
STATUTORY INSTRUMENTS

2024 No. 541

The Official Controls (Miscellaneous Amendments) Regulations 2024

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),

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⁽¹⁾;
 - (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⁽²⁾;

(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.

⁽¹⁾ Article 1(2) was amended by [S.I. 2020/1481](#).

⁽²⁾ 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.

- (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;
 - (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(3); 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(4); 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;

(3) 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.

(4) Paragraph 1 of Chapter 3 of Annex 8 was amended by [S.I. 2019/588](#) and [2020/1388](#).

- (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⁽⁵⁾ 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;
 - (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⁽⁶⁾ 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⁽⁷⁾ is amended as follows.

⁽⁵⁾ “Operator” is defined in Article 3(29) of the Official Controls Regulation.

⁽⁶⁾ EUR 2019/2007, amended by S.I. 202/1481.

⁽⁷⁾ EUR 2019/2129, amended by S.I. 2020/1481.

(2) In Article 2(8), 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(9)—

- (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
 - (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 must take 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

(8) Article 2 was amended by [S.I. 2020/1481](#).

(9) Article 4(2) was substituted by [S.I. 2020/1481](#).

(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.”.