

NOTIFICATION TO THE SCOTTISH PARLIAMENT

AH/047 - The Approved Lists (Animals and Animal Products) (Amendment) Regulations 2021

Is the notification Type 1 or Type 2

Type 1

A brief overview of the SI (including reserved provision)

This instrument will correct deficiencies in EU regulations which have been retained as a result of the EU Withdrawal Act. This instrument will amend entries in the approved lists for imports of certain types of products to Great Britain, including animals and animal products, to include Iceland.

This instrument will be laid in the UK Parliament on 2 March and come into force 21 days later on 23 March .

Details of the provisions that Scottish Ministers are being asked to consent to.

This instrument amends several pieces of retained EU law (listed in Annex I), using powers in the Trade in Animals and Animal Products (Legislative Functions) and Veterinary Surgeons (Amendment) (EU Exit) Regulations 2019 (SI 2019/1225). It corrects deficiencies that are present in European Union law and which were retained through the European Union (Withdrawal) Act 2018. These deficiencies are the result of inconsistencies in how third countries are listed for harmonised and non-harmonised commodities in European Union legislation

The amendments make provision for Iceland to export animal products to Great Britain, to ensure that trade from Iceland can continue with minimal disruption. Northern Ireland will remain aligned with European Union import legislation under the Northern Ireland Protocol.

Summary of the proposals

As a result of the UK's withdrawal from the EU, Great Britain is required to list countries that are harmonised with relevant EU law as Third Countries in domestic legislation in order to facilitate trade. Due to deficiencies in retained EU legislation, Iceland has not been listed as approved to export all animal products they were eligible to export to Great Britain prior to the end of the Transition period.

This SI will add Iceland to the listing of approved countries to import animals and animal products to Great Britain which they are already authorised to trade in, maintaining Iceland's existing approvals.

Does the SI relate to a common framework or other scheme?

No

Summary of stakeholder engagement/consultation

There has been no formal stakeholder engagement or consultation in relation to this SI as the SI is required to fix deficiencies in retained EU regulations which were omitted in previous deficiency fixing SI's .

We are in regular contact and communication with Defra and other devolved administrations and this instrument has been developed in collaboration with Devolved Administration officials.

Food Standards Agency and Food Standards Scotland were also consulted with on the contents of this SI. They agreed that listing Iceland in this instrument was consistent with the policy of maintaining existing approvals to export animals and animal products to Great Britain

A note of other impact assessments, (if available)

The impact on business, charities or voluntary bodies is significant for those who currently import fishery or aquaculture products from Iceland. This instrument is necessary for businesses wishing to continue to trade with Iceland in animals and animal products.

There is no, or no significant, impact on the public sector.

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

Summary of reasons for Scottish Ministers' proposing to consent to UK Ministers legislation

It is essential that this instrument is in force in order for imports of animals and animal products into Great Britain from Iceland to continue to operate effectively, following the introduction of phased checks on products of animal origin on 1 April 2021.

Intended laying date (if known) of instruments likely to arise

This SI will be laid on 2 March 2020.

Annex I – List of EU regulations being amended

- Commission Decision 2007/777/EC laying down the animal and public health conditions and model certificates for imports of certain meat products and treated stomachs, bladders and intestines for human consumption from third countries;
- Commission Regulation (EC) No 798/2008 laying down a list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Community and the veterinary certification requirements;
- Commission Regulation (EC) No 119/2009 laying down a list of third countries or parts thereof, for imports into, or transit through, the Community of meat of wild leporidae, of certain wild land mammals and of farmed rabbits and the veterinary certification requirements;
- Commission Regulation (EU) No 206/2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements;
- Commission Regulation (EU) 605/2010 laying down animal and public health and veterinary certification conditions for the introduction into the European Union of raw milk, dairy products, colostrum and colostrum-based products intended for human consumption;
- Commission Decision 2011/163/EU on the approval of plans submitted by third countries.