
STATUTORY INSTRUMENTS

2001 No. 686

The Common Agricultural Policy (Wine) (England and Northern Ireland) Regulations 2001

PART II

GENERAL PROVISIONS

Control on movement

8.—(1) Where an authorised officer inspects any wine-sector product he may prohibit its being moved if he has reason to believe that an offence has been, is being or is likely to be committed in respect of it by contravention of, or failure to comply with, any relevant Community provision referred to in columns 1 or 2 of Part I, II, III, V or IX of Schedule 2 and that there is or is likely to be a risk to public health in relation to that product or there has been or is likely to be any fraudulent treatment of that product.

(2) An officer who exercises the power conferred by paragraph (1) above shall, without delay, give to the person who appears to him to be in charge of the wine-sector product concerned notice in writing—

- (a) specifying the wine-sector product in relation to which the power has been exercised;
- (b) stating that the wine-sector product may not be moved without the written consent of an authorised officer;
- (c) specifying the relevant Community provision in respect of which he has reason to believe that an offence has been, is being or is likely to be committed; and
- (d) specifying whether he considers that it would be practicable for steps to be taken to persuade him that he no longer has reason for that belief and, if so, what those steps should be.

(3) Where a notice described in paragraph (2) above is given by an authorised officer of the Wine Standards Board that notice shall also contain information of the recipient's right, conferred by regulation 10, to have the giving of that notice reviewed, and as to how that right may be exercised, and of the effect of exercising that right.

(4) If the person to whom the officer gives the notice does not appear to him to be the owner of the wine-sector product concerned or an agent, contractor or employee of the owner, the officer shall use his best endeavours to bring the contents of the notice additionally to the attention of such a person as soon as possible.

(5) An authorised officer may affix to any wine-sector product in relation to which the power conferred by paragraph (1) above has been exercised, or to any container in which the wine-sector product is packed, labels warning of the exercise of the power.

(6) An authorised officer who is satisfied that the steps specified in the notice under paragraph 2(d) above have been taken shall thereupon remove the prohibition on movement imposed pursuant to paragraph (1) above.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Common Agricultural Policy (Wine) (England and Northern Ireland) Regulations 2001. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Regulations revoked by [S.I. 2009/386 reg. 17\(a\)](#)
- reg 8 am by [S.I. 2003/114 reg 2\(e\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- schs 56 rev in pt by [S.I. 2007/1943 reg 2](#)
- Schs 67 added by [S.I. 2004/1046 reg 2\(h\)Sch 3](#)
- Sch 7 subst by [S.I. 2005/2992 reg 2\(1\)\(8\)Sch 3](#)
- regs 6A6B added by [S.I. 2003/114 reg 2\(d\)](#)