

Draft Regulations laid before Parliament under paragraph 1(3) of Schedule 7 to the European Union (Withdrawal) Act 2018, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2020 No. 0000

**EXITING THE EUROPEAN UNION
AGRICULTURE**

**The Organic Products (Production and Control)
(Amendment) (EU Exit) Regulations 2020**

Made - - - -

Coming into force in accordance with regulation 1

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) and 8C of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018(1).

In accordance with paragraph 1(3) of Schedule 7 to the European Union (Withdrawal) Act 2018, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

Part 1

Introduction

Citation and commencement

1. These Regulations may be cited as the Organic Products (Production and Control) (Amendment) (EU Exit) Regulations 2020 and come into force—

- (a) as regards Part 2, on IP completion day;
- (b) otherwise, immediately before IP completion day.

Part 2

Amendment of retained EU Legislation

Commission Regulation (EC) No 889/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control

2.—(1) Commission Regulation (EC) No 889/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control⁽²⁾ is amended as follows.

(2) In Article 43, in the second paragraph, for “2018, 2019 and 2020” substitute “2021 and 2022”.

Part 3

Amendment of EU Exit Legislation

The Organic Production and Control (Amendment) (EU Exit) Regulations 2019

3.—(1) The Organic Production and Control (Amendment) (EU Exit) Regulations 2019⁽³⁾ are amended as follows.

(2) In regulation 2—

(a) in paragraph (3)—

(i) for sub-paragraph (b) substitute—

“(b) in point (n), omit “of a Member State”.”;

(ii) for sub-paragraph (c) substitute—

“(c) in point (o), omit “of a Member State”.”;

(iii) in sub-paragraph (f), in the inserted text, omit point (cc)(iv);

(b) for paragraph (8)(a) substitute—

“(a) in paragraph 1, in the second subparagraph, for the words from “the Member States” to the end substitute “Great Britain”.”.

(3) In regulation 3—

(a) in paragraph (2)—

(i) for sub-paragraph (a)(ii) substitute—

“(ii) for “the Community” substitute “Great Britain”.”;

(ii) in sub-paragraph (c), in the inserted text, omit point (v)(iv);

(b) for paragraph (13) substitute—

“(13) In Article 25(5), for the words from “the Member State” to the end substitute “Great Britain in accordance with any relevant retained EU law”.”;

(c) in paragraph (15)(a), for “the United Kingdom” substitute “Great Britain”;

(d) in paragraph (16)(a)(iv)—

(i) in the text substituted for the second indent of point (f)(ii), omit point (iv);

(2) EUR 2008/889, amended by S.I. 2019/692, 693.

(3) S.I. 2019/693.

- (ii) in the text substituted for the third indent of point (f)(ii), omit point (iv);
- (e) for paragraph (17)(b)(i)(bb) substitute—
 - “(bb) for “the Community” substitute “Great Britain”;
- (f) in paragraph (23)(b)(iii), in the inserted text, omit point (d);
- (g) in paragraph (26)(a)(ii), for “the United Kingdom” substitute “Great Britain”;
- (h) in paragraph (29), in the substituted text—
 - (i) omit “either”;
 - (ii) for “United Kingdom national” substitute “GB variety”;
 - (iii) omit the words from “or the common catalogues” to the end.

The Organic Products (Amendment) (EU Exit) Regulations 2019

4.—(1) The Organic Products (Amendment) (EU Exit) Regulations 2019(4) are amended as follows.

- (2) In regulation 2—
 - (a) for paragraph (3) substitute—
 - “(3) In regulation 6(1) for “the European Union” substitute “Great Britain”;
 - (b) for paragraph (4) substitute—
 - “(4) In regulation 7(1) for “the European Union” substitute “Great Britain”;
 - (c) for paragraph (6)(b) substitute—
 - “(b) in paragraph (2) for “the European Union” substitute “Great Britain”;

Date

Name
Parliamentary Under Secretary of State
Department for Environment, Food and Rural
Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by the European Union (Withdrawal) Act 2018 (c. 16) (in particular under sections 8(2)(a), (b), (e) and (g) and 8C of that Act) in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union, and to reflect the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement.

These Regulations make amendments to subordinate legislation in the field of organic production.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.