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SCHEDULES

SCHEDULE 4

ENACTMENTS AMENDED

C: GRADING ETC. OF HORTICULTURAL PRODUCE

- 4 (1) Part III of the Agriculture and Horticulture Act 1964 (grading and transport of fresh horticultural produce) shall be amended as follows:—
- (a) in section 11 (power to prescribe grades) there shall be added at the end as a new subsection (3)—
- “(3) Regulations under subsection (1) above shall not apply to produce of any description for the time being subject to Community grading rules ; but in relation to any such produce the Ministers may by regulations—
- (a) make additional provision as to the form of any label required for the purpose of those rules or as to the inclusion in any such label of additional particulars (not affecting the grading of the produce);
- (b) provide for the application, subject to any modifications specified in the regulations, of all or any of the following provisions of this Part of this Act as if the produce were regulated produce and as if the standards of quality established by those rules were prescribed grades.”;
- (b) at the end of section 22(3) (which provides against the grading etc. of produce by agricultural marketing boards otherwise than in conformity with regulations under section 11(1) or 21 or, in Northern Ireland, any corresponding provisions for the time being in force there) there shall be added—
- “This subsection shall apply in relation to Community grading rules as it applies in relation to regulations under section 11(1) or 21 of this Act or, as regards Northern Ireland, under any corresponding provisions.”;
- (c) in section 24 (interpretation of Part III) there shall be inserted after the definition of " authorised officer " the following definition:—
- “" Community grading rules " means any directly applicable Community provisions establishing standards of quality for fresh horticultural produce.”
- (2) In section 2(4) of the Trade Descriptions Act 1968 (which provides that certain statutory descriptions and markings are to be deemed not to be trade descriptions) after the words " the Agriculture and Horticulture Act 1964 " there shall be inserted the words " or any Community grading rules within the meaning of Part III of that Act