



Agriculture Act 2020

2020 CHAPTER 21

PART 5

AGRICULTURAL PRODUCTS

37 Marketing standards

- (1) The Secretary of State may by regulations, in relation to agricultural products that—
 - (a) are listed in Schedule 4, and
 - (b) are marketed in England,make provision about the standards with which those products must conform (“marketing standards”).
- (2) The regulations may cover matters such as—
 - (a) technical definitions, designation and sales descriptions;
 - (b) classification criteria such as grading into classes, weight, sizing, age and category;
 - (c) the species, plant variety or animal breed or the commercial type;
 - (d) the presentation, labelling, packaging, rules to be applied in relation to packaging centres, marking, years of harvesting and use of specific terms;
 - (e) criteria such as appearance, consistency, conformation, product characteristics and the percentage of water content;
 - (f) specific substances used in production, or components or constituents, including their quantitative content, purity and identification;
 - (g) the type of farming and production method, including oenological practices;
 - (h) coupage of must and wine (including definitions of those terms), blending and restrictions thereof;
 - (i) the frequency of collection, delivery, preservation and handling, the conservation method and temperature, storage and transport;
 - (j) the place of farming or origin, excluding live poultry, poultrymeat and spreadable fats;
 - (k) restrictions as regards the use of certain substances and practices;

Status: This is the original version (as it was originally enacted).

- (l) specific use of products;
 - (m) the conditions governing the disposal, the holding, circulation and use of products not in conformity with the marketing standards, and the disposal of by-products;
 - (n) the use of terms communicating value-added characteristics or attributes.
- (3) Regulations under subsection (1) may include provision about enforcement, which may (among other things) include provision—
- (a) about the provision of information;
 - (b) conferring powers of entry;
 - (c) conferring powers of inspection, search and seizure;
 - (d) about the keeping of records;
 - (e) imposing monetary penalties;
 - (f) creating summary offences punishable with a fine (or a fine not exceeding an amount specified in the regulations, which must not exceed level 4 on the standard scale);
 - (g) about appeals;
 - (h) conferring functions (including functions involving the exercise of a discretion) on a person.
- (4) Regulations under subsection (1) may not authorise entry to a private dwelling without a warrant issued by a justice of the peace.
- (5) The Secretary of State may by regulations amend this section and Schedule 4 for or in connection with the purpose of—
- (a) adding or removing an agricultural product from the list in Schedule 4;
 - (b) altering the description of an agricultural product in the list.
- (6) Regulations under this section are subject to affirmative resolution procedure.