

EXECUTIVE NOTE

THE ANIMALS AND ANIMAL PRODUCTS (IMPORT AND EXPORT) (SCOTLAND) REGULATIONS 2007 S.S.I. 2007/194

The above instrument was made under section 2(2) of the European Communities Act 1972 and, in respect of charges made by The Scottish Ministers, section 56(1) and (2) of the Finance Act 1973.

Policy Objectives

The Animals and Animal Products (Import and Export) (Scotland) Regulations 2000 (“the principal Regulations”) implement Council Directive 90/425/EEC concerning veterinary and zootechnical checks applicable to intra-Community trade in certain live animals and products, and Council Directive 91/496/EEC laying down the principles governing the veterinary checks on animals entering the EU from third countries.

In the period since the principal Regulations were made there have been 6 amending Regulations and many of the European obligations referred to in the Regulations have been amended. It is, therefore, appropriate to consolidate the amendments and to incorporate the amending Community Instruments in order to facilitate compliance with Community obligations.

Main Changes

Council Directives 90/425/EEC and 91/496/EEC set out the principal requirements for veterinary and zootechnical checks that apply to intra-community trade in animals or animals products and imports from third countries. These are updated regularly and the new Regulations have been revised to take account of these updates.

Schedules 3 and 7 (Schedule 5 in the 2000 Regulations) contain details of the Community legislation applicable to individual species or products. These too have been updated to take account of amendments introduced over the past 7 years.

The list of Instruments in Part I of Schedule 7 relating to cloven hoofed animals, elephants and zoo ungulates has been described more completely in the interests of clarity.

The Commission has introduced new tests under the Poultry Health Scheme for identification of Salmonella and Mycoplasma. This has resulted in laboratories having to be approved for carrying out the appropriate tests. The Regulations now make provision (in Schedule 5) for these approvals and the fees that may be charged for the quality assurance testing for such approvals and for the inspection of laboratories.

Commission Decision 2000/666/EC sets out the quarantine requirements for captive birds imported from third countries. These requirements were transposed via The Animals and Animal Products (Import and Export) (Scotland) Amendment Regulations 2006 (SSI 2006 No. 335), and now appear as Regulation 20 and Schedule 8. Although this trade is prohibited at the moment, it is anticipated that it will resume in the future and so these Regulations make provision for the fees that may be charged in respect of the approval and veterinary supervision of quarantine centres or facilities.

Consultation

There has been no consultation on the making of these Regulations because they either consolidate existing amendments or implement EU obligations.

Financial Effects

There are no cost implications for Central Government arising from the making of these Regulations, nor do we anticipate any economic impact on industry.

Scottish Executive Environment and Rural Affairs Department