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DRAFT STATUTORY INSTRUMENTS

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**2020 No.**

**The Agricultural Products, Food and Drink  
(Amendment etc.) (EU Exit) Regulations 2020**

**PART 4**

Amendment of subordinate legislation: amendments  
coming into force on IP completion day

**CHAPTER 2**

Amendment of subordinate legislation so far as it extends to Great Britain

**The Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018**

**12.**—(1) The Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018 are amended as follows.

(2) In regulation 1—

- (a) in the heading, for “and commencement” substitute “, commencement and extent”;
- (b) number the existing paragraph as paragraph (1);
- (c) after paragraph (1) (as numbered by sub-paragraph (b)) insert—

“(2) The following provisions extend to Great Britain—

- (a) this Part and Parts 2 to 4;
- (b) regulations 22 and 23.”.

(3) In regulation 2(1)(b), for “in regulation 3(2)(c)(iv)” substitute “where otherwise specified”.

(4) For regulation 3(2) substitute—

“(2) The Secretary of State is responsible for exercising the functions of the designated authority for the purposes of Articles 13(3), 24(2) and 34.”.

(5) For regulation 6(4) substitute—

“(4) For the purposes of these Regulations any authority (other than the council of a non-metropolitan district) that is a food authority for the purposes of the Food Safety Act 1990 is eligible for appointment as an enforcement authority.”.

(6) In regulation 10—

(a) in paragraph (4)—

- (i) for the first comma substitute “or”;
- (ii) omit “or lay magistrate in Northern Ireland”;
- (iii) for “, sheriff or lay magistrate,” substitute “or sheriff”;

(b) for paragraph (8)(a) substitute—

- “(a) be accompanied by such other persons as the authorised officer considers necessary;”.
- (7) In regulation 12—
- (a) in paragraph (1)—
- (i) for sub-paragraph (a) substitute—
- “(a) has marketed, or is marketing or intending to market, a product—
- (i) under a registered PDO or PGI which has not been labelled in a way described in Article 12 of Regulation 1151/2012 as read with Article 16(4) of that Regulation and Article 2 of, and the Annex to, Regulation 664/2014(1), or
- (ii) under a registered TSG which has not been labelled in a way described in Article 23 of Regulation 1151/2012 as read with Article 25(4) of that Regulation and Article 2 of, and the Annex to, Regulation 664/2014;”.
- (ii) in sub-paragraph (j), for the words from “or (3)” to “2 of” substitute “to (3) of Regulation 668/2014(2) as read with Article 2 of, and the Annex to,”;
- (b) in paragraph (2)(e), for “, 16 or, as the case may be, 17” substitute “or 16 as the case may be”;
- (c) in paragraph (3), for “to 17” substitute “and 16”.
- (8) In regulation 13—
- (a) in paragraph (3)(e), for “, 16 or, as the case may be, 17” substitute “or 16 as the case may be”;
- (b) in paragraph (4), for “to 17” substitute “and 16”.
- (9) In regulation 14—
- (a) in paragraph (4)(c)(i), for “, 16 or, as the case may be, 17” substitute “or 16 as the case may be”;
- (b) in paragraph (5), for “to 17” substitute “and 16”.
- (10) Omit regulation 17.
- (11) In regulation 20, in the words before sub-paragraph (a), for “to 17” substitute “and 16”.
- (12) Omit regulation 21.
- (13) In regulation 22—
- (a) in paragraph (1)—
- (i) in sub-paragraph (a), after “years” insert “in Great Britain”;
- (ii) in sub-paragraph (b), for “national opposition procedure” substitute “opposition procedure referred to in Article 51”;
- (b) in paragraph (2), for the words from “Secretary” to the end substitute “registration takes effect”.

(1) EUR 2014/664. Prospective amendments were included in [S.I. 2019/865](#). They would have come into force on IP completion day. Those prospective amendments are omitted by regulation 6 of this instrument and replaced, in relation to Great Britain, on IP completion day with the amendments in regulation 22 of, and Schedule 5 to, this instrument.

(2) EUR 2014/668. Prospective amendments were included in [S.I. 2019/865](#). They would have come into force on IP completion day. Those prospective amendments are omitted by regulation 6 of this instrument and replaced, in relation to Great Britain, on IP completion day with the amendments in regulation 23 of, and Schedule 6 to, this instrument.

