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WELSH STATUTORY INSTRUMENTS

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## 2022 No. 1215

# The Common Organisation of the Markets in Agricultural Products (Amendment) (Wales) Regulations 2022

### PART 2

#### Amendment of retained direct EU legislation

##### **Amendment of Commission Regulation (EC) No 543/2008**

2.—(1) [Commission Regulation \(EC\) No 543/2008](#) laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the marketing standards for poultrymeat<sup>(1)</sup> is amended as follows.

(2) In Article 1, for “Article 75(1)(g) of Regulation (EC) No 1308/2013” substitute “paragraph 17(1)(d) (poultry and poultrymeat) of Schedule 5 to the Agriculture Act 2020, excluding live poultry”.

(3) In Article 13, for “Article 75(3)(g) of Regulation (EU) No 1308/2013” substitute “Article 11(1)”.

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

3. In Article 3(5) of [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<sup>(2)</sup>, omit “75(3)”.

##### **Amendment of Commission Implementing Regulation (EU) No 543/2011**

4.—(1) Commission Implementing Regulation (EU) No 543/2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors<sup>(3)</sup> is amended as follows.

(2) In Article 3(2), omit “referred to in Article 75(1)(b) of Regulation (EU) No 1308/2013”.

(3) In Article 8, for “Articles 75 and” substitute “Article”.

(4) In Article 10(1), omit “pursuant to Article 75 of Regulation (EU) No 1308/2013”.

(5) In Article 11(1), for “Articles 75 and” substitute “Article”.

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<sup>(1)</sup> EUR 2008/543, amended by [S.I. 2019/1422](#). There are other amending instruments, but none is relevant to these Regulations.

<sup>(2)</sup> EUR 2008/617, amended by [S.I. 2019/1422](#).

<sup>(3)</sup> EUR 2011/543, amended by [S.I. 2019/822](#). There are other amending instruments, but none is relevant to these Regulations.

## **Amendment of Regulation (EU) No 1308/2013 of the European Parliament and of the Council**

5.—(1) Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products<sup>(4)</sup> is amended as follows.

- (2) In Article 76(1), omit “referred to in Article 75”.
- (3) In Article 80(1)—
  - (a) omit “point (g) of Article 75(3) and in”;
  - (b) after “and (3)” insert “and in Commission Delegated Regulation (EU) 2019/934 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards wine-growing areas where the alcoholic strength may be increased, authorised oenological practices and restrictions applicable to the production and conservation of grapevine products, the minimum percentage of alcohol for by-products and their disposal, and publication of OIV files<sup>(5)</sup>”.
- (4) In Article 83(1), for “Notwithstanding Article 75(2), nothing” substitute “Nothing”.
- (5) In Article 85—
  - (a) in paragraph 1, omit the words from “and the” to the end;
  - (b) in paragraph 2, omit “pursuant to Article 86”.
- (6) In Article 90(2), omit “pursuant to Article 80(3)”.
- (7) In Article 228(9), omit point (a).
- (8) In Annex 7—
  - (a) in Part 2—
    - (i) in point (1), in the second paragraph—
      - (aa) in point (c), omit the first indent;
      - (bb) in point (d), omit “, subject to derogations provided for under Article 75(2),”;
    - (ii) in point (3)—
      - (aa) in point (b), omit the words from “, except for” to the end;
      - (bb) in point (c), in the fourth indent omit the words from “or a mixture” to the end”;
      - (cc) in point (d), omit the words from “, except for” to the end;
      - (dd) omit point (f);
    - (iii) in point (6)(a), for the words from “on any list” to the end substitute “set out in the list in the Appendix to Annex 2 to Regulation (EU) 2019/934”;
    - (iv) in point (12), omit the second sentence;
    - (v) in point (13), in the first paragraph omit the words from “used in” to “Article 91”;
    - (vi) in point (14), in the first paragraph, in point (a)(i), omit the words from “used according” to “Article 91”;
  - (b) in Part 6, in point 1(1), omit “Article 75 concerning”;
  - (c) in Part 8—
    - (i) in point (1), in the second paragraph—

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(4) EUR 2013/1308, amended by [S.I. 2019/821](#), [S.I. 2019/831](#) and [S.I. 2019/1422](#). There are other amending instruments, but none is relevant to these Regulations.

(5) EUR 2019/934, amended by [S.I. 2020/1637](#) and [S.I. 2021/632](#).

- (aa) in point (a), for “accordance with Article 75(2)” substitute “Commission Regulation (EEC) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis<sup>(6)</sup> and Commission Implementing Regulation (EU) No 29/2012 on marketing standards for olive oil<sup>(7)</sup>”;
  - (bb) in points (b) and (c), for “accordance with Article 75(2)” substitute “Regulation (EEC) No 2568/91 and Regulation (EU) No 29/2012”;
  - (ii) in points (2) to (6), for “accordance with Article 75(2)” substitute “Regulation (EEC) No 2568/91 and Regulation (EU) No 29/2012”.
- (9) In Annex 8—
- (a) in Part 1—
    - (i) in Section C, in paragraph 7 omit “, subject to any exceptions made under Article 75(2)”;
    - (ii) in Section D, in paragraph 1, for “under Article 75(2)” substitute “in Regulation (EU) 2019/934”;
  - (b) in Part 2, in Section D, in paragraph 5, for “prescribed under Article 75(2)” substitute “set out in Article 14 of Regulation (EU) 2019/934”.

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

6.—(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<sup>(8)</sup> is amended as follows.

(2) In Article 4(4) for the words from “accordance with” to “Regulation (EU) No 1308/2013” substitute “paragraphs A to D of Part 1 of Annex 8 to Regulation (EU) No 1308/2013 and Commission Delegated Regulation (EU) 2019/934 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards wine-growing areas where the alcoholic strength may be increased, authorised oenological practices and restrictions applicable to the production and conservation of grapevine products, the minimum percentage of alcohol for by-products and their disposal, and publication of OIV files”.

#### **Amendment of Commission Delegated Regulation (EU) 2019/934**

7.—(1) Commission Delegated Regulation (EU) 2019/934 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards wine-growing areas where the alcoholic strength may be increased, authorised oenological practices and restrictions applicable to the production and conservation of grapevine products, the minimum percentage of alcohol for by-products and their disposal, and publication of OIV files is amended as follows.

(2) In Article 4(1)(a), omit “and Article 80(3)(b) to (e)”.

(3) In Article 7(1), omit “point (h) of Article 75(3) and”.

(4) In Article 9(1), for “Article 75(3)(f) of Regulation (EU) No 1308/2013” substitute “this regulation”.

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<sup>(6)</sup> EUR 1991/2568, amended by [S.I. 2019/1422](#) (which was itself amended by [S.I. 2020/1453](#)).

<sup>(7)</sup> EUR 2012/29, amended by [S.I. 2019/1422](#) (which was itself amended by [S.I. 2020/1453](#)) and [S.I. 2022/939 \(W. 203\)](#).

<sup>(8)</sup> EUR 2014/251, to which there are amendments not relevant to these Regulations.

### **Amendment of Commission Implementing Regulation (EU) 2019/935**

**8.**—(1) Commission Implementing Regulation (EU) 2019/935 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards analysis methods for determining the physical, chemical and organoleptic characteristics of grapevine products and notifications of Member States decisions concerning increases in natural alcoholic strength<sup>(9)</sup> is amended as follows.

(2) In Article 2, omit “referred to in point (d) of Article 75(5) of Regulation (EU) No 1308/2013”.

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(9) EUR 2019/935, amended by [S.I. 2020/1637](#). There is another amending instrument not relevant to these Regulations.