

**2024 No. 540**

**ANIMALS**

**FOOD**

**PLANT HEALTH**

**The Official Controls (Extension of Transitional Periods)  
(Amendment) Regulations 2024**

*Made* - - - - at 10.03 a.m. on 22nd April 2024

*Laid before Parliament* at 4.30 p.m. on 22nd April 2024

*Coming into force* - - 28th April 2024

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

- (a) 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) paragraph 11A of Schedule 2 to the Trade in Animals and Related Products Regulations 2011(b).

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(a) EUR 2017/625. Annex 6 was inserted by S.I. 2020/1481 for the purposes of its application 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, 2021/809, 2022/621, 2022/1315, 2023/959, 2023/1131 and 2024/20. It was also amended in relation to England and Wales by S.I. 2021/1096, 2021/1443 and in relation to Scotland by S.S.I. 2021/342, 2021/493 and 2022/90.

(b) S.I. 2011/1197; relevant amending instruments are S.I. 2019/1488, 2020/109, 2020/1462, 2020/1631, 2021/429, 2021/443, 2021/453, 2021/809, 2021/1096, 2021/1443, 2022/1315, 2022/1322, 2024/20. Paragraph 11A of Schedule 2 is inserted by S.I. 2020/1631 and enables the Secretary of State to amend, modify or revoke any retained direct minor EU legislation made under Article 8(4) of Council Directive 2002/99/EC laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption (O.J. No. L 18, 23.1.2008, p.11) (“the 2002 Directive”). S.I. 2020/1666, which is amended by regulation 3 of this instrument, modifies Commission Decision 2000/572/EC laying down animal and public health conditions and veterinary certification for imports of minced meat and meat preparations from third countries (EUDN 2000/572). Commission Decision 2000/572/EC (O.J. No. L 240, 23.9.2000, p.19) was adopted under Council Directive 94/65/EC laying down the requirements for the production and placing on the market of minced meat and meat preparations (O.J. No. L 368, 31.12.1994, p.10) (“the 1994 Directive”), but is to be construed as being made under the 2002 Directive by virtue of provision in Directive 2004/41/EC of the European Parliament and of the Council (O.J. No. L 157, 30.4.2004, p.33) (“the 2004 Directive”). The 2004 Directive, which repealed the 1994 Directive, provided in Article 4 that references to certain Directives, including the 1994 Directive, should be construed as being made, as the context demands, to the 2002 Directive; accordingly, that rule of construction has the effect that the power in paragraph 11A of Schedule 2 to S.I. 2011/1197 to modify retained direct minor EU legislation made under Article 8(4) of the 2002 Directive extends to the modification of Commission Decision 2000/572/EC.

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(a), 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.

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

**1.**—(1) These Regulations may be cited as the Official Controls (Extension of Transitional Periods) (Amendment) Regulations 2024.

(2) They come into force on 28th April 2024.

(3) Subject to paragraph (4), these Regulations extend to England and Wales and Scotland.

(4) Regulations 2 and 3 apply to England only.

### **Amendment to Commission Decision 2000/572/EC**

**2.** In Commission Decision 2000/572/EC laying down animal and public health conditions and veterinary certification for imports of minced meat and meat preparations from third countries and repealing Decision 97/29/EC(b) omit Article 3(3).

### **Amendment to the Meat Preparations (Amendment and Transitory Modification) (England) (EU Exit) Regulations 2020**

**3.** In the Meat Preparations (Amendment and Transitory Modification) (England) (EU Exit) Regulations 2020(c) omit regulation 3.

### **Amendment to the Official Controls (Extension of Transitional Periods) Regulations 2021**

**4.** In the Official Controls (Extension of Transitional Periods) Regulations 2021(d), in regulation 2 (end of the transitional staging period) for “29th April 2024” substitute “31st January 2025”.

*Douglas-Miller*

Parliamentary Under Secretary of State

Department for Environment, Food and Rural Affairs

At 10.03 a.m. on 22nd April 2024

### **EXPLANATORY NOTE**

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

Regulation 2 amends Commission Decision 2000/572/EC (EUDN 2000/572) to remove the import condition that meat preparations from third countries have been deep-frozen at the production plant or plants of origin.

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(a) Article 3(2B) was inserted by S.I. 2020/1481.

(b) EUDN 2000/572; amended by S.I. 2020/1462. It was also amended in relation to England by S.I. 2020/1666.

(c) S.I. 2020/1666; amended by S.I. 2022/1374 and S.I. 2024/20.

(d) S.I. 2021/809, amended by S.I. 2022/621 and S.I. 2024/20. It was also amended in relation to England by S.I. 2022/1374, in relation to Scotland by S.S.I. 2021/297, 2021/493, 2022/371, in relation to Wales by S.I. 2022/1317 (W. 266) and in relation to England and Wales by S.I. 2021/1096, 1443.

Regulation 3 revokes, in consequence, provisions of the Meat Preparations (Amendment and Transitory Modification) (England) (EU Exit) Regulations 2020 (S.I. 2020/1666) which modified that import condition.

Regulation 4 amends the Official Controls (Extension of Transitional Periods) Regulations 2021 (S.I. 2021/809) (“the 2021 Regulations”), to change the end date of “the transitional staging period” from 29th April 2024 to 31st January 2025.

“The transitional staging period” is defined 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 (EUR 2017/625). In accordance with that definition, the period ends on the date appointed by the Secretary of State. This date was originally appointed in the 2021 Regulations and is now amended by regulation 4.

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

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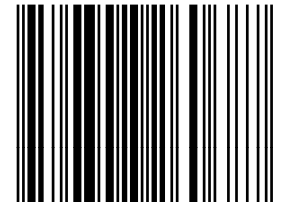
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