

Rural Affairs, Islands and Natural Environment Committee

7th Meeting, 2021 (Session 6), Wednesday 6 October 2021

Subordinate legislation

Introduction

1. This paper supports the Committee's consideration of [SSI 2021/288: The Meat Preparations \(Import Conditions\) \(Scotland\) Amendment \(No. 2\) Regulations 2021](#). This instrument is subject to the negative procedure.

Parliamentary procedure – negative instrument

2. Negative instruments are instruments that are “subject to annulment” by resolution of the Parliament for a period of 40 days after they are laid. This means they become law unless they are annulled by the Parliament. All negative instruments are considered by the Delegated Powers and Law Reform Committee (on various technical grounds) and by the relevant lead committee (on policy grounds).
3. Under Rule [10.4](#), any member (whether or not a member of the lead committee) may, within the 40-day period, lodge a motion for consideration by the lead committee recommending annulment of the instrument.
4. If the motion is agreed to by the lead committee, the Parliamentary Bureau must then lodge a motion to annul the instrument to be considered by the Parliament as a whole. If that motion is also agreed to, the Scottish Ministers must revoke the instrument.

Policy objectives

5. The purpose of this instrument is to allow the transitional arrangements currently in place for the import of chilled meat preparations from the European Economic Area to continue from 1 October 2021 until 31 December 2021.

Consideration by the Delegated Powers and Law Reform Committee

6. The Delegated Powers and Law Reform Committee considered the instrument at its meeting on [7 September 2021](#), and agreed to make no recommendations in relation to the instrument.

Recommendation

7. The Committee is invited to consider any issues to raise regarding this instrument.

Rural Affairs, Islands and Natural Environment Committee Clerks

September 2021

POLICY NOTE

The Meat Preparations (Import Conditions) (Scotland) Amendment (No. 2) Regulations 2021

SSI 2021/288

The above instrument is made in exercise of the powers conferred by paragraph 10A(1) of schedule 2 of the Trade in Animals and Related Products (Scotland) Regulations 2012 and all other powers enabling the Scottish Ministers to do so.

The instrument is subject to negative procedure.

Purpose of the instrument.

To allow import of meat preparations which have not been deep frozen from EEA states to continue from 1 October 2021 until 31 December 2021, in line with UK Government and Welsh Government.

Policy Objectives

These Regulations amend Commission Decision 2000/572/EC laying down the animal and public health and veterinary certification conditions for imports of meat preparations from third countries.

Commission Decision 2000/572 is retained direct minor EU legislation and contains import conditions, made under Article 8(4) of Council Directive 2002/99/EC, requiring imports of meat preparations from a third country to have been deep frozen at the plant of origin. The Animals, Food and Feed (EU Exit) (Scotland) (Amendment) Regulations 2020, originally made an amendment to Commission Decision 2000/572 meaning that fresh meat preparations would continue to be able to be imported from territories subject to transitional import arrangements until 1 April 2021. Countries subject to special transitional provisions include Members of the European Economic Area (EEA), the Faroe Islands, Greenland and Switzerland. Without this amendment all meat preparations from these specified territories would need to be frozen at the plant of origin prior to import.

Having regard to the animal health situation in those countries and territories, it was not considered necessary to impose that import condition and as such The Meat Preparations (Import Conditions) (Scotland) Amendment Regulations 2021 amended Commission Decision 2000/572 to provide that the import condition that meat preparations have been deep frozen at the production plant or plants of origin were not to apply, until 1 October 2021, where the production plant or plants of origin are in one of those territories.

Having continued regard to the animal health situation in those countries and territories, these Regulations now extend that derogation, to allow import of fresh meat preparations from those countries and territories to continue in Scotland from 1 October 2021 to 31 December 2021. Similar provision is being made by the UK and

Welsh Government with respect to imports of fresh meat preparations into England and Wales.

Consultation

Scottish Government officials have been in discussions with the UK Government and Welsh Government on the long term position regarding all Prohibited & Restricted goods for imports, as well as those which apply to export. The policy decision was taken to extend the date of this derogation.

Impact Assessments

Full impact assessments have not been prepared for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen. There is expected to be no impact on business, charities or voluntary bodies.

Financial Effects

The Cabinet Secretary for Rural Affairs and Islands confirms that no BRIA is necessary, as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government
Agriculture and Rural Economy Directorate

25 August 2021