

Rural Affairs and Islands Committee
Wednesday 1 May 2024
11th Meeting, 2024 (Session 6)

Note by the Clerk on the Meat Preparations (Import Conditions) (Scotland) Amendment Regulations 2024 (SSI 2024/81)

Overview

1. At this meeting, the Committee will consider the following Scottish Statutory Instrument (SSI), which is subject to annulment by resolution of the Parliament until 9 May 2024. The Committee is invited to consider the instrument and decide what, if any, recommendations to make.

2. More information about the instrument is summarised below:

Title of instrument: [the Meat Preparations \(Import Conditions\) \(Scotland\) Amendment Regulations 2024 \(SSI 2024/81\)](#)

Laid under: [Trade in Animals and Related Products \(Scotland\) Regulations 2012](#)

Laid on: 15 March 2024

Procedure: Negative

Deadline for committee consideration: 6 May 2024 (Advisory deadline for any committee report to be published)

Deadline for Chamber consideration: 9 May 2024 (Statutory 40-day deadline for any decision on whether to annul the instrument)

Commencement: 30 April 2024

Delegated Powers and Law Reform Committee consideration

3. [The DPLR Committee considered the instrument on 26 March 2024 and reported on it in its 23rd Report 2024 \(Session 6\)](#). The DPLR Committee made no recommendations in relation to the instrument.

Purpose of the instrument

4. The purpose of the instrument is to amend [Commission Decision 2000/572/EC](#) which lays down the animal and public health and veterinary certification conditions for imports of meat preparations from third countries. The instrument will allow the import of meat preparations which have not been deep frozen from EEA states and the rest of the world to commence from 30 April 2024, in line with the UK Government and the Welsh Government.

5. The Policy Note accompanying the instrument is included in **Annexe A**. It includes the policy objectives, a summary of consultation undertaken on the instrument, impact assessments carried out, and the anticipated financial effects.

Committee consideration

6. So far, no motion recommending annulment has been lodged.
7. Members are invited to consider the instrument and decide whether there are any points they wish to raise.

Procedure

8. Under the negative procedure, an instrument is laid after it is made, and is subject to annulment by resolution of the Parliament for a period of 40 days beginning on the day it is laid.
9. Once laid, the instrument is referred to:
 - the Delegated Powers and Law Reform (DPLR) Committee, for scrutiny on various technical grounds, and
 - a lead committee, whose remit includes the subject-matter of the instrument, for scrutiny on policy grounds.
10. Any MSP may propose, by motion, that the lead committee recommend annulment of the instrument. If such a motion is lodged, it must be debated at a meeting of the Committee, and the Committee must then report to the Parliament (by the advisory deadline referred to above).
11. If there is no motion recommending annulment, the lead committee is not required to report on the instrument.

Clerks to the Committee
April 2024

Annexe A: Scottish Government Policy Note

The Meat Preparations (Import Conditions) (Scotland) Amendment Regulations 2024 SSI 2024/81

1. 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.
2. The instrument is subject to negative procedure.

Purpose of the instrument

3. To allow import of meat preparations which have not been deep frozen from EEA states and Rest of the World to commence from 30 April 2024, in line with the UK Government and the Welsh Government.

Policy Objectives

4. 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.
5. Commission Decision 2000/572 is assimilated direct minor 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 are 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.
6. 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 Commission Decision 2000/572 was first amended by the Meat Preparations (Import Conditions) (Scotland) Amendment Regulations 2021¹ 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, where the production plant or plants of origin are in one of those territories, firstly until 30 September 2021. This derogation has subsequently been further extended by the following instruments:

¹ S.S.I. 2021/161

- The Meat Preparations (Import Conditions) (Scotland) Amendment (No. 2) Regulations 2021²;
 - The Animal Products (Transitional Import Conditions) (Miscellaneous Amendment) (Scotland) Regulations 2021³;
 - The Meat Preparations (Import Conditions) (Scotland) Amendment Regulations 2022⁴
 - The Official Controls and Import Conditions (Transitional Periods) (Miscellaneous Amendment) (Scotland) Regulations 2022⁵
 - The Meat Preparations (Import Conditions) (Scotland) Regulations 2023⁶
7. Having regard to the animal health situation in those countries and territories, and other countries and territories to which the condition currently does apply, it is not considered that the general prohibition on the import of meat preparations not deep-frozen at the plant of origin is necessary. These Regulations will therefore permit imports of chilled meat preparations, where that is in accordance with the required accompanying health certificate published under Article 4(2) of Commission Decision 2000/572 beyond April. This is in line with what the UK Government and the Welsh Government are also proposing, and to a similar timeframe.

EU Alignment Consideration

8. This instrument concerns measures regarding sanitary controls on goods entering Great Britain. These measures are required as a consequence of no longer being an EU member State. The approach taken to meat preparations entering Great Britain are proportional to the risk level of those products, in line with international obligations we share with the EU. Within the EU, Commission Decision 2000/572 has been repealed, and meat preparations may be imported where they are in accordance with the required accompanying health certificate contained in Commission Implementing Regulation (EU) 2020/2235. These measures will not create any barriers to re-entry to the European Union.

Consultation

9. There has been consultation with the other UK administrations, and the Food Standards Agency and Food Standards Scotland, on the policy effected by this instrument. This new permanent position regarding all Prohibited & Restricted goods for imports has been trailed with the International Meat Traders Association (IMTA) in a regular stakeholder forum led by Defra, and in a stakeholder note to POAO trade associations in January 2024 (to which no responses were received).

² S.S.I. 2021/288

³ S.S.I. 2021/432

⁴ S.S.I. 2022/193

⁵ S.S.I. 2022/371

⁶ S.S.I. 2023/367

Impact assessments

10. 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

11. The Minister for Agriculture and Connectivity 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
March 2024