
SCOTTISH STATUTORY INSTRUMENTS

2019 No. 169

**The Marketing of Horticultural Produce and Bananas
(EU Exit) (Scotland) (Amendment) Regulations 2019**

PART 3

**AMENDMENT OF SECONDARY LEGISLATION RELATING
TO WITHDRAWAL FROM THE EUROPEAN UNION**

Amendment of the Marketing of Horticultural Produce (Scotland) Regulations 2009

3.—(1) The Marketing of Horticultural Produce (Scotland) Regulations 2009^{M1} are amended as follows.

(2) In regulation 2(1) (interpretation)—

- (a) omit the definition of “EU marketing rules”,
- (b) in the definition of “horticultural produce” omit “EU”,
- (c) after the definition of “label” insert—

““marketing rules” means the general marketing standard and the specific marketing standards covering fresh fruit and vegetables listed in Part IX of Annex I to Council Regulation 2013 and includes the rules relating to those standards contained in Articles 74, 75 and 76 of that Council Regulation and in Title II of Commission Implementing Regulation 543/2011;”,

(d) in the definition of “non compliance label” omit “EU”.

(3) In regulation 3(2) (designations and information disclosure)—

- (a) omit “EU”,
- (b) for “Secretary of State,” substitute “ Secretary of State or ”,
- (c) omit “or the European Commission”.

(4) In regulation 5(1)(h) (authorised officer: other powers) omit “EU”.

(5) In regulation 6(1) (authorised officer: power to affix a non compliance label) omit “EU”.

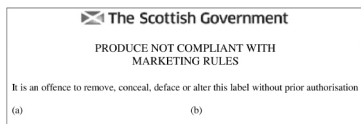
(6) In regulation 7 (authorised officer: power to affix a non compliance label)—

- (a) in paragraph (1) omit “EU”,
- (b) in paragraph (3)(b) omit “EU”,
- (c) in paragraph (4)(b) omit “EU”.

(7) In regulation 8(1) (authorised officer: power to affix a non compliance label) omit “EU” in each place it occurs.

(8) In regulation 9(2) (authorised officer: requirement to serve a notice in terms of regulations 6, 7 and 8) omit “EU” in each place it occurs.

- (9) In regulation 10(2)(e) (authorised officer: powers to control the movement of horticultural produce) omit “EU”.
- (10) In regulation 13 (authorised officer: consents to the movement of controlled horticultural produce)—
 - (a) in paragraph (2)(a) omit “EU”,
 - (b) in paragraph (3)(a)(ii) omit “EU”.
- (11) In regulation 15 (EU marketing rules offences)—
 - (a) in the heading, omit “EU”,
 - (b) in paragraph (3)(a) omit “EU”,
 - (c) in paragraph (4) omit “EU”,
 - (d) in paragraph (5) omit “EU”,
 - (e) in paragraph (6)(a) omit “EU” in both places it occurs,
 - (f) in paragraph (7)—
 - [^{F1}(i) for “the European Union” substitute “Great Britain”]
 - (ii) omit “EU”.
- (12) In regulation 18(1)(c) (obstruction) omit “EU” in both places it occurs.
- ^{F2}(13)
- (14) In schedule 1 (form and completion of labels), for the non compliance label in Part 1 (form of non compliance label), substitute—



Textual Amendments

- F1** Reg. 3(11)(f)(i) substituted (31.12.2020 immediately before IP completion day) by [The Agriculture \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/368\)](#), regs. 1(2), **4(2)**
- F2** Reg. 3(13) revoked (31.12.2020 immediately before IP completion day) by [The Seed, Propagating Material and Common Agricultural Policy \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/289\)](#), regs. 1(b), 7; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

- I1** Reg. 3 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)\(b\)](#)

Marginal Citations

- M1** [S.S.I. 2009/225](#), amended by [S.S.I. 2011/324](#), [S.I. 2011/1043](#), [S.I. 2013/3235](#) and [S.S.I. 2018/391](#).

Changes to legislation:

There are currently no known outstanding effects for the The Marketing of Horticultural Produce and Bananas (EU Exit) (Scotland) (Amendment) Regulations 2019, Section 3.