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STATUTORY INSTRUMENTS

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**2019 No. 1422**

The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019

**PART 2**

Amendment of retained direct EU legislation

CHAPTER 2

Marketing Standards Amendments

*SECTION 1*

*Eggs*

**Amendment of Commission Regulation (EC) No 617/2008**

5.—(1) Commission Regulation (EC) No 617/2008 laying down detailed rules for implementing Regulation (EC) No 1234/2007 as regards marketing standards for eggs for hatching and farmyard poultry chicks is amended as follows.

(2) In Article 1—

- (a) in paragraphs 1 and 2, for “Community” substitute “United Kingdom”;
- (b) after paragraph 4, insert—

“5. ‘relevant authority’ means:

- (a) in relation to England, the Secretary of State,
- <sup>F1</sup>(b) .....
- (c) in relation to Scotland, the Scottish Ministers,
- (d) in relation to Wales, the Welsh Ministers;

6. ‘third country’ means any country or territory other than—

- (a) the United Kingdom,
- (b) the Bailiwick of Guernsey,
- (c) the Bailiwick of Jersey, or
- (d) the Isle of Man.”

(3) In Article 2—

- (a) in paragraph 1, in the first subparagraph—

- (i) for “agency” substitute “ authority ”;
- (ii) for “Member State” substitute “ relevant authority ”;
- (b) in paragraph 2—
  - (i) omit the words from “of the Member” to “located”;
  - (ii) for “This” substitute “ The competent ”
  - (iii) for “one of the codes listed in Annex I” substitute “the country code ‘UK’”.
- (4) In Article 3—
  - (a) in paragraph 3—
    - (i) for the first sentence substitute—
 

“In accordance with the legislation applying in the constituent nation, eggs for hatching may be marked in a different manner from that presented in paragraph 2, provided that it is in black ink, indelible, clearly visible and at least 10mm<sup>2</sup> in area.”;
    - (ii) omit the third sentence;
  - (b) in paragraph 4, for “one of the markings listed in Annex II” substitute “the marking ‘eggs for hatching’”;
  - (c) in paragraph 5, for “Article 121(d) of Regulation (EC) No 1234/2007” substitute “ Articles 75(3), 78(1) and 89 of Regulation (EU) No 1308/2013 ”;
  - (d) omit paragraph 7;
  - (e) in paragraph 8, in the first sentence for the words from “words ‘à couvrir’” to the end substitute “word ‘hatching’, either in English or in the language of the country of origin”;
  - (f) after paragraph 8, insert—

<sup>F2</sup>9. ....

**10.** In paragraph 3, ‘constituent nation’ means England, Wales [<sup>F3</sup>or Scotland], as the case may be.”.

<sup>F4</sup>(5) .....

- (6) In Article 8—
  - (a) in paragraph 1, for “agency of the Member State” substitute “ authority ”;
  - (b) for paragraph 2 substitute—
 

**2.** The relevant authority may request statistical data on flocks of grandparent stock and parent stock birds from establishments other than those referred to in paragraph 1, as required.”;
  - (c) omit paragraphs 3 and 4;
  - (d) in paragraph 5, for “Member States” substitute “ The competent authority ”;
  - (e) in paragraph 6—
    - (i) for “Member States” substitute “ The relevant authority ”;
    - (ii) omit the words from “or at the” to the end;
  - (f) omit paragraph 7.
- (7) In Article 9, for “Member State” substitute “ relevant authority ”.

- (8) Omit Articles 10 to 11a.
- (9) After Article 13, omit the words from “This Regulation” to “Member States.”.
- (10) Omit Annexes 1 and 2.
- (11) In Annex 3, in part 2, omit the first table.
- (12) In Annex 4—
  - (a) in the heading omit “(4)”;
  - (b) omit table note (4).

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#### **Textual Amendments**

- F1** Words in reg. 5(2)(b) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Common Organisation of the Markets in Agricultural Products \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2020 \(S.I. 2020/1453\)](#), regs. 1(2)(b), **14(13)**
- F2** Words in reg. 5(4)(f) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Common Organisation of the Markets in Agricultural Products \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2020 \(S.I. 2020/1453\)](#), regs. 1(2)(b), **14(14)(a)**
- F3** Words in reg. 5(4)(f) substituted (31.12.2020 immediately before IP completion day) by [The Common Organisation of the Markets in Agricultural Products \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2020 \(S.I. 2020/1453\)](#), regs. 1(2)(b), **14(14)(b)**
- F4** Reg. 5(5) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Common Organisation of the Markets in Agricultural Products \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2020 \(S.I. 2020/1453\)](#), regs. 1(2)(b), **14(15)**

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#### **Commencement Information**

- I1** Reg. 5 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1

**Changes to legislation:**

There are currently no known outstanding effects for the The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019, Section 5.