

STATUTORY INSTRUMENTS

1978 No. 1660

AGRICULTURE

**The Common Agricultural Policy (Agricultural Produce)
(Protection of Community Arrangements) (Amendment)
Order 1978**

Made - - - - 16th November 1978

Laid before Parliament 22nd November 1978

Coming into Operation 23rd November 1978

The Minister of Agriculture, Fisheries and Food and the Secretaries of State for Scotland, Wales and Northern Ireland, acting in exercise of powers conferred by sections 5 and 35(3) of the Agriculture Act 1957(a) and now vested in them(b), (the said section 5 having effect as applied by section 6(3) of the European Communities Act 1972(c)), and of all other powers enabling them in that behalf, hereby make the following order:—

Citation, commencement and interpretation

1.—(1) This order may be cited as the Common Agricultural Policy (Agricultural Produce) (Protection of Community Arrangements) (Amendment) Order 1978 and shall come into operation on 23rd November 1978.

(2) The Interpretation Act 1889(d) shall apply to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

(3) In this order “the principal order” means the Common Agricultural Policy (Agricultural Produce) (Protection of Community Arrangements) (No. 2) Order 1973(e).

Amendments to principal order

2. The words “(whether as principal or agent)” shall be inserted at the following places in the principal order: —

(a) in article 3(1) after the words “person who is engaged”;

(b) in article 5 after the words “any person engaged”.

(a) 1957 c. 57.

(b) In the case of the Secretary of State for Wales by virtue of S.I. 1969/388 and S.I. 1978/272.

(c) 1972 c. 68.

(d) 1889 c. 63.

(e) S.I. 1973/288.

3. The Schedule to the principal order is hereby amended as follows:—

- (a) in the first column immediately above the words “Beef and Veal” there shall be inserted the word “Beans”, and opposite thereto in the second column there shall be inserted the words “Field beans falling within subheading 07.05 B III of the Common Customs Tariff”;
- (b) in the first column immediately above the word “Pigmeat” there shall be inserted the word “Peas” and opposite thereto in the second column there shall be inserted the words “Peas, excluding chick peas, falling within subheading 07.05 B I of the Common Customs Tariff”.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 1st November 1978.

(L.S.)

John Silkin,
Minister of Agriculture, Fisheries and Food.

Bruce Millan,
Secretary of State for Scotland.

2nd November 1978.

John Morris,
Secretary of State for Wales.

10th November 1978.

Roy Mason,
Secretary of State for Northern Ireland.

16th November 1978.

EXPLANATORY NOTE

(This Note is not part of the Order.)

Article 3 of the Common Agricultural Policy (Agricultural Produce) (Protection of Community Arrangements) (No. 2) Order 1973 empowers the Intervention Board for Agricultural Produce to require any person engaged in the purchasing, selling or using of any commodity specified in the Schedule to that Order to keep, and produce on demand, records relating to those activities. Article 5 of that Order empowers authorised officers to require any person engaged in the production, storage, grading, packing, slaughter or sale of any such commodity to produce books, accounts or records relating to those activities.

This Order provides that the above-mentioned requirements apply to any person who is engaged in any of the relevant activities whether he is so engaged as principal or agent. It also extends the powers for the protection of the Community support system to cover Community arrangements in respect of beans and peas of the descriptions specified in the Order. Special measures for these commodities when used in the feeding of animals are laid down in Council Regulation (EEC) No. 1119/78 (O.J. No. L. 142, 30.5.78, p. 8).

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