

European Scrutiny Committee

House of Commons, London, SW1A 0AA

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From: Sir William Cash MP

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Lord Gardiner
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs
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Commission Delegated Regulation of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council, as regards animal health requirements for movements within the Union of terrestrial animals and hatching eggs (Council document 15206/19) (41037)

We have considered your Department's Explanatory Memorandum on the above document.

We note that the UK was closely involved in the preparation of both this Delegated Regulation and the wider Animal Health Act and that, as such, the UK is broadly supportive. Your EM acknowledges that the UK in respect of Northern Ireland will be obliged to apply the legislation from 21 April 2021 and it implies that Great Britain may apply it (in full or in part).

Animal health legislation constitutes some of the sanitary and phytosanitary standards (SPS), regarding which, both the EU and UK have acknowledged that specific arrangements will be required in the future. Bearing in mind the particular importance of this matter to the export of live animals from GB to Northern Ireland, we request information on the following points:

- your assessment of the impact of GB not following Northern Ireland in applying this Delegated Regulation and the wider Animal Health Law;
- the legal basis for England, Scotland and Wales deciding to align — in full or in part — with the Animal Health Law and its associated detailed implementing rules;

- whether the Government envisages reaching an agreement with the EU removing — or dramatically reducing — the need for physical checks on live animals and products of animal origin moving between Great Britain and Northern Ireland as well as Great Britain and the EU;
- whether all GB goods subject to SPS requirements would need to enter Northern Ireland and the EU through a Border Control Post; and
- what criteria might be used to set the percentage of physical checks and inspection fees applicable to imports into Northern Ireland and the EU from GB.

We look forward to your response within ten working days.

We are copying this letter to the Earl of Kinnoull, Chair of the EU Select Committee in the House of Lords and Christopher Johnson, Clerk of the Lords EU Select Committee; your Departmental EU Scrutiny team; and Les Saunders and Donald Harris in the Cabinet Office.

CHAIR