) regulation 71(1) of the Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020(b), and
- (c) regulation 33(2) of the Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) (No. 2) Regulations 2020(c).

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

In accordance with Article 3(2B) of Regulation (EU) 2017/625(d), regulation 71(2) of the Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020, and regulation 35(2) of the Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) (No. 2) Regulations 2020, 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 Secretary of State making these Regulations.

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(a) EUR 2017/625. Article 144 is substituted, and Annex 6 inserted, by S.I. 2020/1481. Annex 6 is amended by S.I. 2021/429.  
(b) S.I. 2020/1462, to which there are amendments not relevant to this instrument.  
(c) S.I. 2020/1631.  
(d) Article 3(2B) is inserted by S.I. 2020/1481.

## **Citation, commencement, extent and application**

1.—(1) These Regulations—

- (a) may be cited as the Official Controls (Extension of Transitional Periods) Regulations 2021, and
  - (b) come into force on 30th July 2021.
- (2) This regulation, and regulations 2, 3, 4, 7 and 8 extend to England and Wales, and Scotland.
- (3) Regulation 5 applies in relation to England only.
- (4) Regulation 6 extends to Scotland only.

## **End of the transitional staging period**

2. The appointed date for the purposes of sub-paragraph (b) of the definition of “transitional staging period” in paragraph 2 of Annex 6 to Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products is—

- (a) 30th September 2021, in respect of documentary checks for—
  - (i) products of animal origin;
  - (ii) animal by-products and derived products which are listed in Annex 1 to 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<sup>(a)</sup>;
- (b) 31st December 2021, in respect of—
  - (i) identity checks and physical checks for—
    - (aa) products of animal origin;
    - (bb) germinal products;
    - (cc) animal by-products and derived products which are listed in Annex 1 to 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;
  - (ii) documentary checks for plants, plant products, and other objects as referred to in the lists established pursuant to Articles 72(1) and 74(1) of Regulation (EU) 2016/2031 of the European Parliament of the Council on protective measures against pests of plants<sup>(b)</sup>;
- (c) 28th February 2022 in all other cases.

## **General transitional provision relating to model certificates: end of period of application**

3. The appointed date for the purposes of regulation 33(2) of the Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) (No. 2) Regulations 2020 is 30th September 2021.

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(a) EUR 2019/2007, which is amended by S.I. 2020/1481.

(b) EUR 2016/2031. Articles 72 and 74 are amended by S.I. 2020/1482.

#### **Amendments to Regulation (EU) 2017/625**

4.—(1) 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 is amended as follows.

(2) In Annex 6, in paragraph 13, in the text of Article 56A, as inserted for the purposes mentioned in paragraph 3 of Annex 6—

- (a) in paragraph (4), for “31st July 2021” substitute “the relevant date”;
- (b) after paragraph (4), insert—
  - “(5) In paragraph (4), “the relevant date” means—
  - (a) in relation to point (a), 1st October 2021;
  - (b) in relation to point (b), 1st January 2022.”.

#### **Amendments to the Trade in Animals and Related Products Regulations 2011**

5.—(1) The Trade in Animals and Related Products Regulations 2011(a) are amended as follows.

(2) In regulation 2(1), after the definition of “third country”, insert—

““the transitional staging period” has the meaning given in Annex 6 to the Official Controls Regulation.”.

(3) In regulation 26(3), for “day on 31st July 2021” substitute “transitional staging period”.

(4) In Schedule 5—

- (a) in paragraph 5(3), for “31st July” substitute “1st October”;
- (b) in paragraph 6(1)(c)—
  - (i) for “31st July” substitute “1st October”;
  - (ii) after “products of animal origin” insert “or animal by-products”.

#### **Amendments to the Trade in Animals and Related Products (Scotland) Regulations 2012**

6.—(1) The Trade in Animals and Related Products (Scotland) Regulations 2012(b) are amended as follows.

(2) In Schedule 5—

- (a) in paragraph 4(3), for “31st July” substitute “1st October”;
- (b) in paragraph 5(3)—
  - (i) for “31st July” substitute “1st October”;
  - (ii) after “products of animal origin” insert “or animal by-products”.

#### **Amendments to the Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020**

7.—(1) The Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 are amended as follows.

(2) In regulations 69 and 70, for “31st July” substitute “30th September”.

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(a) S.I. 2011/1197, which is amended by S.I. 2020/1462 and S.I. 2021/429. There are other amendments, but none is relevant.  
(b) S.S.I. 2012/177, which is amended by S.S.I. 2020/458 and S.I. 2021/429. There are other amendments, but none is relevant.

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

8.—(1) The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) (No. 2) Regulations 2020 are amended as follows.

(2) In regulation 34(5), for the definition of “the transitional staging period” substitute—

““the transitional staging period” means the period beginning on IP completion day and ending at the end of the day on 30th September 2021.”.

7th July 2021

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

**EXPLANATORY NOTE**

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

These Regulations amend transitional periods relating to official controls requirements for certain types of animals and goods being imported into Great Britain.

Regulation 2 appoints the end date for “the transitional staging period” (defined in Annex 6 to Regulation (EU) 2017/625 (EUR 2017/625)) as 28th February 2022. For certain types of product, the extension of the transitional staging period is to earlier dates: 30th September 2021 and 31st December 2021.

Regulation 3 appoints the end date for the general transitional provision for certain model certificates, as provided for in regulation 33 of the Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) (No. 2) Regulations 2020 (S.I. 2020/1631), as 30th September 2021. Regulations 7 and 8 make amendments also providing for a transitional period for model certificates or other documents to end on 30th September 2021.

Regulations 4 to 6 make amendments resulting from these changes.

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

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