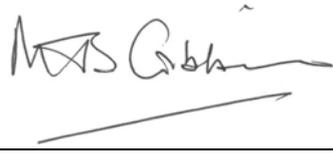


 <b>Regulatory Policy Committee</b>	<b>OPINION</b>	
<b>Impact Assessment (IA)</b>	England Only Domestic Legislation Implementing Directly Applicable EU Legislation: The Animal By-Products Regulations No. 1069/2009 & No. 142/2011	
<b>Lead Department/Agency</b>	Department for Environment, Food and Rural Affairs	
<b>Stage</b>	Final	
<b>Origin</b>	European	
<b>Date submitted to RPC</b>	04/05/2011	
<b>RPC Opinion date and reference</b>	26/05/2011	RPC11-DEFRA-0774(2)
<b>Overall Assessment</b>	<b>AMBER</b>	
<p>The IA is fit for purpose. The basis for the potential level of benefits has been explained and the Department has made more of an attempt to quantify certain aspects of the proposal. However, the Department should explicitly state if they expect any increase in risk as a result of these amendments. This is an IN, though no OUT has been identified.</p>		
<p><b>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</b></p>		
<p><i>Costs.</i> Following our previous Opinion of 14/02/2011, the Department has made more of an attempt to quantify some of the costs of the proposed amendments. However, we accept the argument that the costs of several of the amendments are uncertain given the nature of the regulations, and that little quantified data has been obtained through consultation.</p>		
<p><i>Risk.</i> The direct cost of relaxing these requirements on business is any increase in the risk of the spread of disease and infection. The Department has clarified to the RPC that the proposals have been subject to formal veterinary risk assessment and there is no foreseen increase in the overall level of risk to the UK.</p>		
<p><i>Benefits.</i> The majority of the monetised benefits in the IA are the result of a relaxation of the regulations concerning food waste disposal for small retailers. The IA has adequately addressed previous RPC concerns that the size of benefit would depend upon uptake by small retailers. The remainder of benefit is on savings to the shellfish industry. The basis for this estimated benefit has now been adequately discussed in the IA.</p>		
<p><b>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</b></p> <p>The Department is claiming this proposal is an 'IN' on the account that not all available derogations have been taken. According to the current 'One-in, One-out' methodology, this is a forgone benefit and a compensatory 'OUT' will be required. The IN of £1m appears reasonable.</p>		

**Signed**

**Michael Gibbons, Chair**



Handwritten signature of Michael Gibbons, consisting of the letters 'MGS' followed by 'Gibbons' in a cursive script, with a long horizontal line underneath.