

Carwyn Jones AM/AC

Y Cwmsler Cyffredinol ac Arweinydd y Tŷ
Counsel General and Leader of the House



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Lord Dafydd Elis – Thomas AM
Presiding Officer
National Assembly Wales

1 November 2007

Dear Dafydd

**THE IMPORT AND EXPORT RESTRICTIONS (FOOT AND MOUTH DISEASE) (NO. 6)
(WALES) REGULATIONS 2007**

I am writing to inform you that in order to bring The Import and Export Restrictions (Foot and Mouth Disease) (No. 6) (Wales) Regulations 2007 into force in Wales in line with the rest of the UK, it has become necessary to breach the 21 day rule. These Regulations were made on at 6:45pm on 31 October 2007, came into force at 8:00 pm 31 October 2007 and were laid in Table Office on 1 November 2007.

These Regulations will implement in Wales European Commission Decision 2007/709/EC, which further amends Commission Decision 2007/554/EC, These Regulations will re-open in Wales the export trade in certain categories of animal products which were previously restricted under an EU export ban, which was imposed as a consequence of the Foot and Mouth disease outbreak. The effects of these Regulations are to:

- The list of areas in England from which meat can be exported has been increased;
- Slaughterhouses slaughtering animals for export can now be located anywhere in Great Britain except for Surrey;
- Animals which are to be slaughtered for export are now only required to be resident on the holding for 21 days instead of 30 days;
- The 21 day standstill period now allows movement from a previous farm meeting the same standstill requirements and there are options for blood testing or serological survey instead;
- Frozen semen, ova and embryos can now be collected and exported from the export area;
- The export of wild game from the Scottish Islands and farmed game from the export area is now permitted; and

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Ffôn • Tel 029 2082 8055
Ffacs • Fax 029 2089 8475

Correspondence: Carwyn.Jones@Wales.gsi.gov.uk

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- Multiple pick-ups from farms to the slaughterhouse are now permitted.

The Regulations continue to regulate the importation and dispatch of live animals and make it an offence to export anything prohibited under the Regulations.

The conditions for export to Third Countries are determined bilaterally so any products, which may be dispatched from Wales under these Regulations, will additionally have to meet the import conditions set by the importing third country. In practice most importing countries are not currently accepting products from the UK.

The Regulations also make it an offence for individuals to take out of Wales in their personal luggage any of the products to which the Regulations apply. Other Member States are taking measures to prevent import of products from the UK in personal luggage.

The Regulations also make it an offence to import susceptible live animals, thus reflecting the fact that the Commission Decision prevents other Member States from exporting such animals to the UK.

The Regulations will be amended to reflect changes in the Commission Decision, as the FMD situation develops and will be revoked when Community controls are relaxed.

The Regulations are required to come into force immediately to allow less stringent conditions on the export of animal products from Wales to other Member States. Parallel Regulations came into force in England and Scotland on 31 October 2007. Northern Ireland is expected to implement the required changes through its import licence. Therefore, to ensure consistency of enforcement across the UK it is necessary to breach the 21 day rule, so that the Regulations can come into force immediately.

Due to the length of the Regulations and the need to introduce them in Wales immediately, the Minister for Rural Affairs has deemed that it would not be reasonably practicable for them to be made bilingually within the timescale. However, a Welsh translation of the Regulations will be available in due course.

These Regulations have not been subject to consultation or a Regulatory Impact Assessment due the immediacy of the Instrument. However, an Explanatory Memorandum has been prepared and this has been laid, together with the Regulations, in Table Office.

A copy of this letter goes Dr Dai Lloyd, Chair of the Subordinate Legislation Committee and Chris Reading, Clerk to the Subordinate Legislation Committee.

A handwritten signature in cursive script, appearing to read 'C. Reading', is located at the bottom left of the page.