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DRAFT STATUTORY INSTRUMENTS

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**2019 No.**

The Food and Drink, Veterinary Medicines and Residues (Amendment etc.) (EU Exit) Regulations 2019

PART 3

Amendment and revocation of retained direct EU legislation relating to food and drink

**Commission Regulation (EC) No 2870/2000**

6.—(1) **Commission Regulation (EC) No 2870/2000** laying down Community reference methods for the analysis of spirits drinks is amended as follows.

(2) In Article 3—

(a) in the words before point (a)—

- (i) omit “Community”;
- (ii) after “down” insert “in retained EU law”;

(b) in point (a), for “the Annex to **Directive 85/591/EEC**” substitute “Annex 3 to Regulation (EC) No 882/2004 of the European Parliament and of the Council”;

(c) in point (d), in the first indent—

- (i) at the beginning insert “in relation to an official control,”;
- (ii) for “Member State concerned” substitute “appropriate authority, by administrative decision, on a case by case basis”;

(d) after the existing paragraph insert—

“In this Article ‘the appropriate authority’ means:

- (a) in relation to England, the Secretary of State;
- (b) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;
- (c) in relation to Scotland, the Scottish Ministers;
- (d) in relation to Wales, the Welsh Ministers.”.

(3) In Article 4, after point (c) insert—

“(d) ‘Regulation 110/2008’: means Regulation (EC) No 110/2008 of the European Parliament and of the Council.”.

(4) After Article 5 omit the words from “This Regulation” to “Member States.”.

(5) In the Annex—

(a) in Part 3(1) (general remarks relating to the determination of volatile substances and methanol of spirit drinks)—

- (i) in point 1, in the words before point 1, for “Regulation (EEC) No 1576/89” substitute “Regulation 110/2008”;
- (ii) in point 2, in the second subparagraph, for “Regulation (EEC) No 1576/89” substitute “Regulation 110/2008”;
- (b) in Part 6 (determination of glycyrrhizic acid using high performance liquid chromatography), in point 1, for “Regulation (EEC) No 1576/89” substitute “Regulation 110/2008”;
- (c) in Part 7 (high-performance liquid chromatography method for verifying the presence of chalcones in pastis), in point 1, in the second subparagraph, for “Regulation (EEC) No 1576/89” substitute “Regulation 110/2008”.

### **Regulation (EU) No 1151/2012 of the European Parliament and of the Council**

7.—(1) Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs is amended as follows.

- (2) In Article 1—
  - (a) at the end of point (b) insert “and”;
  - (b) at the end of point (c) omit “and”;
  - (c) omit point (d).
- (3) In Article 2—
  - (a) in paragraph 1, in the second subparagraph, for the words from “Commission” to “Article 56,” substitute “Secretary of State may make regulations”;
  - (b) in paragraph 2, for “Annex XIb to Regulation (EC) No 1234/2007” substitute “Part 2 of Annex 7 to Regulation 1308/2013”;
  - (c) in paragraph 3—
    - (i) for “Union provisions” substitute “provisions in retained EU law”;
    - (ii) for “the single common organisation of the markets, and” substitute “provisions in, or under, Regulation 1308/2013 and provisions relating”;
  - (d) omit paragraph 4.
- (4) In Article 3—
  - (a) in point (6), for “Union” substitute “United Kingdom”;
  - (b) after point (8) insert the points in Part 1 of Schedule 1.
- (5) In Article 4(b), for “Union” substitute “United Kingdom”.
- (6) In Article 5(4)—
  - (a) in the first subparagraph, for the words from “Commission” to “Article 56,” substitute “Secretary of State may make regulations”;
  - (b) in the second subparagraph, for the words from “Commission” to “Article 56,” substitute “Secretary of State may make regulations”.
- (7) In Article 7—
  - (a) in paragraph 1(e) omit the words from “, taking into account” to the end of that point;
  - (b) in paragraph 2—
    - (i) in the first subparagraph, for the words from “Commission” to “Article 56,” substitute “Secretary of State may make regulations”;
    - (ii) in the second subparagraph—

- (aa) for “Commission may adopt implementing acts” substitute “Secretary of State may make regulations”;
  - (bb) omit the second sentence.
- (8) In Article 8—
  - (a) in paragraph 1, in the words before point (a), for “49(2) or (5)” substitute “49”;
  - (b) omit paragraph 2.
- (9) Omit Article 9.
- (10) In Article 10—
  - (a) in paragraph 1, in the words before point (a), for “Commission” substitute “Secretary of State”;
  - (b) in paragraph 2, for “Union” substitute “United Kingdom”.
- (11) In Article 11—
  - (a) for paragraph 1, for the words from “Commission” to “maintaining” substitute “Secretary of State must establish and maintain”;
  - (b) in paragraph 2, for “Union”, in both places it occurs, substitute “United Kingdom”;
  - (c) in paragraph 3—
    - (i) for “Commission may adopt implementing acts” substitute “Secretary of State may make regulations”;
    - (ii) omit the second sentence;
  - (d) in paragraph 4, for “Commission” substitute “Secretary of State”.
- (12) In Article 12—
  - (a) in paragraph 2 omit “Union”;
  - (b) in paragraph 4, for “Member State” substitute “United Kingdom or third country, as relevant, in which that geographical area of origin is located”;
  - (c) in paragraph 5, for the words from “[Directive 2000/13/EC](#)” to “[Directive 2008/95/EC](#)” substitute “Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, the collective geographical marks registered under the Trade Marks Act 1994(1)”;
  - (d) in paragraph 6 omit “Union”;
  - (e) in paragraph 7—
    - (i) in the first subparagraph—
      - (aa) for the words from “Commission” to “Article 56,” substitute “Secretary of State may make regulations”;
      - (bb) omit “Union”;
    - (ii) in the second subparagraph—
      - (aa) for “Commission may adopt implementing acts” substitute “Secretary of State may make regulations”;
      - (bb) omit “Union”;
      - (cc) omit the second sentence.
- (13) In Article 13(3)—
  - (a) in the first subparagraph—

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(1) [1994 c. 26.](#)

- (i) for “Member States” substitute “The designated authority”;
  - (ii) for “that Member State” substitute “the United Kingdom”;
  - (b) omit the second subparagraph.
- (14) In Article 14(1)—
- (a) in the first subparagraph, for “Commission” substitute “Secretary of State”;
  - (b) in the third subparagraph, for “[Directive 2008/95/EC](#)” substitute “the Trade Marks Act 1994”.
- (15) In Article 15—
- (a) in paragraph 1—
    - (i) in the first subparagraph, in the words before point (a)—
      - (aa) for the words from “Commission” to “five years” substitute “Secretary of State may, by regulations, make provision for a transitional period of up to five years to apply”;
      - (bb) omit “originating in a Member State or a third country”;
      - (cc) for “on condition” substitute “if the Secretary of State is satisfied”;
      - (dd) omit “Article 49(3) or”;
    - (ii) omit the second subparagraph;
  - (b) in paragraph 2—
    - (i) in the first subparagraph—
      - (aa) in the words before point (a), for the words from “the Commission” to “shown” substitute “an application may be made to the Secretary of State to extend the transitional period mentioned in paragraph 1 to 15 years in duly justified cases and the Secretary of State may, by regulations, make provision for such a transitional provision if the Secretary of State is satisfied”;
      - (bb) in point (a), for “Commission” substitute “Secretary of State”;
    - (ii) omit the second subparagraph;
  - (c) in paragraph 4—
    - (i) in the first subparagraph—
      - (aa) for the words from “a Member State may” to “10 years” substitute “nothing in this Regulation prevents the Secretary of State from using any power the Secretary of State has to make regulations to provide for a transitional period of up to 10 years to apply”;
      - (bb) for “Commission” substitute “Secretary of State”;
      - (cc) omit “to the authorities of the Member State”;
      - (dd) omit “national”;
      - (ee) for “49(3)” substitute “51”;
    - (ii) in the third subparagraph, for “dossier referred to in Article 8(2)” substitute “submitted under Article 8(1)”.
- (16) In Article 16—
- (a) in paragraph 1—

- (i) for the words from the beginning to “entered in”, in the second place it occurs, substitute “The Secretary of State must enter the names of established protected designations of origin and established protected geographical indications on”;
    - (ii) after “such registrations” insert “under EU Regulation 1151/2012(2)”;
  - (b) in paragraph 2, for the words from “Commission” to “Article 56,” substitute “Secretary of State may make regulations”;
  - (c) in paragraph 3—
    - (i) at the beginning insert “In relation to established protected designations of origin and established protected geographical indications,”;
    - (ii) after “Regulation (EC) No 510/2006” insert “, as that Regulation had effect in the United Kingdom immediately before it was repealed by EU Regulation 1151/2012,”;
  - (d) after paragraph 3 insert—

“4. In paragraph 1, in relation to an established protected designation of origin and an established protected geographical indication, ‘corresponding specifications’ means the product specification for the relevant designation of origin or geographical indication as the specification stood immediately before exit day.”.
- (17) In Article 18—
  - (a) in paragraph 3 omit “Member State or in a third”;
  - (b) in paragraph 4, for “Union legislation” substitute “retained EU law”;
  - (c) in paragraph 5, for the words from “Commission” to “Article 56,” substitute “Secretary of State may make regulations”.
- (18) In Article 19—
  - (a) in paragraph 1(a) omit “, in the appropriate language versions”;
  - (b) in paragraph 2—
    - (i) in the first subparagraph, for the words from “Commission” to “Article 56,” substitute “Secretary of State may make regulations”;
    - (ii) in the second subparagraph—
      - (aa) for “Commission may adopt implementing acts” substitute “Secretary of State may make regulations”;
      - (bb) omit the second sentence.
- (19) In Article 20—
  - (a) in paragraph 1, in the words before point (a), for “49(2) or (5)” substitute “49”;
  - (b) omit paragraph 2.
- (20) In Article 21—
  - (a) in paragraph 1, in the words before point (a), for “Commission” substitute “Secretary of State”;
  - (b) in paragraph 2, for “Union” substitute “United Kingdom”.
- (21) In Article 22—
  - (a) in paragraph 1, for the words from “Commission” to “maintaining” substitute “Secretary of State must establish and maintain”;
  - (b) in paragraph 2—

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(2) OJ No. L 343, 14.12.2012, p. 1, to which there are amendments not relevant to these Regulations.

- (i) for “Commission may adopt implementing acts” substitute “Secretary of State may make regulations”;
  - (ii) omit the second sentence.
- (22) In Article 23—
  - (a) in paragraph 2 omit “Union”;
  - (b) in paragraph 4—
    - (i) in the first subparagraph—
      - (aa) for the words from “Commission” to “Article 56,” substitute “Secretary of State may make regulations”;
      - (bb) omit “Union”;
    - (ii) in the second subparagraph—
      - (aa) for “Commission may adopt implementing acts” substitute “Secretary of State may make regulations”;
      - (bb) omit “Union”;
      - (cc) omit the words from “, including” to the end.
- (23) In Article 24—
  - (a) in paragraph 2—
    - (i) for “Member States” substitute “The designated authority”;
    - (ii) for “at national level” substitute “in the United Kingdom”;
  - (b) in paragraph 3—
    - (i) for “Commission may adopt implementing acts” substitute “Secretary of State may make regulations”;
    - (ii) omit the second sentence.
- (24) In Article 25—
  - (a) in paragraph 1—
    - (i) for the words from the beginning to “entered in” substitute “The Secretary of State must enter the names of established protected traditional specialities guaranteed on”;
    - (ii) after “such registrations” insert “under EU Regulation 1151/2012 as it had effect in the United Kingdom immediately before exit day”;
  - (b) omit paragraph 2;
  - (c) in paragraph 3—
    - (i) for the words from “Commission” to “Article 56,” substitute “Secretary of State may make regulations”;
    - (ii) at the end insert “relating to the entries to be made on the register referred to in Article 22 under paragraph 1”;
  - (d) after paragraph 3 insert—

“4. In paragraph 1, in relation to an established protected traditional speciality guaranteed, ‘corresponding specifications’ means the product specification for the traditional speciality guaranteed as the specification stood immediately before exit day.”.
- (25) Omit Article 26.
- (26) In Article 27, for “internal market” substitute “United Kingdom”.
- (27) For Article 28 substitute the Article in Part 2 of Schedule 1.

- (28) In Article 29—
- (a) in paragraph 1(c), for “European” substitute “United Kingdom”;
  - (b) in paragraph 4, for the words from “Commission” to “Article 56,” substitute “Secretary of State may make regulations”;
  - (c) in paragraph 5—
    - (i) for “Commission may adopt implementing acts” substitute “Secretary of State may make regulations”;
    - (ii) omit the second sentence;
  - (d) in paragraph 6—
    - (i) for “adopting delegated and implementing acts” substitute “making regulations”;
    - (ii) for “Commission” substitute “Secretary of State”.
- (29) In Article 30—
- (a) in paragraph 1, for the words from “Commission” to “Article 56,” substitute “Secretary of State may make regulations”;
  - (b) in paragraph 2, for the words from “Commission” to “Article 56,” substitute “Secretary of State may make regulations”.
- (30) In Article 31—
- (a) in paragraph 2—
    - (i) for “Union” substitute “United Kingdom”;
    - (ii) for “Article 18(1) of Regulation (EC) No 1257/1999”, in the first place it occurs, substitute “Article 32 of Regulation (EU) No 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD)”;
    - (iii) for “Article 18(1) of Regulation (EC) No 1257/1999”, in the second place it occurs, substitute “Article 32 of Regulation (EU) No 1305/2013 of the European Parliament and of the Council”;
  - (b) in paragraph 3—
    - (i) for the words from “Commission”, in the first place it occurs, to “Article 56,” substitute “Secretary of State may make regulations”;
    - (ii) for the words from “Commission”, in the second place it occurs, to “delegated act” substitute “Secretary of State may make regulations”;
  - (c) in paragraph 4, for the words from “Commission” to “Article 56,” substitute “Secretary of State may make regulations”.
- (31) Omit Article 32.
- (32) In Article 33(2)—
- (a) for “Commission may adopt implementing acts” substitute “Secretary of State may make regulations”;
  - (b) omit the second sentence.
- (33) In Article 34, for “Member States” substitute “The designated authority”.
- (34) In Article 36—
- (a) for the heading substitute—

*“Official controls”;*

- (b) in paragraph 1 omit the first subparagraph;
  - (c) in paragraph 2 omit “referred to in paragraph 1”.
- (35) In Article 37—
- (a) in paragraph 1—
    - (i) in the first subparagraph—
      - (aa) in the words before point (a), for “Union” substitute “United Kingdom”;
      - (bb) in point (a), for the words from the beginning to “Regulation” substitute “the competent authority”;
    - (ii) in the second subparagraph, for “Member States” substitute “Secretary of State”;
  - (b) in paragraph 3—
    - (i) in the first subparagraph, for “Member States” substitute “The Secretary of State”;
    - (ii) in the second subparagraph, for “Commission” substitute “the Secretary of State”;
    - (iii) after the second subparagraph insert—
 

“The Secretary of State may make the information specified in the first and second subparagraphs public, and update that information periodically, in such manner as appears appropriate to the Secretary of State from time to time.”;
  - (c) omit paragraph 4.
- (36) In Article 38—
- (a) omit the first paragraph;
  - (b) in the second paragraph—
    - (i) for “Member States”, in the first place it occurs, substitute “The designated authority”;
    - (ii) for “Member States”, in the second place it occurs, substitute “that authority”.
- (37) In Article 39(3), in both points (a) and (b), for “Union” substitute “United Kingdom”.
- (38) In Article 40(1), for “Member States” substitute “The Secretary of State”.
- (39) In Article 41—
- (a) in paragraph 1, for “Union” substitute “United Kingdom”;
  - (b) for paragraph 2(b) substitute—
 

“(b) any relevant enactment.”;
  - (c) in paragraph 3, for the words from “Commission” to “Article 56,” substitute “Secretary of State may make regulations”.
- (40) In Article 42(2), for the words from “Commission” to “Article 56,” substitute “Secretary of State may make regulations”.
- (41) In Article 43—
- (a) for “Union rules or to those of Member States” substitute “retained EU law and any other enactments”;
  - (b) for “those rules” substitute “such law and those enactments”.
- (42) In Article 44—
- (a) omit paragraph 2;
  - (b) in paragraph 3—
    - (i) for “Commission shall adopt implementing acts” substitute “Secretary of State may make regulations”;



- (ii) omit the second sentence.
- (43) In Article 45—
  - (a) in paragraph 1—
    - (i) in the words before point (a), for “Regulation (EC) No 1234/2007” substitute “Regulation 1308/2013”;
    - (ii) in point (a), for the words from “competent authorities” to “other competent” substitute “the competent authority or any designated”;
  - (b) in paragraph 2—
    - (i) for “Member States”, in the first place it occurs, substitute “The Secretary of State”;
    - (ii) for “on their territories” substitute “in the United Kingdom”;
    - (iii) for the second and third sentences substitute—

“The Secretary of State must publish the names and addresses of the groups referred to in Article 3(2) in such manner as appears appropriate to the Secretary of State from time to time.”.
- (44) In Article 46—
  - (a) in paragraph 1, for “Member States” substitute “The Secretary of State”;
  - (b) in paragraph 3, for “Member States” substitute “The Secretary of State”.
- (45) Omit Article 47.
- (46) In Article 49—
  - (a) in paragraph 1, in the first subparagraph—
    - (i) after “Article 48” insert “may be submitted to the Secretary of State”. They”;
    - (ii) for “different Member States or third countries” substitute “the United Kingdom and a third country, or from more than one country, as relevant,”;
  - (b) omit paragraphs 2 to 4;
  - (c) in paragraph 5, for “Commission,” substitute “Secretary of State”;
  - (d) in paragraph 6, for “Commission” substitute “Secretary of State”;
  - (e) in paragraph 7—
    - (i) omit the first subparagraph;
    - (ii) in the second subparagraph—
      - (aa) for “Commission may adopt implementing acts” substitute “Secretary of State may make regulations”;
      - (bb) omit the second sentence.
- (47) In Article 50—
  - (a) in the heading, for “**Commission**” substitute “**Secretary of State**”;
  - (b) in paragraph 1—
    - (i) in the first subparagraph—
      - (aa) for “Commission”, in both places it occurs, substitute “Secretary of State”;
      - (bb) for “that it receives” substitute “received”;
    - (ii) in the second subparagraph—
      - (aa) for “Commission” substitute “Secretary of State”;

- (bb) after “public” insert “, in such manner as appears appropriate to the Secretary of State from time to time,”;
- (cc) for “it” substitute “the Secretary of State”;
- (c) in paragraph 2—
  - (i) in the words before point (a)—
    - (aa) for “Commission” substitute “Secretary of State”;
    - (bb) for “it” substitute “the Secretary of State”;
    - (cc) for “the *Official Journal of the European Union*” substitute “such manner as appears appropriate to the Secretary of State from time to time”;
  - (ii) in point (a) omit “the reference to the publication of the”.
- (48) In Article 51—
  - (a) in paragraph 1—
    - (i) in the first subparagraph—
      - (aa) for “in the *Official Journal of the European Union*” substitute “of the documents published by virtue of Article 50(2)”;
      - (bb) omit “of a Member State or”;
      - (cc) omit “and established in a third country”;
      - (dd) for “Commission” substitute “Secretary of State”;
    - (ii) omit the second subparagraph;
    - (iii) in the last subparagraph, for “Commission” substitute “Secretary of State”;
  - (b) in paragraph 2, for “Commission”, in both places it occurs, substitute “Secretary of State”;
  - (c) in paragraph 3, in the first, second and third subparagraphs, for “Commission”, in each place it occurs, substitute “Secretary of State”;
  - (d) in paragraph 4, for “Commission” substitute “Secretary of State”;
  - (e) in paragraph 5, for “Commission” substitute “Secretary of State”;
  - (f) in paragraph 6—
    - (i) in the first subparagraph, for the words from “Commission” to “Article 56,” substitute “Secretary of State may make regulations”;
    - (ii) in the second subparagraph—
      - (aa) for “Commission may adopt implementing acts” substitute “Secretary of State may make regulations”;
      - (bb) omit the second sentence.
- (49) In Article 52—
  - (a) in paragraph 1—
    - (i) for “Commission”, in both places it occurs, substitute “Secretary of State”;
    - (ii) for “it shall adopt implementing acts rejecting” substitute “the Secretary of State must reject”;
    - (iii) omit the second sentence;
  - (b) in paragraph 2—
    - (i) for “Commission” substitute “Secretary of State”;

- (ii) for the words from “it shall” to “registering” substitute “the Secretary of State must register”;
  - (c) in paragraph 3—
    - (i) in the words before point (a)—
      - (aa) for “Commission” substitute “Secretary of State”;
      - (bb) for “it” substitute “the Secretary of State”;
    - (ii) in point (a) omit the words from “by means” to “substantial”;
    - (iii) in point (b), for the words from “adopt” to the end substitute “decide whether to register the name”;
  - (d) for paragraph 4 substitute—
    - “4. After making a decision under this Article, the Secretary of State must publish in such manner as appears appropriate to the Secretary of State from time to time:
      - (a) a notice informing the applicant and the public of the decision made in relation to the application, and
      - (b) where the application is approved, a copy of the approved product specification.”;
  - (e) after paragraph 4 insert—
    - “5. An implementing act to which paragraph 6 applies is revoked.
    - 6. This paragraph applies to an implementing act adopted by the European Commission under Article 52 of EU Regulation 1151/2012 and incorporated into domestic law by section 3 of the European Union (Withdrawal) Act 2018.”.
- (50) After Article 52 insert the Article in Part 3 of Schedule 1.
- (51) In Article 53—
- (a) in paragraph 2, in the second subparagraph—
    - (i) for “Commission”, in both places it occurs, substitute “Secretary of State”;
    - (ii) for “the *Official Journal of the European Union*” substitute “such manner as appears appropriate to the Secretary of State from time to time”;
  - (b) in paragraph 3—
    - (i) in the first subparagraph, for the words from “Commission” to “Article 56,” substitute “Secretary of State may make regulations”;
    - (ii) in the second subparagraph—
      - (aa) for “Commission may adopt implementing acts” substitute “Secretary of State may make regulations”;
      - (bb) omit the second sentence;
  - (c) after paragraph 3 insert—
    - “4. An implementing act to which paragraph 5 applies is revoked.
    - 5. This paragraph applies to an implementing act relating to an amendment to a product specification adopted by the European Commission pursuant to Article 53 of EU Regulation 1151/2012 and incorporated into domestic law by section 3 of the EUWA.”.
- (52) In Article 54—
- (a) in paragraph 1—
    - (i) in the first subparagraph, in the words before point (a)—

- (aa) for “Commission” substitute “Secretary of State”;
- (bb) for “its” substitute “the Secretary of State’s”;
- (cc) omit “adopt implementing acts to”;
- (ii) in the second subparagraph, for “Commission” substitute “Secretary of State”;
- (iii) omit the third subparagraph;
- (b) in paragraph 2—
  - (i) in the first subparagraph, for the words from “Commission” to “Article 56” substitute “Secretary of State may make regulations”;
  - (ii) in the second subparagraph—
    - (aa) for “Commission may adopt implementing acts” substitute “Secretary of State may make regulations”;
    - (bb) omit the second sentence.
- (c) after paragraph 2 insert—
  - “3. An implementing act to which paragraph 4 applies is revoked.
  - 4. This paragraph applies to an implementing act adopted by the European Commission under Article 54 of EU Regulation 1151/2012 and incorporated into domestic law by section 3 of the EUWA.”.
- (53) After Title 5 insert the Title in Part 4 of Schedule 1.
- (54) In Title 6 omit Chapter 1.
- (55) For Article 56 substitute the Article in Part 5 of Schedule 1.
- (56) Omit Article 57.
- (57) In Article 58(1) omit the second subparagraph.
- (58) In Article 59 omit the second paragraph.
- (59) After Article 59 omit the words from “This Regulation” to “Member States.”.
- (60) After Annex 2 insert the Annex in Part 6 of Schedule 1.

### **Commission Implementing Regulation (EU) No 716/2013**

**8.—(1)** Commission Implementing Regulation (EU) No 716/2013 laying down rules for the application of Regulation (EC) No 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks is amended as follows.

- (2) In Article 2, after point (d) insert—
  - “(e) ‘third country’ means any country, other than the United Kingdom, and includes:
    - (i) the Bailiwick of Guernsey;
    - (ii) the Bailiwick of Jersey;
    - (iii) the Isle of Man.”.
- (3) Article 7 is amended in accordance with paragraphs (4) and (5).
- (4) In paragraph 1—
  - (a) omit the first subparagraph;
  - (b) in the second subparagraph, in the words before point (a), for “Commission” substitute “Secretary of State”;

- (c) in the third subparagraph—
  - (i) in the words before point (a)—
    - (aa) for “at least one Member State” substitute “the United Kingdom”;
    - (bb) for “Commission by one of the Member States” substitute “Secretary of State by private entities from the United Kingdom”;
  - (ii) in point (b), for “each of the Member States or” substitute “the”.
- (5) In paragraph 2—
  - (a) omit “Member States or the”;
  - (b) omit “from the third country in question”;
  - (c) for “Commission”, in both places it occurs, substitute “Secretary of State”.
- (6) In Article 8—
  - (a) in paragraph 1, for “Commission” substitute “Secretary of State”;
  - (b) in paragraph 2, in the words before point (a)—
    - (i) for “Member State or” substitute “Secretary of State must send”;
    - (ii) for the words from “from the third country” to “receive” substitute “as the case may be”.
- (7) Omit Articles 8a and 9.
- (8) In Article 11(2), for “Commission”, in both places it occurs, substitute “Secretary of State”.
- (9) In Article 15—
  - (a) in paragraph 1—
    - (i) for “Commission” substitute “Secretary of State”;
    - (ii) omit “the Member State,”;
    - (iii) omit “from the third country in question”;
  - (b) in paragraph 2, for “Commission” substitute “Secretary of State”;
  - (c) in paragraph 3—
    - (i) for “Commission” substitute “Secretary of State”;
    - (ii) for “it” substitute “the Secretary of State”;
  - (d) in paragraph 4, for “Commission”, in both places it occurs, substitute “Secretary of State”.
- (10) In Article 18(1), for “Commission”, in both places it occurs, substitute “Secretary of State”.
- (11) In Article 19—
  - (a) in paragraph 2, for “from the Member State or” substitute “, where relevant, from”;
  - (b) in paragraph 3—
    - (i) in the first subparagraph, for “Commission”, in both places it occurs, substitute “Secretary of State”;
    - (ii) in the second subparagraph—
      - (aa) for “Commission” substitute “Secretary of State”;
      - (bb) omit “the Member State,”;
      - (cc) omit “from the third country,”.
- (12) In Article 20—
  - (a) in paragraph 1—

- (i) for “Commission” substitute “Secretary of State”;
- (ii) for “it” substitute “the Secretary of State”;
- (iii) omit “the Member State or”;
- (iv) omit “from the third country,”;
- (b) in paragraph 2—
  - (i) for “Commission” substitute “Secretary of State”;
  - (ii) omit “Member State,”;
  - (iii) omit “from the third country in question”;
- (c) in paragraph 4—
  - (i) in the first subparagraph—
    - (aa) for “Commission” substitute “Secretary of State”;
    - (bb) for “it may suspend”, in the second place it occurs, substitute “the Secretary of State may suspend”;
    - (cc) for “It” substitute “The Secretary of State”;
  - (ii) in the second subparagraph, for “Commission” substitute “Secretary of State”.
- (13) After Article 23 omit the words from “This Regulation” to “Member States.”.
- (14) For Annexes 1 to 5 substitute the Annexes in Schedule 2.
- (15) Omit Annex 6.

### **Regulation (EU) No 251/2014 of the European Parliament and of the Council**

9.—(1) Regulation (EU) No 251/2014 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products is amended as follows.

- (2) In Article 1(3)—
  - (a) for “Union”, in both places it occurs, substitute “United Kingdom”;
  - (b) for “Member States” substitute “United Kingdom”.
- (3) In Article 2—
  - (a) renumber the unnumbered paragraph as paragraph 1;
  - (b) in paragraph 1 as renumbered, after point (3), insert the points (new definitions) in Part 1 of Schedule 3;
  - (c) after paragraph 1 as renumbered insert—
    - “2. In this Regulation, a reference to a competent authority is to be interpreted, as regards the United Kingdom, as a reference to:
      - (1) in relation to England, Northern Ireland and Wales, the Secretary of State,
      - (2) in relation to Scotland, the Scottish Ministers.”.
- (4) In Article 5—
  - (a) in paragraph 1, for “Union” substitute “United Kingdom”;
  - (b) in paragraph 5 omit “Without prejudice to Article 26,”.
- (5) In Article 7 omit “Member State or third”.
- (6) Omit Article 9.
- (7) In Article 10—

- (a) in paragraph 2(f)—
  - (i) omit the words from “laid down” to “indication”;
  - (ii) for “Union”, in the second place it occurs, substitute “retained EU”;
- (b) after paragraph 2 insert—
  - “3. In paragraph 2(f), ‘applicable requirements’ means:
    - (a) requirements laid down in law relating to the use of the geographical indication in the country in which the relevant geographical area is located, including, where the geographical area is located in, or partly within, the United Kingdom, requirements contained in any enactment, and
    - (b) where they must be complied with in the country in which the relevant geographical area is located, requirements laid down by an organisation that manages the protected geographical indication.”.
- (8) In Article 11(2), for “Commission” substitute “Secretary of State”.
- (9) Omit Article 13.
- (10) Before Article 14 insert—

*“Article 13a*

*Application for protection relating to a geographical area in the United Kingdom”;*

An application for the protection of a geographical indication for an aromatised wine product originating in the United Kingdom must be submitted to the Secretary of State.”.

- (11) In Article 14—
  - (a) in the heading, for “Commission” substitute “Secretary of State”;
  - (b) in paragraph 1, for “Commission” substitute “Secretary of State”;
  - (c) in paragraph 2—
    - (i) for “Commission” substitute “Secretary of State”;
    - (ii) for “referred to in Article 13(5)” substitute “submitted to the Secretary of State”;
  - (d) in paragraph 3—
    - (i) for “Commission” substitute “Secretary of State”;
    - (ii) for the words from “it shall” to the end substitute “the Secretary of State must publish the product specification referred to in Article 10(1)(c), and the single document referred to in Article 10(1)(d), in such manner as appears appropriate to the Secretary of State from time to time”;
  - (e) in paragraph 4—
    - (i) for “Commission” substitute “Secretary of State”;
    - (ii) for the words from “it” to “decide to” substitute “the Secretary of State must”;
    - (iii) omit the second sentence.
- (12) In Article 15, in the first paragraph—
  - (a) for the words from “Member State or” to “protection or in” substitute “natural or legal person with a legitimate interest, or the authorities of”;
  - (b) for “Commission” substitute “Secretary of State”.
- (13) In Article 16—
  - (a) for “Commission”, in both places it occurs, substitute “Secretary of State”;

- (b) omit “, by means of implementing acts,”;
  - (c) for “Union law” substitute “retained EU law by granting the application”;
  - (d) omit the second sentence;
  - (e) after the existing paragraph insert—
    - “After making a decision under the first paragraph, the Secretary of State must publish in such manner as appears appropriate to the Secretary of State from time to time:
      - (a) a notice informing the applicant and the public of the decision made in relation to the application, and
      - (b) where the application is approved, a copy of the approved product specification.”.
- (14) In Article 18(1)—
- (a) in the second subparagraph, for “Union” substitute “United Kingdom”;
  - (b) in the third subparagraph—
    - (i) in point (a), for “Union” substitute “United Kingdom”;
    - (ii) for point (b) substitute “any relevant enactment or retained direct EU legislation”.
- (15) In Article 19—
- (a) in paragraph 1, in the first subparagraph, for “Commission” substitute “Secretary of State”;
  - (b) in paragraph 2, in the first subparagraph—
    - (i) for the words from “, if that possibility” to “Union” substitute “in the United Kingdom”;
    - (ii) for “Commission” substitute “Secretary of State”;
    - (iii) for the words from “Directive” to the end substitute “Trade Marks Act 1994”.
- (16) In Article 20—
- (a) in paragraph 3, for “Union” substitute “United Kingdom”;
  - (b) omit paragraph 4.
- (17) In Article 21—
- (a) in the first paragraph, for the words from “Commission” to “Article 34(2),” substitute “Secretary of State must”;
  - (b) in the second paragraph, for “Union”, in both places it occurs, substitute “United Kingdom”;
  - (c) after the second paragraph insert—
    - “Any entry placed on the register by the Secretary of State, and any amendment of such an entry, or cancellation of such entry, takes effect immediately after the expiry of 20 days beginning with the day on which that entry, amendment or cancellation is made.”.
- (18) Omit Article 22.
- (19) In Article 23(1)—
- (a) in the words before point (a), for “Union” substitute “United Kingdom”;
  - (b) in point (a) omit “or authorities referred to in Article 22”.
- (20) In Article 24—
- (a) in paragraph 1, after “may apply” insert “to the Secretary of State”;
  - (b) in paragraph 2—



- (i) for “13” substitute “14”;
  - (ii) for “Commission shall, by means of implementing acts,” substitute “Secretary of State may”;
  - (iii) omit the words from “and in the case” to the end;
  - (c) after paragraph 2 insert the paragraph in Part 2 of Schedule 3.
- (21) In Article 25—
- (a) in the first paragraph—
    - (i) for “Commission may, on its” substitute “Secretary of State may, on the Secretary of State’s”;
    - (ii) omit “a Member State, of”;
    - (iii) omit “, by means of implementing acts,”;
    - (iv) omit the second sentence;
  - (b) in the second paragraph, for “13” substitute “14”.
- (22) After Article 25 insert the Articles in Part 3 of Schedule 3.
- (23) Omit Articles 26 and 27.
- (24) In Article 28—
- (a) for the heading substitute—

*“Power to make regulations”;*
  - (b) in paragraph 1, in the words before point (a), for the words from “Commission” to “Article 33” substitute “Secretary of State may make regulations”;
  - (c) in paragraph 2, for the words from “Commission” to “Article 33” substitute “Secretary of State may make regulations”;
  - (d) in paragraph 3—
    - (i) in the words before point (a), for the words from “Commission” to “Article 33” substitute “Secretary of State may make regulations”;
    - (ii) in point (c), for “Commission” substitute “Secretary of State”;
  - (e) in paragraph 4, for the words from “Commission” to “Article 33” substitute “Secretary of State may make regulations”.
- (25) In Article 29—
- (a) for the heading substitute—

*“Further power to make regulations”;*
  - (b) in paragraph 1—
    - (i) in the first subparagraph—
      - (aa) in the words before point (a), for the words from “Commission” to “measures” substitute “Secretary of State may make regulations”;
      - (bb) in point (d), for “Member States” substitute “authorities specified in those regulations”;
    - (ii) omit the second subparagraph;
  - (c) in paragraph 2—

- (i) in the first subparagraph, for the words from “Commission” to “adopt” substitute “Secretary of State may, by regulations, make provision for”;
  - (ii) omit the second subparagraph.
- (26) In Article 30, for the words from “Commission” to “decide to” substitute “Secretary of State must”.
- (27) In Article 31—
- (a) omit paragraph 1;
  - (b) in paragraph 2—
    - (i) omit the second subparagraph;
    - (ii) insert as the last subparagraphs—
 

“The Secretary of State may make regulations concerning the administrative and physical checks to be conducted with regard to the respect of obligations resulting from the application of Chapter 3 of this Regulation.”.
- (28) In Article 32—
- (a) in paragraph 1, for “Member States and the Commission” substitute “The authorities specified in paragraph 4”;
  - (b) after paragraph 3 insert—
 

“4. The specified authorities are:

    - (a) in relation to England, the Secretary of State;
    - (b) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;
    - (c) in relation to Scotland, the Scottish Ministers;
    - (d) in relation to Wales, the Welsh Ministers.”.
- (29) For Article 33 substitute the Article in Part 4 of Schedule 3.
- (30) Omit Article 34.
- (31) In Article 36—
- (a) omit paragraph 1;
  - (b) in paragraph 2—
    - (i) for “have been” substitute “were”;
    - (ii) after “Regulation (EEC) No 1601/91(3)” insert “as it had effect in the United Kingdom immediately”;
  - (c) in paragraph 3—
    - (i) for “have been” substitute “were”;
    - (ii) after “Regulation (EEC) No 1601/91” insert “, as that Regulation had effect in the United Kingdom immediately before it was repealed,”.
- (32) In Article 37 omit the second paragraph.
- (33) After Article 37 omit the words from “This Regulation” to “Member States.”.
- (34) In Annex 1, in point (5)—

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(3) OJ No. L 149, 14.6.1991, p. 1, as last amended before its repeal by Regulation (EC) No 1334/2008 of the European Parliament and of the Council (OJ No. L 354, 31.12.2008, p. 34) and repealed by Regulation (EU) No 251/2014 of the European Parliament and of the Council (OJ No. L 84, 20.3.2014, p. 14).

- (a) in the second subparagraph, for the words from “[Directive 2009/54/EC](#)” to “[Directive 98/83/EC](#)” substitute “any relevant water quality legislation”;
  - (b) after the third subparagraph insert the subparagraph in Part 5 of Schedule 3.
- (35) In Annex 2—
- (a) in Part A, in point (5) omit the second and third paragraphs;
  - (b) in Part B—
    - (i) in point (3), in the second paragraph—
      - (aa) for “other Member States” substitute “another country”;
      - (bb) for “Member State” substitute “country”;
    - (ii) in point (4), in the second paragraph—
      - (aa) for “other Member States” substitute “another country”;
      - (bb) for “Member State” substitute “country”;
    - (iii) in point (13), in the second paragraph—
      - (aa) for “other Member States” substitute “another country”;
      - (bb) for “Member States” substitute “country”.
- (36) After Annex 3 insert the Annex in Part 6 of Schedule 3.

#### **Commission Delegated Regulation (EU) No 664/2014**

**10.**—(1) Commission Delegated Regulation (EU) No 664/2014 supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to the establishment of the Union symbols for protected designations of origin, protected geographical indications and traditional specialities guaranteed and with regard to certain rules on sourcing, certain procedural rules and certain additional transitional rules is amended as follows.

- (2) Before Article 1 insert—

*“Article 11*

*Definition of ‘third country’*

In this Regulation ‘third country’ means any country, other than the United Kingdom, and includes:

- (a) the Bailiwick of Guernsey;
  - (b) the Bailiwick of Jersey;
  - (c) the Isle of Man.”.
- (3) Omit Article 4.
- (4) In Article 5—
- (a) at the beginning insert “In the case of an application to which Article 49(5) of Regulation (EU) No 1151/2012 applies,”;
  - (b) omit “of the Member State or”;
  - (c) for “Commission” substitute “Secretary of State”;
  - (d) omit “of a Member State or”.
- (5) Article 6 is amended in accordance with paragraphs (6) to (9).
- (6) In paragraph 1, in both the third and fourth subparagraphs, for “Commission” substitute “Secretary of State”.
- (7) In paragraph 2—

- (a) in the first subparagraph—
  - (i) in the first sentence, for the words from “authorities” to “relates to” substitute “Secretary of State”;
  - (ii) in the second sentence, for the words from “authorities” to “established” substitute “Secretary of State”;
  - (iii) in the third sentence—
    - (aa) after “a product specification” insert “concerning products originating in the United Kingdom”;
    - (bb) for “Member State” substitute “Secretary of State”;
  - (iv) for the fourth sentence substitute—
 

“Applications for a minor amendment to a product specification concerning products originating in the United Kingdom must be submitted by a group having a legitimate interest.”;
  - (v) in the fifth sentence, for “Commission” substitute “Secretary of State”;
- (b) in both the third and fourth subparagraphs, for “Commission” substitute “Secretary of State”;
- (c) for the fifth subparagraph substitute—
 

“After making a decision in relation to an application under this paragraph, the Secretary of State must publish in such manner as appears appropriate to the Secretary of State:

  - (a) a notice informing the applicant and the public of the decision made under this paragraph in relation to the application, and
  - (b) where the application is approved, a copy of the amended product specification.”;
- (d) after the fifth subparagraph insert—
 

“The publication obligations imposed on the Secretary of State by the previous subparagraph also apply in the case of an application that is tacitly approved by virtue of the third subparagraph.”.
- (8) In paragraph 3—
  - (a) in the first subparagraph—
    - (i) at the beginning insert—
 

“This paragraph applies to a temporary amendment to a product specification concerning the production of products originating in a third country.”;
    - (ii) after “public authorities” insert “in a third country”;
    - (iii) at the end insert “in a third country”;
  - (b) omit the second subparagraph.
- (9) After paragraph 3 insert the paragraphs in Schedule 4.
- (10) Omit Article 7(2).
- (11) Omit Articles 8 and 9.
- (12) In Article 10 omit the second paragraph.
- (13) After Article 10 omit the words from “This Regulation” to “Member States.”.

### **Commission Delegated Regulation (EU) No 665/2014**

**11.**—(1) Commission Delegated Regulation (EU) No 665/2014 supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to conditions of use of the optional quality term ‘mountain product’ is amended as follows.

- (2) Omit Article 6(2).
- (3) After Article 7 omit the words from “This Regulation” to “Member States.”.

### **Commission Implementing Regulation (EU) No 668/2014**

**12.**—(1) Commission Implementing Regulation (EU) No 668/2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs is amended as follows.

- (2) Before Article 1 insert—

*“Article 11*

*Definition of ‘third country’*

In this Regulation ‘third country’ means any country, other than the United Kingdom, and includes:

- (a) the Bailiwick of Guernsey;
  - (b) the Bailiwick of Jersey;
  - (c) the Isle of Man.” .
- (3) Omit Article 1(2).
  - (4) In Article 6—
    - (a) in paragraph 1 omit the second subparagraph;
    - (b) in paragraph 3, for “Commission”, in both places it occurs, substitute “Secretary of State”.
  - (5) In Article 8—
    - (a) for the words from “as referred to” to “Member States concerned” substitute “by more than one group referred to in the first subparagraph of Article 49(1) of Regulation (EU) No 1151/2012 relating to a trans-border geographical area, or the name of a traditional speciality guaranteed, must be submitted to the Secretary of State by one of the applicant groups or through the authorities of the relevant third country concerned or by the authorities of one of the third countries concerned (where there is more than one of them)”;
    - (b) for “Member States and third” substitute “the”.
  - (6) In Article 9(3), for “Commission” substitute “Secretary of State”.
  - (7) In Article 10—
    - (a) in paragraph 1, in the first subparagraph, for the words from “The reference” to “lead to the” substitute “The application must be accompanied by”;
    - (b) in paragraph 2—
      - (i) in the second subparagraph, for the words from “The reference” to “lead to the” substitute “It must also be accompanied by an”;
      - (ii) in the third subparagraph—
        - (aa) omit the first and second sentences;
        - (bb) omit “the fifth subparagraph of”;
        - (cc) for the words from “the reference” to the end substitute “the updated product specification”;

- (iii) in the fourth subparagraph omit the second sentence;
  - (c) in paragraph 3, for “Commission” substitute “Secretary of State”;
  - (d) in paragraph 4, for “Commission”, in both places it occurs, substitute “Secretary of State”.
- (8) In Article 11(1) omit the second subparagraph.
- (9) In Article 12—
- (a) for “Commission” substitute “Secretary of State”;
  - (b) for “10, 11, and 15” substitute “10 and 11”.
- (10) In Article 13(3) omit “Union”.
- (11) In Article 14—
- (a) in paragraph 1—
    - (i) in the words before point (a)—
      - (aa) for the words from the beginning to “registering” substitute “Following a decision by the Secretary of State to approve an application to register”;
      - (bb) for “Commission” substitute “Secretary of State”;
      - (cc) at the end insert “and attach a copy of the product specification relating to the designation of origin or geographical indication to the register”;
    - (ii) for point (c) substitute—
      - “(c) the date of the Secretary of State’s decision;”;
  - (b) after paragraph 1 insert—
    - “**1a.** The entries in the register, and the provisions in the product specification attached to the register, relating to a designation of origin or geographical indication take effect immediately after the expiry of 20 days beginning with the day on which the entries are made in, and the copy of the product specification is attached to, the register, or, if a copy of the product specification is attached to the register at a later date, immediately after the expiry of 20 days beginning with the day on which the copy of the product specification is attached to the register.”;
- (c) in paragraph 2—
- (i) in the words before point (a)—
    - (aa) for the words from the beginning to “registering” substitute “Following a decision by the Secretary of State to approve an application to register”;
    - (bb) for “Commission” substitute “Secretary of State”;
    - (cc) at the end insert “and attach a copy of the product specification relating to the traditional speciality guaranteed to the register”;
  - (ii) for point (c) substitute—
    - “(c) the date of the Secretary of State’s decision;”;
  - (iii) omit point (f);
- (d) after paragraph 2 insert—
- “**2a.** The entries in the register, and the provisions in the product specification attached to the register, relating to a traditional speciality guaranteed take effect immediately after the expiry of 20 days beginning with the day on which the entries are made in, and the copy of the product specification is attached to, the register, or, if a copy of the product specification is attached to the register at a later date, immediately after the expiry of 20

days beginning with the day on which a copy of the product specification is attached to the register.”;

- (e) for paragraphs 3 and 4 substitute the paragraphs in Schedule 5.
- (12) Omit Article 15.
- (13) In Article 16 omit the second, third and fourth paragraphs.
- (14) After Article 16 omit the words from “This Regulation” to “Member States.”.
- (15) In Annex 1—
  - (a) for “EU No: [for EU use only]” substitute “UK No: [for official use only]”;
  - (b) in the heading of paragraph 2, for “**Member State**” substitute “**United Kingdom**”;
  - (c) at the end for the words from “Reference to publication” to the end substitute—

*“Product specification”.*

- (16) In Annex 2—
  - (a) for “EU No: [for EU use only]” substitute “UK No: [for official use only]”;
  - (b) for “Member State” substitute “United Kingdom”.
- (17) In Annex 3—
  - (a) in paragraph 1, for “*Official Journal (OJ)* publication” substitute “the single document (where relevant) or product specification published under Article 50(2) of Regulation (EU) No 1151/2012”;
  - (b) in paragraph 2—
    - (i) for “*Official Journal (OJ)* publication” substitute “in connection with the publication of the single document (where relevant) and product specification relating to the application published under Article 50(2) of Regulation (EU) No 1151/2012”;
    - (ii) for “Date of *OJ* publication” substitute “Date of publication”;
  - (c) in paragraph 3, for “*national*” substitute “*third country*”;
  - (d) in paragraph 5, in the second subparagraph, after “authorities” insert “of a third country”.
- (18) In Annex 4—
  - (a) in paragraph 1, for “*Official Journal (OJ)* publication” substitute “the notice relating to the application published under Article 50(2) of Regulation (EU) No 1151/2012”;
  - (b) in paragraph 2—
    - (i) in the heading, for “***Official Journal (OJ)* publication**” substitute “**the notice relating to the application published under Article 50(2) of Regulation (EU) No 1151/2012**”;
    - (ii) for “Date of *OJ* publication” substitute “Date of publication”.
- (19) In Annex 5—
  - (a) for “EU No: [for EU use only]” substitute “UK No: [for official use only]”;
  - (b) in paragraph 2, in the heading, for “**Member State**” substitute “**United Kingdom**”.
- (20) In Annex 6—
  - (a) for “EU No: [for EU use only]” substitute “UK No: [for official use only]”;
  - (b) in paragraph 2, in the heading, for “**Member State**” substitute “**United Kingdom**”.
- (21) In Annex 7—
  - (a) for “EU No: [for EU use only]” substitute “UK No: [for official use only]”;

- (b) in paragraph 2, in the heading, for “**Member State**” substitute “**United Kingdom**”;
- (c) in paragraph 6, for points (a) and (b) substitute “[insert the proposed updated product specification]”.
- (22) In Annex 8—
  - (a) for “EU No: [for EU use only]” substitute “UK No: [for official use only]”;
  - (b) in paragraph 1, in the heading, omit “**Member State or**”.
- (23) In Annex 9—
  - (a) for “EU No: [for EU use only]” substitute “UK No: [for official use only]”;
  - (b) in paragraph 2, in the heading, for “**Member State**” substitute “**United Kingdom**”.

### **Commission Delegated Regulation (EU) 2018/273**

**13.**—(1) Commission Delegated Regulation (EU) 2018/273 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and penalties is amended as follows.

- (2) In Article 1—
  - (a) in the words before point (a), for the words from “Regulations” to “respectively,” substitute “Regulation (EU) No 1308/2013”;
  - (b) omit points (a), (b) and (e);
  - (c) in point (f) omit “and the analytical databank of isotopic data”.
- (3) In Article 2—
  - (a) in paragraph 1—
    - (i) in point (a)—
      - (aa) for the words from “Union territory” to “the European Union,” substitute “United Kingdom”;
      - (bb) omit the words from “or for graft” to the end;
    - (ii) omit points (c) and (d);
    - (iii) after point (k) insert—
      - “(l) ‘third country’ means any country, other than the United Kingdom, and includes:
        - (i) the Bailiwick of Guernsey;
        - (ii) the Bailiwick of Jersey;
        - (iii) the Isle of Man.”;
  - (b) in paragraph 2, for “IV to VIII” substitute “4, 5, 7 and 8”;
  - (c) in paragraph 3 omit the second subparagraph.
- (4) Omit Chapters 2 and 3.
- (5) In Article 8(3), for “Member States” substitute “The Food Standards Agency, in relation to operators operating in England, Northern Ireland or Wales, and Food Standards Scotland, in relation to operators operating in Scotland,”.
- (6) In Article 9(1)—
  - (a) in point (a), for the words from “territory” to the end substitute “United Kingdom”;



- (b) in point (d), for the words from “territory” to the end substitute “United Kingdom”;
  - (c) in point (e), in the words before point (i), for “territory of a Member State” substitute “United Kingdom”.
- (7) In Article 14—
- (a) in paragraph 1—
    - (i) in the first subparagraph—
      - (aa) in point (a), in the words before point (i), for “Union” substitute “United Kingdom”;
      - (bb) in point (b), in the words before point (i), for “Union” substitute “United Kingdom”;
      - (cc) in point (c)(v), for the words from “not listed” to the end substitute “that do not fall within point (a) or (b) of the second subparagraph of Article 81(2) of Regulation (EU) No 1308/2013”;
    - (ii) omit the second subparagraph;
  - (b) omit paragraph 2.
- (8) In Article 15—
- (a) in the heading, for “Union” substitute “United Kingdom”;
  - (b) in paragraph 1—
    - (i) in the first subparagraph, in the words before point (a), for “Union” substitute “United Kingdom”;
    - (ii) in the second subparagraph omit “of the Member States”.
- (9) In Article 17(1), in the first subparagraph, for the words from “the Union” to “thereto” substitute “retained EU law”.
- (10) In Article 20(2)—
- (a) in point (a)—
    - (i) for “Union law” substitute “retained EU law”;
    - (ii) for “Union” substitute “United Kingdom”;
  - (b) in point (c)—
    - (i) for “Union legislation” substitute “retained EU law”;
    - (ii) for “Union” substitute “United Kingdom”.
- (11) In Article 22(1), in the fourth subparagraph, for “Union customs office” substitute “customs office in the United Kingdom”.
- (12) In Article 24, in the first paragraph, in the words before point (a), for “Union”, in both places it occurs, substitute “United Kingdom”.
- (13) In Article 25(2)—
- (a) for “Union legislation” substitute “retained EU law”;
  - (b) for “Union” substitute “United Kingdom”.
- (14) In Article 26(1), for “Union” substitute “United Kingdom”.
- (15) In Article 27—
- (a) in paragraph 2, for “Union” substitute “United Kingdom”;
  - (b) in paragraph 3—
    - (i) for “of the Member State” substitute “in a case”;

- (ii) after “free circulation” insert “in the United Kingdom”.
- (16) Omit Article 28(2).
- (17) Omit Article 30.
- (18) Omit Chapter 6.
- (19) In Article 36(2) omit the second subparagraph.
- (20) Omit Article 39.
- (21) Omit Articles 43, 44 and 46.
- (22) In Article 47(1) omit “of a Member State”.
- (23) Omit Articles 49 and 50.
- (24) In Article 51—
  - (a) in the heading, for “the information notified” substitute “information”;
  - (b) in paragraph 1—
    - (i) in the words before point (a), for “Commission” substitute “Secretary of State”;
    - (ii) in point (d), for “Commission and the Member States” substitute “United Kingdom”.
- (25) After Article 56 omit the words from “This Regulation” to “Member States.”.
- (26) Omit Annexes 1 to 4.
- (27) Annex 5 is amended in accordance with paragraphs (28) to (31).
- (28) In Section A—
  - (a) in the fourth paragraph—
    - (i) for “the Member States” substitute “the Secretary of State, by administrative decision.”;
    - (ii) at the end insert—
 

“The Secretary of State must publish such information in such manner as considered appropriate by the Secretary of State from time to time.”;
  - (b) after the fourth paragraph insert—
 

“The Secretary of State may not make a decision concerning the order and specific details concerning the layout of the entries on the documents referred to in Article 10 in relation to the use of such documents in Northern Ireland, Scotland or Wales without the consent of:

    - (a) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;
    - (b) in relation to Scotland, the Scottish Ministers;
    - (c) in relation to Wales, the Welsh Ministers.”;
  - (c) in the table—
    - (i) in the sixth row (competent authorities at place of dispatch), in the column numbered 1—
      - (aa) omit the words from “in the case” to “Member State or”;
      - (bb) for “Union” substitute “United Kingdom”;
    - (ii) in the twentieth row (date of dispatch etc.), in the column numbered 1, omit the words from “and, where” to the end”.
- (29) In Section B, in paragraph 2.1—
  - (a) in point (a), for “Union rules” substitute “rules in retained EU law”;

- (b) in point (d), in the words before point (i), for “Union provisions” substitute “provisions in retained EU law”;
- (c) in point (e) (ii), in the wording relating to the use of the figure “12” (other operations), omit the words from “Examples” to “C III(b)(2)”.
- (30) In Section C, in note 1, for “Symbol of Member State” substitute “The symbol ‘UK’”.
- (31) In Section D, for the indications in that Section substitute “In English: Exported: Export declaration No ... of [date]”.
- (32) In Annex 7—
  - (a) for Parts 1 and 2 substitute the Parts in Schedule 6;
  - (b) in Part 3, in Section C—
    - (i) in the instruction relating to Box 2, for “EU” substitute “United Kingdom”;
    - (ii) in the instruction relating to Box 4, in the first indent, for “EU” substitute “United Kingdom”.

#### **Commission Implementing Regulation (EU) 2018/274**

**14.**—(1) Commission Implementing Regulation (EU) 2018/274 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, certification, the inward and outward register, compulsory declarations and notifications, and of Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks is amended as follows.

- (2) In Article 1—
  - (a) in the words before point (a), for the words from “Regulations” to “respectively” substitute “Regulation (EU) No 1308/2013”;
  - (b) omit points (a), (e) and (f).
- (3) Omit Chapter 2.
- (4) In Article 12—
  - (a) in paragraph 1—
    - (i) omit the second subparagraph;
    - (ii) in the last subparagraph—
      - (aa) at the beginning insert “In relation to wine produced in the United Kingdom,”;
      - (bb) for “Member State in which the wine is produced” substitute “United Kingdom”;
      - (cc) for “different Member States” substitute “the United Kingdom and a third country”;
      - (dd) for “by any of the Member States” substitute “in the United Kingdom or in the relevant third country”;
  - (b) in paragraph 2, in the second subparagraph, omit “, save where Member States decide otherwise”;
  - (c) after paragraph 3 insert—

“4. In this Article ‘third country’ means any country, other than the United Kingdom, and includes:

    - (a) the Bailiwick of Guernsey;

- (b) the Bailiwick of Jersey;
  - (c) the Isle of Man.”.
- (5) In Article 13(2)—
- (a) in the first subparagraph, in point (c), after “competent authorities” insert “, by administrative decision, following an application made by an operator”;
  - (b) omit the second subparagraph.
- (6) In Article 14—
- (a) in paragraph 1(a)(iii), for the words from “of the classification” to “1308/2013” substitute “to the wine grape variety (which must be a wine grape variety that complies with point (a) or (b) of Article 81(2) of Regulation (EU) No 1308/2013)”;
  - (b) in paragraph 2, for “Union legislation” substitute “retained EU law”.
- (7) In Article 15(1)—
- (a) in point (a), for “under Union or national” substitute “by”;
  - (b) in point (d) omit “Union or national”.
- (8) In Article 16(1)(b)(v) omit “Union or national”.
- (9) Omit Chapters 5 and 6.
- (10) Omit Articles 33 and 34.
- (11) In Article 35 omit paragraphs 2 and 4.
- (12) After Article 37 omit the words from “This Regulation” to “Member States.”.
- (13) Omit Annexes 1 to 4.

#### **Annex 2 to the EEA Agreement**

15. In Annex 2 to the EEA Agreement, in Chapter 27, omit points 8, 9, 9a, 9b and 9ba.

#### **Revocations**

16. The retained direct EU legislation listed in Schedule 7 is revoked.