

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT

First Delegated Legislation Committee

DRAFT IMPORT OF, AND TRADE IN, ANIMALS
AND ANIMAL PRODUCTS (MISCELLANEOUS
AMENDMENTS) (EU EXIT) REGULATIONS 2020

DRAFT OFFICIAL CONTROLS (ANIMALS, FEED
AND FOOD, PLANT HEALTH ETC.)
(AMENDMENT) (EU EXIT) REGULATIONS 2020

Monday 30 November 2020

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Friday 4 December 2020

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The Committee consisted of the following Members:

Chair: MR LAURENCE ROBERTSON

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|---|---|
| Bryant, Chris (<i>Rhondda</i>) (Lab) | † Prentis, Victoria (<i>Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs</i>) |
| † Crosbie, Virginia (<i>Ynys Môn</i>) (Con) | † Roberts, Rob (<i>Delyn</i>) (Con) |
| † Daly, James (<i>Bury North</i>) (Con) | Russell-Moyle, Lloyd (<i>Brighton, Kemptown</i>) (Lab/Co-op) |
| † Dines, Miss Sarah (<i>Derbyshire Dales</i>) (Con) | Smith, Nick (<i>Blaenau Gwent</i>) (Lab) |
| † Furniss, Gill (<i>Sheffield, Brightside and Hillsborough</i>) (Lab) | † Stafford, Alexander (<i>Rother Valley</i>) (Con) |
| Grady, Patrick (<i>Glasgow North</i>) (SNP) | Sultana, Zarah (<i>Coventry South</i>) (Lab) |
| † Jones, Fay (<i>Brecon and Radnorshire</i>) (Con) | † Zeichner, Daniel (<i>Cambridge</i>) (Lab) |
| † Mohindra, Mr Gagan (<i>South West Hertfordshire</i>) (Con) | Elektra Garvie-Adams, <i>Committee Clerk</i> |
| † Morris, James (<i>Lord Commissioner of Her Majesty's Treasury</i>) | † attended the Committee |
| † Mumby-Croft, Holly (<i>Scunthorpe</i>) (Con) | |

First Delegated Legislation Committee

Monday 30 November 2020

[MR LAURENCE ROBERTSON *in the Chair*]

Draft Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020

4.30 pm

The Chair: Before we begin, I remind Members to observe social distancing and to sit only in the places that are clearly marked. *Hansard* colleagues would be most grateful if Members could send any speaking notes to hansardnotes@parliament.uk.

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Victoria Prentis): I beg to move,

That the Committee has considered the draft Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020.

The Chair: With this it will be convenient to consider the draft Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020.

Victoria Prentis: It is a pleasure to serve under your chairmanship, Mr Robertson, even though I confess that many of us would quite like to be listening to the Secretary of State for Environment, Food and Rural Affairs in the Chamber. The draft Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 and the draft Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 were laid before the House on 2 November and 20 October respectively.

The first instrument amends our existing system of official controls on sanitary and phytosanitary imports to ensure that they work after the end of the transition period. It makes amendments to EU retained regulations governing official controls on imports to Great Britain of animals and animal products, plants and plant products, including food, and other imports relevant to the agrifood chain. The amendments set out in this instrument will allow regulations in this area to continue to be fully operable once the UK completes the transition period. They will allow us to continue to deliver controls and checks on all imports subject to SPS checks according to risk.

The second instrument makes amendments to ensure that provisions relating to the import of live animals, including horses, animal products, reproductive material used for animal breeding, and the non-commercial movement of pets continue to work at the end of this year. It also makes minor technical amendments to five previously made EU exit SIs and 30 retained EU instruments. It also revokes a previously made EU exit SI and eight retained EU instruments to ensure that our imports will continue to function at the end of this year.

The changes are, for example, to ensure that references to EU regulatory bodies become references to the Secretary of State or other appropriate authorities. Amendments also include changes to reflect the status of the European economic area as a third country and to introduce the Government's phased approach to import controls on goods arriving from the EEA.

The Government previously announced that we will phase in border controls on imports from the UK beginning in January. That will prioritise flow at the border and give both businesses and industry longer to prepare for the introduction of full controls. We remain fully committed to the World Trade Organisation and our international trade obligations. The phased approach is temporary and pragmatic in order to support our international trade and to avoid border disruption. We will have controls in place for controlled goods from January 2021 and for all goods, both controlled and standard, in place from July next year. We have taken the decision to list the EEA to import live animals and animal products because, following an assessment of the EU's SPS regime, with which we are of course very familiar, we do not believe that the risk will change on 1 January next year.

The statutory instruments will ensure that legislation to protect our biosecurity will continue to function in Great Britain after the transition period, and that we will continue to have a functioning imports system that guarantees our high standards of food and animal safety, while ensuring frictionless trade and movements. For the reasons I have set out, I commend the regulations to the Committee.

4.34 pm

Daniel Zeichner (Cambridge) (Lab): It is a pleasure to serve under your chairmanship, Mr Robertson. I echo the Minister's opening comments: I think we are all keen to hear the action going on in the main Chamber. These SIs appear to be largely technical and uncontroversial, although I am always loth to say that when I read through the many pages of changes—and I will come to that in a moment—but the Opposition will not oppose them, because we, too, want to ensure that UK trade remains as robust as we can make it after the end of this period.

However, these are very important issues, and it is hard to overstate the importance of sanitary and phytosanitary controls. There has, of course, been considerable controversy on this around the links between GB and Northern Ireland and, of course, safety issues are in our minds given avian flu and, sadly, the African swine fever in much of the rest of the world. Getting these things right and making sure that our defences are strong are really important, so there are some important questions.

Turning to the official controls SI, paragraph 2.2 of the explanatory memorandum outlines our current "appropriately designated border control points and other points of entry"

and says that controls are

"also carried out at other locations, such as slaughterhouses, to verify the compliance of imported SPS goods with Official Controls Regulations".

Will the Minister say a little more about where those kinds of places are? I cannot quite imagine exactly how that works, so I would be grateful if she will explain

that. There is not much more that I wanted to ask about other than the impact question because—Labour has made this point with other SIs—it seems hard to imagine that there are no impacts.

On detail and the accuracy, I could not help notice that the previous time this matter was discussed—in the pre-no-deal discussions when it was in the form of SI 2019/1488—the then Secondary Legislation Scrutiny Committee highlighted a couple of things that were, in effect, errors or needed clarification. I just wonder how we can be sure, as one looks through the huge array of changes, that it is all entirely correct. I suspect it is not, but that is no criticism of those who are doing the drafting. I do not think that we in this place have the capacity to scrutinise such things closely enough. If someone wanted to slip something through, it really would not be hard to do, and it would be hard for people to spot it. We rely on people elsewhere to draw attention to these things, but there is nothing else on the official controls SI that requires further questioning at the moment.

Moving on to the second SI on the import of and trade in animals and animal products, I have one or two questions around the pre-notification requirement, which appears to be changing. Paragraph 7.5 in the explanatory memorandum—I think the Minister touched on this—recognises that imports into Great Britain using existing health certificates will be maintained

“for a period of time after 31 December 2020”,

without any reference to how long that process will continue. Again, the Minister may not have the answer to hand, but there is always a danger that temporary and interim arrangements can drag on in the future. It would be good to have some clarification and on how long that situation may last.

On the impact side, an impact is actually recognised with the import and trade SI, specifically on the pre-verification procedure and the differing computer systems that will be needed. It is estimated that the change will “add to the staffing costs of a proportion of the 21,600 firms who are estimated to be involved in”

these import activities. Will the Minister give us some indication of the level of those additional staffing costs? It clearly is not the case that things are going remain exactly the same.

The Opposition do not see anything further to clarify at the moment, and we will not oppose the measures.

4.39 pm

Victoria Prentis: I will try to answer the questions in turn. On inland sites, which I think the hon. Gentleman asked about to start with, the Department for Environment, Food and Rural Affairs has confirmed it will require two inland border control posts in England, both in Kent. One will be for Eurotunnel at Sevington, and another is required for the port of Dover.

On impact assessments, none was produced for the first SI as it maintains existing border controls and therefore does not introduce new policy. We have, however, estimated costs as a result of the policy being applied progressively more widely as a result of the phased introduction of border checks, and that is set out in the explanatory memorandum. The border operating model was published in October this year and sets out our phased introduction. I draw the hon. Gentleman’s attention to that document, and I am happy to share it with him later, if that helps.

The import of products, animals, food and feed computer system, which is being set up, will allow importers or agents to create import notification of consignments bound for Great Britain before arrival. Notifications will be received by port health authorities or the Animal and Plant Health Agency, which can then record checks on the system. I recently asked for an update on how that was progressing, and I was told, “Extremely well,” so I am happy to reassure the hon. Gentleman on that.

These statutory instruments are critical for ensuring a functioning imports regime at the end of the transition period. Without them, there would be a threat to Great Britain’s biosecurity and lack of clarity for industry. I therefore commend them to the Committee.

Question put and agreed to.

THE DRAFT OFFICIAL CONTROLS (ANIMALS, FEED AND FOOD, PLANT HEALTH ETC.) (AMENDMENT) (EU EXIT) REGULATIONS 2020

Resolved,

That the Committee has considered the draft Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020.—(*Victoria Prentis.*)

4.41 pm

Committee rose.

