
DRAFT STATUTORY INSTRUMENTS

2020 No.

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

PART 5

Amendment of retained direct EU legislation

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

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

(2) In Article 93, after paragraph 1 insert—

“**1a.** For the purpose of Article 102a and Annex 9A:

- (a) ‘an Article 99 approval notice’ means a notice published under Article 99(3) relating to a decision of the Secretary of State to approve an application to register a designation of origin or geographical indication;
- (b) ‘enters into force’, in relation to a reference to an international agreement, includes, where the provisional application of that agreement is agreed between the parties before it enters into force, the provisional application of the agreement and ‘entry into force’ is to be construed accordingly;
- (c) ‘EUIA’ means an international agreement made between the European Union and a third country that provides for the protection of a designation of origin or geographical indication of the third country in the European Union;
- (d) ‘EU Regulation 1308/2013’ means Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products⁽¹⁾ as it had effect before IP completion day;
- (e) ‘Great Britain’s PDOs and PGIs Register’ means the register established and maintained by the Secretary of State under Article 104;
- (f) ‘the relevant period’ means the period beginning on IP completion day and expiring at the end of the day that falls nine months after the day on which IP completion day falls;
- (g) ‘the TMA’ means the Trade Marks Act 1994⁽²⁾;
- (h) ‘the Types Table’ means the table in Part 3 of Annex 9A.

1b. In the following provisions ‘third country’ means any country except that it does not include any part of the British Islands:

(1) OJ No. L 347, 20.12.2013, p. 671, to which there are amendments not relevant to this instrument.

(2) 1994 c. 26. Section 49(1) was substituted by [S.I. 2018/825](#). Section 50(1) was amended by [S.I. 2018/825](#). Section 75 was amended by the Crime and Courts Act 2013 (c. 22), Schedule 9, paragraph 134, [S.I. 2005/587](#). Section 76(6) was inserted by [S.I. 2005/587](#). Schedule 2A is prospectively inserted in the Trade Marks Act 1994 on IP completion day by [S.I. 2019/269](#). Schedule 2B is prospectively inserted in the Trade Marks Act 1994 on IP completion day by [S.I. 2019/638](#).

- (a) the definition of ‘EUIA’ in paragraph 1a(c);
 - (b) Annex 9A.”.
- (3) After Article 93 insert the new Article 93a in Part 1 of Schedule 3.
- (4) After Article 102 insert the new Articles 102a and 102b in Part 2 of Schedule 3.
- (5) After Annex 9 insert the new Annex 9A in Part 3 of Schedule 3.