EXPLANATORY MEMORANDUM TO

THE FISHERY PRODUCTS (OFFICIAL CONTROLS CHARGES) (ENGLAND) REGULATIONS 2006

2006 No. 2904

1. This explanatory memorandum has been prepared by the Food Standards Agency and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 This instrument requires payment to local food authorities of a contribution towards the costs of carrying out hygiene inspection and analysis charges in respect of fishery products caught in their natural environment and landed directly in England from:

- Member States'
- EEA States other than Member States
- Greenland, and
- Third countries

2.2 These direct landings of fishery products are not required to enter through controlled points of entry into England. The charges in respect of hygiene controls on direct landings are assessed and made in relation to the first placing on the market of fishery products, on the basis of the tonnage of fishery products that have been landed. The vendor must then make a return to the local food authority within a specified period. The authority will then levy the charge on the basis of the landing.

2.3 The costs contribute to the local food authority's legal obligation under Annex III to EC Regulation 853/2004 to:

- Check fishing vessels in relation to hygiene controls;
- Check on condition of landings and first sale of fishery products;

- Make hygiene inspections of establishments and factory vessels on conditions of approval, correct handling, cleanliness and staff hygiene, and health certification and marking; and
- Carry out organoleptic, parasitic, chemical, contaminant (heavy metals etc) and microbiological analyses.

3. Matters of special interest to the Joint Committee on Statutory Instruments.

3.1 None

4. Legislative Background

4.1 The instrument is being made to continue to provide for the collection of hygiene official controls charges for direct landings in England of fishery products, as required by EC legislation. It needs to come into force from 1 January 2007 when the finance provisions contained in Article 27 of Regulation (EC) 882/2004 on Official Feed and Food Controls (the OFFC Regulation) take effect in all Member States and form the legal basis for charging for official controls.

4.2 From that date, the Fishery Products (Official Controls Charges) (England) Regulations 2005, which currently provide for recovery of fish hygiene official controls charges in England, will be revoked. This is because the Council Directive on which they are based, Directive 85/73/EEC, as last amended by Directive 96/43, (the Charging Directive), will be superseded by the OFFC Regulation from that date. The OFFC Regulation nevertheless allows the current charging arrangements to continue until 1 January 2008 and this instrument has that effect.

4.3 A Scrutiny history in respect of the OFFC Regulation is attached at Appendix 1.

5. Extent

5.1 This instrument applies to England. Parallel legislation is being developed in Scotland, Wales and Northern Ireland.

6. European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 Policy

7.1.1 The objective of Article 27 of the OFFC Regulation in setting out the charging provisions for hygiene inspections is to ensure that industry contributes to the costs of enforcement authorities in sampling and testing direct landings of fishery products to ensure they meet the hygiene standards set down in the EU hygiene legislation. Such products may enter England without being subject to controls at point of entry and these requirements are therefore necessary to monitor these products to ensure they meet EU hygiene standards and are fit for human consumption. The Charging Directive will be superseded by Article 27, which will come into force across the EU on 1 January 2007.

7.1.2 This Instrument is being made to introduce national measures effective from 1st January 2007 to reflect a change in the legal basis for the financing of official controls for hygiene inspections relating to direct landings into England of fishery products to Article 27 of the OFFC Regulation. The Instrument is needed to carry forward the charging requirements in England.

7.1.3 In accordance with the transitional arrangements in Article 27.3, the Instrument maintains the rates for the relevant inspection charges as set out in the Charging Directive until January 2008.

7.2 Consultation

7.2.1. Over 200 interested parties, including all Local Food Authorities in England responsible for executing and enforcing the charging provisions, were

consulted on the draft Instrument. Other Government Departments, industry and voluntary organisations were also included in the twelve week consultation.

7.2.1. A total of 5 responses were received with no objection to the proposals. Majority of these were requests for clarification on particular aspects of the draft Instrument. A summary of the responses may be found at: www.food.gov.uk

7.2.2. There are no changes brought in by the Instrument that are politically or legally important.

7.3 Guidance

7.3.1. The Food Standards Agency (FSA) has held meetings with representatives from the fishing industry prior to, and during the consultation period to explain the reason for introducing a new national Instrument and clarify certain aspects of the requirements in relation to the transitional derogation in the OFFC Regulation.

7.3.2. The FSA intends to produce separate guidance on this Instrument.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this Instrument as it has no new or additional impact on business, charities or voluntary bodies.

8.2 Furthermore, as the current rates for inspections are being carried forward, no change in the impact to the public sector is foreseen.

9. Contacts

9.1 Mike Glavin at the Food Standards Agency
Tel: 0207 272 8544 or e-mail: Mike.Glavin@foodstandards.gsi.gov.uk can answer any queries regarding the instrument.

Appendix 1

Part 1

PARLIAMENTARY SCRUTINY HISTORY RELEVANT TO A PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL CONCERNING OFFICIAL FEED AND FOOD CONTROLS

EUROPEAN PARLIAMENT AND COUNCIL REGULATION No. 178/2002

Legislation	European Parliament and Council Regulation No. 178/2002
Adopted	28 January 2002
Official Journal	L31 of 1 February 2002 (Page 1 – 24)
Explanatory Memoranda	5761/00 of 2 February 2000 14174/00 of 21 January 2001 11445/01 of 11 October 2001

EXPLANATORY MEMORANDUM 5761/00

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically important – for debate	Date: 1 March 2000 Report ref: (20875) HC 23 – x (Session 1999-2000) Paragraph 2	Referred to Sub-Committee (List B)	Date: 8 February 2000 Sub-Committee D
Debated in European Standing Committee C	Date: 12 April 2000	Recommended for debate	Date: 16 May 2000 7th Report HL Paper 66 (Session 1999-2000)
		Debated	Date:23 June 2000

EXPLANATORY MEMORANDUM 14174/00

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Legally and politically important – for debate on the floor of the House	Date: 14 March 2001 Report Ref: (21886) HC 28 – viii (Session 2000-2001) Paragraph 1	Referred to Sub-Committee	Date: 21 January 2001 Sub-Committee D
Legally and politically important - cleared	Date:31 October 2001 Report Ref: (21886) HC 152 – iii (Session 2001 – 2002) Paragraph 5	Cleared	Date: 23 March 2001 10th Report HL Paper 66 (Session 2000-2001)

EXPLANATORY MEMORANDA 11445/01

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Legally and politically important - cleared	Date: 31 October 2001 Report ref: (21886)(22675) HC 152 - iii (Session 2001-01) Paragraph 5	Sifted to Sub-Committee D	Date: 17 October 2001
		Cleared (Sub-Committee D)	Date: 14 November 2001

COUNCIL DIRECTIVE 95/53/EC

Legislation	Council Directive 95/53/EC
Adopted	25 October 1995
Official Journal	L265 of 8 November 1995(Page 17-22)
Explanatory Memoranda	9612/93 of 30 November 1993

	8897/94 of 29 September 1994

EXPLANATORY MEMORANDUM 9612/93

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Not legally or politically important	Date: 15 December 1993	Cleared (List A)	Date: 6 December 1993

EXPLANATORY MEMORANDUM 8897/94

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Not legally or politically important	Date: 19 October 1994	Cleared (List A)	Date: 10 October 1994

COUNCIL DIRECTIVE 70/373/EEC

Legislation	Council Directive 70/373/EEC
Adopted	20 July 1970
Official Journal	L170 of 3 August 1970 (Page 2 – 3)
Explanatory Memoranda	No Details available

COUNCIL DIRECTIVE 89/397/EEC

Legislation	Council Directive 89/397/EEC
Adopted	14 June 1989
Official Journal	L186 of 30 June 1989 (Page 23-26)
Explanatory Memoranda	4101/87

	6442/89 5028/88

EXPLANATORY MEMORANDUM 6442/89

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Deferred	Date: 19 April 1989	Listed 'A'	Date: 2 May 1989
Not legally or politically important – cleared	Date: 3 May 1989		

COUNCIL DIRECTIVE 93/99/EEC

Legislation	Council Directive 93/99/EEC
Adopted	29 October 1993
Official Journal	L290 of 24 November 1993 (Page 14 – 17)
Explanatory Memoranda	4690/92 of 6 March 1992 11221/92 of 29 February 1993 9990/93 of 3 February 1994 6007/98 of 12 March 1998

EXPLANATORY MEMORANDUM 4690/92

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically important not for debate	Date: 11 March 1992 Report ref: (13524) HC 24-xv (Session 1991-92) Paragraph 16	Cleared without Report (List A)	Date: 9 March 1992

EXPLANATORY MEMORANDUM 11221/92

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically important not for debate	Date: 3 February 1993 Report ref: (14248) HC 79-xvii (Session 1992-93) Paragraph 6	Cleared without Report (List A)	Date: 8 February 1993

EXPLANATORY MEMORANDUM 9990/93

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Not legally or politically important	Date: 9 February 1994	Cleared without Report (List A)	Date: 7 February 1994

EXPLANATORY MEMORANDUM 6007/98

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Date: 1 April 1998		Cleared without Report (List A)	Date: 16 March 1998

COUNCIL DIRECTIVE 89/662/EEC

Legislation	Council Directive 89/662/EEC
Adopted	11 December 1989
Official Journal	L395 of 30 December 1989 (Page 13 – 22)
Explanatory Memoranda	8062/88 of 7 November 1988 8062/88 SEM of 13 December 1988 8062/88 2nd SEM of 26 March 1990

	8062/883rd SEM of 27 April 1990 8062/88 4th SEM of 13 June 1990

EXPLANATORY MEMORANDUM 8062/88

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically important not for debate	Date: 9 November 1988 Report Ref : (10534) HC 43-xxxix Session 1987-1988 paragraph 9	Referred to Sub-Committees D & E: (List B)	Date : 14 November 1988
Debated	Date : 5 June 1990 2nd Standing Committee on European Community Documents	Cleared without Report (List C)	Date : 27 January 1989 Committees D & E

EXPLANATORY MEMORANDUM 8062/88 AND SUPPLEMENTARIES

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons
At its meeting on 9 November 1988, The House of Commons Select Committee on European Legislation considered the subject of Explanatory Memorandum 8062/88 to be politically important but not for debate ([10534] HC 43-xxxix[Session 1987 –1988] Paragraph 9). At its meeting on 20 December 1989, the Committee also considered the first Supplementary Explanatory Memorandum to be politically important but not for debate. However, at its meeting on 9 May 1990, the Committee considered the subject of both the second and third Supplementary Explanatory Memoranda to be politically important and recommended the proposal for debate ([10534] HC 11-xxi [Session 1989-90] Paragraph 1). At its meeting on 13 June 1990, the Committee considered the fourth Supplementary Explanatory Memorandum and confirmed the earlier recommendation that the proposal was politically important and for debate ([10534] HC 11-xxv [Session 1989-90] paragraph 2.) The proposal was debated in the Second Standing Committee on European Community Documents.

Lords
At its meeting on 14 November 1988, the House of Lords Select Committee on the European Communities referred Explanatory Memorandum 8062/88 to Sub-Committees D and E where it cleared on 27 January 1989. At its meeting on 18 December 1989 and 26 March 1990 respectively, the Committee referred the first and second Supplementary Memoranda to Sub-Committee D and they were subsequently debated, together with the original Explanatory Memorandum, on 5 April 1990. The first and second Supplementary Memoranda were cleared by Sub-Committee D on 24 April 1990. At its meeting on 30 April and 18 June 1990 respectively, the Committee referred the third and fourth Supplementary Explanatory Memoranda to Sub-Committee D and they were subsequently cleared without report on 4 December 1990.

COUNCIL DIRECTIVE 96/43/EC

Legislation	Council Directive 96/43/EC
Adopted	26 June 1996
Official Journal	L8 of 11 January 1997 (Page 32)
Explanatory Memoranda	11316/95 of 23 October 1995 SEM 11316/95 of 2 February 1996

EXPLANATORY MEMORANDUM 11316/95

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically important – not for debate at this stage – further information requested	Date: 1 November 1995 Report Ref : (16491) HC 70-xxvi (Session 1994-95) Paragraph 9	Cleared (List A)	Date : 30 October 1995

SUPPLEMENTARY EXPLANATORY MEMORANDUM 11316/95

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically	Date: 14 February	Cleared	Date : 5 February

important – not for debate	1996 Report Ref : (16491) HC 51-ix (Session 1995-96) Paragraph 7	(List A)	1996

Part 2

PARLIAMENTARY SCRUTINY HISTORY RELEVANT TO A PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL CONCERNING OFFICIAL FEED AND FOOD CONTROLS

EUROPEAN PARLIAMENT AND COUNCIL REGULATION No. 178/2002

Legislation	European Parliament and Council Regulation No. 178/2002
Adopted	28 January 2002
Official Journal	L31 of 1 February 2002 (Page 1 – 24)
Explanatory Memoranda	5761/00 of 2 February 2000 14174/00 of 21 January 2001 11445/01 of 11 October 2001

EXPLANATORY MEMORANDUM 5761/00

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically important – for debate	Date: 1 March 2000 Report ref: (20875) HC 23 – x (Session 1999-2000) Paragraph 2	Referred to Sub-Committee (List B)	Date: 8 February 2000 Sub-Committee D
Debated in European Standing Committee C	Date: 12 April 2000	Recommended for debate	Date: 16 May 2000 7th Report HL Paper 66 (Session 1999-2000)
		Debated	Date:23 June 2000

EXPLANATORY MEMORANDUM 14174/00

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Legally and politically important – for debate on the floor of the House	Date: 14 March 2001 Report Ref: (21886) HC 28 – viii (Session 2000-2001) Paragraph 1	Referred to Sub-Committee	Date: 21 January 2001 Sub-Committee D
Legally and politically important - cleared	Date:31 October 2001 Report Ref: (21886) HC 152 – iii (Session 2001 – 2002) Paragraph 5	Cleared	Date: 23 March 2001 10th Report HL Paper 66 (Session 2000-2001)

EXPLANATORY MEMORANDUM 11445/01

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Legally and politically important - cleared	Date: 31 October 2001 Report ref: (21886)(22675) HC 152 - iii (Session 2001-01) Paragraph 5	Sifted to Sub-Committee D	Date: 17 October 2001
		Cleared (Sub-Committee D)	Date: 14 November 2001

COUNCIL DIRECTIVE 95/53/EC

Legislation	Council Directive 95/53/EC
Adopted	25 October 1995
Official Journal	L265 of 8 November 1995(Page 17-22)
Explanatory Memoranda	9612/93 of 30 November 1993 8897/94 of 29 September 1994

EXPLANATORY MEMORANDUM 9612/93

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Not legally or	Date: 15 December	Cleared	Date: 6 December

politically important	1993	(List A)	1993

EXPLANATORY MEMORANDUM 8897/94

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Not legally or politically important	Date: 19 October 1994	Cleared (List A)	Date: 10 October 1994

COUNCIL DIRECTIVE 99/20/EC (LAST AMENDMENT TO COUNCIL DIRECTIVE 95/53/EC)

Legislation	Council Directive 99/20/EC
Adopted	22 March 1999
Official Journal	L80 of 25 March 1999 (Page 20- 21)
Explanatory Memoranda	10514/98 of 5 October 1998

EXPLANATORY MEMORANDUM 10514/98

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Not legally or politically important - cleared	Date: 21 October 1998	Cleared (List A)	Date: 12 October 1998

COUNCIL DIRECTIVE 70/373/EEC

Legislation	Council Directive 70/373/EEC
Adopted	20 July 1970
Official Journal	L170 of 3 August 1970 (Page 2 – 3)
Explanatory Memoranda	No Details available

COUNCIL DIRECTIVE 89/397/EEC

Legislation	Council Directive 89/397/EEC
Adopted	14 June 1989
Official Journal	L186 of 30 June 1989 (Page 23-26)
Explanatory Memorandum	4101/87 6442/89 5028/88

EXPLANATORY MEMORANDUM 6442/89

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Deferred	Date: 19 April 1989	Listed 'A'	Date: 2 May 1989
Not legally or politically important – cleared	Date: 3 May 1989		

COUNCIL DIRECTIVE 93/99/EEC

Legislation	Council Directive 93/99/EEC
Adopted	29 October 1993
Official Journal	L290 of 24 November 1993 (Page 14 – 17)
Explanatory Memoranda	4690/92 of 6 March 1992 11221/92 of 29 February 1993 9990/93 of 3 February 1994 6007/98 of 12 March 1998

EXPLANATORY MEMORANDUM 4690/92

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically important not for debate	Date: 11 March 1992 Report ref: (13524) HC 24-xv (Session 1991-92) Paragraph 16	Cleared without Report (List A)	Date: 9 March 1992

EXPLANATORY MEMORANDUM 11221/92

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically important not for debate	Date: 3 February 1993 Report ref: (14248) HC 79-xvii (Session 1992-93) Paragraph 6	Cleared without Report (List A)	Date: 8 February 1993

EXPLANATORY MEMORANDUM 9990/93

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Not legally or politically important	Date: 9 February 1994	Cleared without Report (List A)	Date: 7 February 1994

EXPLANATORY MEMORANDUM 6007/98

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Date: 1 April 1998		Cleared without Report (List A)	Date: 16 March 1998

COUNCIL DIRECTIVE 92/118 (LAST AMENDMENT TO COUNCIL DIRECTIVE 89/662)

Legislation	Council Directive 92/118/EEC
Adopted	17 December 1992
Official Journal	L 62 of 15 March 1993 (Page 49)
Explanatory Memorandum	4796/90 of 12 March 1990 SEM 4796/90 of 12 June 1992

EXPLANATORY MEMORANDUM 4796/90

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically important – for debate in Standing Committee	Date: 28 March 1990 Report Ref: (11908) HC 11-xvi (Session 1989–90) Paragraph 10	Referred to Sub-Committee (List B)	Date: 19 March 1990 Sub-Committee B
Debated	Date: 5 June 1990	Cleared (List C)	Date: 24 April 1990

SUPPLEMENTARY EXPLANATORY MEMORANDUM 4796/90

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically important – not for debate	Date: 24 June 1992 Report Ref: (11908) HC 79-ii	Referred to Sub-Committee (List B)	Date: 22 June 1992 Sub-Committee B

	(Session 1992-93) Paragraph 4		
		Cleared (List C)	Date: 27 October 1992

COUNCIL DIRECTIVE 97/78/EC

Legislation	Council Directive 97/78//EC
Adopted	18 December1997
Official Journal	L24 of 30 January 1998 (Page 9 – 30)
Explanatory Memoranda	

COUNCIL DIRECTIVE 96/43/EC

Legislation	Council Directive 96/43/EC
Adopted	26 June 1996
Official Journal	L8 of 11 January 1997 (Page 32)
Explanatory Memoranda	11316/95 of 23 October 1995 SEM 11316/95 of 2 February 1996

EXPLANATORY MEMORANDUM 11316/95

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically important – not for debate at this stage – further information requested	Date: 1 November 1995 Report Ref : (16491) HC 70-xxvi (Session 1994-95) Paragraph 9	Cleared (List A)	Date : 30 October 1995

SUPPLEMENTARY EXPLANATORY MEMORANDUM 11316/95

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically important – not for debate	Date: 14 February 1996 Report Ref : (16491) HC 51-ix (Session 1995-96) Paragraph 7	Cleared (List A)	Date : 5 February 1996

COUNCIL DIRECTIVE 85/73/EEC

Legislation	Council Directive 85/73/EEC
Adopted	29 January 1985
Official Journal	L32 of 5 February 1985 (Page 14 – 15)
Explanatory Memoranda	No details available

EUROPEAN PARLIAMENT AND COUNCIL REGULATION (EC) No. 999/2001

Legislation	European Parliament and Council Regulation (EC) No. 999/2001
Adopted	22 May 2001
Official Journal	L.147 of 31 May 2001 (Page 1 – 40)
Explanatory Memoranda	

COUNCIL DIRECTIVE 89/662 (LAST AMENDED BY COUNCIL DIRECTIVE 92/118)

Legislation	Council Directive 89/662/EEC
Adopted	11 December 1989
Official Journal	L395 of 30 December 1989 (page 13)
Explanatory Memoranda	8062/88 of 7 November 1988 8062/88 SEM of 13 December 1988 8062/88 2nd SEM of 26 March 1990 8062/88 3rd SEM of 27 April 1990 8062/88 4th SEM of 13 June 1990

EXPLANATORY MEMORANDUM 8062/88 AND SUPPLEMENTARIES

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons
At its meeting on 9 November 1988, The House of Commons Select Committee on European Legislation considered the subject of Explanatory Memorandum 8062/88 to be politically important but not for debate ([10534] HC 43-xxxix [Session 1987-88] paragraph 9). At its meeting on 20 December 1989, the Committee also considered the first Supplementary Explanatory Memorandum to be politically important but not for debate. However, at its meeting on 9 May 1990, the Committee considered the subject of both the second and third Supplementary Explanatory Memoranda to be politically important and recommended the proposal for debate ([10534] HC 11-xxi [Session 1989-90] paragraph 1). At its meeting on 13 June 1990, the Committee considered the fourth Supplementary Explanatory Memorandum and confirmed the earlier recommendation that the proposal was politically important and for debate ([10534] HC 11-xxv [Session 1989-90] paragraph 2). The proposal was debated in the Second Standing Committee on European Community Documents

Lords
At its meeting on 14 November 1988, the House of Lords Select Committee on the European Communities referred Explanatory Memorandum 8062/88 to Sub-Committees D and E where it cleared on 27 January 1989. At its meeting on 18 December 1989 and 26 March 1990 respectively, the Committee referred the first and second Supplementary Explanatory Memoranda to Sub- Committee D and they were subsequently debated, together with the original Explanatory Memorandum, on 5 April 1990. The first and second Supplementary Explanatory Memoranda were cleared by Sub-Committee D on 24 April 1990. At its meeting on 30 April and 18 June 1990 respectively, the Committee referred the third and fourth Supplementary Explanatory Memoranda to Sub-Committee D and they were subsequently cleared without report on 4 December 1990.

COUNCIL DIRECTIVE 91/67/EEC (LAST AMENDED BY COUNCIL DIRECTIVE 98/45/EC)

Legislation	Council Directive 91/67/EEC
Adopted	28 January 1991
Official Journal	L 46 of 19 February 1991 (Page 1)
Explanatory Memorandum	4783/90 of 14 March 1990

EXPLANATORY MEMORANDUM 4783/90

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically important – for debate in Standing Committee	Date: 28 March 1990 Report Ref: (11892) HC 11-xvi (Session 1989 - 90) Paragraph 6	Referred to Sub-Committee (List B)	Date: 19 March 1990
Debated with 4699/90 and 4779/90	7 June 1990	Cleared without report (List C)	Date: 24 April 1990

COUNCIL DIRECTIVE 98/45/EC (LAST AMENDMENT TO COUNCIL DIRECTIVE 91/67/EEC)

Legislation	Council Directive 98/45/EC
Adopted	24 June 1998
Official Journal	L 189 of 3 July 1998 (Page 12
Explanatory Memorandum	8823/96 of 30 July 1996

EXPLANATORY MEMORANDUM 8823/96

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Not legally or politically important	Date: 16 October 1996	Cleared (List A)	Date: 9 October 1996

COUNCIL DIRECTIVE 93/43

Legislation	Council Directive 93/43
Adopted	14 June 1993
Official Journal	L 175 of 19 July 1993 (Page 1)
Explanatory Memorandum	Dept of Health lead

EXPLANATORY MEMORANDUM 10427/00

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Legally and politically important – for debate in European Standing Committee C	Date: 17 January 2001 Report Ref. (21499) HC 28-iii (Session 2001) Paragraph 1 (Third Report of Session 2000-2001)	Referred to Sub–Committee (List B)	Date: 3 October 2000
Legally and politically important – cleared	Date: 3 May 2002 Report Ref. 21499 HC 152 – xxv and HCP 152 – xxvi 25th and 26th Reports of Session 2001 – 2002	Cleared without report	Date: 27 October 2000

EXPLANATORY MEMORANDUM 10427/00

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Legally and politically important – for debate in European Standing Committee C	Date: 17 January 2001 Report Ref. (21499) HC 28-iii (Session 2001) Paragraph 1 (Third Report of Session 2000-2001)	Referred to Sub–Committee (List B)	Date: 3 October 2000

Legally and politically important – cleared	Date: 3 May 2002 Report Ref. 21499 HC 152 – xxv and HCP 152 – xxvi 25th and 26th Reports of Session 2001 – 2002	Cleared without report	Date: 27 October 2000

EXPLANATORY MEMORANDA 8868/02 & 8869/02

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Not legally or politically important - cleared	Date: 26 June 2002 Report Refs. (23566 & 23567) HC 152-xxxiv (Session 2001-02) Paragraph 16	Cleared	Date: 25 June 2002 (Sift 1108)

COUNCIL DIRECTIVE 96/23/EC

Legislation	Council Directive 96/23/EC
Adopted	29 April 1996
Official Journal	L125 of 23 May 1996 (Page 10 – 32)
Explanatory Memoranda	8988/93 Part II

EXPLANATORY MEMORANDUM 8988/93 PART II

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Legally and politically important- not for debate	Date: 19 January 1993 Report Ref : (14869) HC 48 –iv (Session 1993-94) Paragraph 5	Referred to Sub-Committee (List B)	Date: 10 January 1994 Sub-Committee D
		Cleared (List F cleared by letter to the Minister)	Date: 29 March 1994