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STATUTORY INSTRUMENTS

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**2013 No. 3235**

The Single Common Market Organisation  
(Consequential Amendments) Regulations 2013

**PART 3**

AMENDMENTS TO REGULATIONS THAT RELATE ONLY TO SCOTLAND

**Amendments to the Eggs and Chicks (Scotland) (No. 2) Regulations 2008**

- 18.**—(1) The Eggs and Chicks (Scotland) (No. 2) Regulations 2008 <sup>M1</sup> are amended as follows.
- (2) In regulation 2 (interpretation)—
- (a) in paragraph (1), after the definition of “Council Directive 1999/74/EC” insert “ “Council Regulation 2013” means the Regulation of the European Parliament and of the Council adopted on 16 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, as amended from time to time ”;
  - (b) in paragraph (3), for “Part A of Annex XIV to the Single CMO Regulation” substitute “ Part VI of Annex VII to Council Regulation 2013 ”;
  - (c) in paragraph (4)—
    - (i) omit the full stop at the end of sub-paragraph (b); and
    - (ii) at the end of sub-paragraph (b) insert—

“or the Council Regulation 2013 mentioned in column 1 of Part 1 of Schedule 1, as read with any provision mentioned in any corresponding entry in column 2 of that Part.”; and
  - (d) in paragraph 5(a), for “the Single CMO Regulation” substitute “ the Council Regulation 2013 ”.
- (3) In regulation 3 (products to which these Regulations apply)—
- (a) in paragraph (1)(b), for “Part A of Annex XIV to the Single CMO Regulation” substitute “ Part VI of Annex VII to Council Regulation 2013 ”;
  - (b) in paragraph (2)(b), for “Part A of Annex XIV to the Single CMO Regulation” substitute “ Part VI of Annex VII to Council Regulation 2013 ”; and
  - (c) for paragraph (2)(c) substitute—

“(c) except in so far as they relate to the requirement imposed by point III(3) of Part VI of Annex VII to Council Regulation 2013, the sale of eggs to which point I(1) of Part VI of Annex VII to that Regulation and Commission Regulation (EC) No. 589/2008 apply, where the eggs are sold, without any quality or weight grading, directly to the final consumer by the producer in a local public market in the region of production.”.
- (4) In regulation 9 (derogations relating to the marking of eggs)—

- (a) in paragraph (1) for “Part A of Annex XIV to the Single CMO Regulation” substitute “Part VI of Annex VII to Council Regulation 2013 ”;
- (b) in paragraph (2)—
- (i) for “Part A of Annex XIV to the Single CMO Regulation” substitute “ Part VI of Annex VII to Council Regulation 2013 ”; and
- (ii) for “Part A of Annex XIV to the Council Regulation” substitute “ Part VI of Annex VII to Council Regulation 2013 ”.
- (5) In Schedule 1 (EU provisions relating to eggs for hatching and chicks contravention of which is an offence), in part 1 (provisions of the Single CMO Regulation)—
- (a) in the heading insert at the end “ or Council Regulation 2013 ”;
- (b) for the heading to column 1 substitute “ Relevant EU provision ”;
- (c) in column 1, for “Article 113(3) substitute “ Article 74 of the Council Regulation 2013 ”;
- (d) in column 1, after “Annex XIV”, in each place it occurs, insert “ to the Single CMO ”;
- (6) In Schedule 2 (EU provisions relating to eggs in shell for consumption contravention of which is an offence),
- (a) for Part 1 (provisions of the Single CMO Regulation) substitute—

## “PART 1

### PROVISIONS OF COUNCIL REGULATION 2013

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Relevant provision of Council Regulation 2013	Provisions to be read with the provisions of Council Regulation 2013 mentioned in column 1	Subject matter
Article 75 insofar as it relates to the marketing of eggs	Part VI of Annex VII to Council Regulation 2013 and Commission Regulation (EC) No. 589/2008	Prohibition on the marketing of eggs except in accordance with the marketing standards laid down in Part VI of Annex VII to Council Regulation 2013 and Commission Regulation (EC) No. 589/2008.
Point II(1) of Part VI of Annex VII	Article 2(1) and (4) of Commission Regulation (EC) No. 589/2008	Grading of eggs as class A (“fresh”) or class B.
Point II(2) of Part VI of Annex VII	Article 4(1) of Commission Regulation (EC) No. 589/2008	Weight grading of class A eggs.
Point II(3) of Part VI of Annex VII		Prohibition on the delivery of class B eggs except to the food and non food industry.
Point III(1) of Part VI of Annex VII, first sub paragraph	Point III(3) of Part VI of Annex VII to Council Regulation 2013 and Articles 9(1) and 11 of	Marking of class A eggs.

Commission Regulation (EC)  
No. 589/2008

Point III(1) of Part VI of Annex VII, second sub paragraph	Articles 9, 10 and 11 of Commission Regulation (EC) No. 589/2008, paragraphs (a) and (b) of the second sub-paragraph of point 2 of Part D of Annex II to Regulation (EC) No. 2160/2003 and regulation 9(1)	Marking of class B eggs.
Point III(2) of Part VI of Annex VII	Point III(1) of Part VI of Annex VII to Council Regulation 2013	Place at which eggs are marked.
Point III(3) of Part VI of Annex VII, first sub paragraph	Point III(1) of Part VI of Annex VII and the second sub-paragraph of point III(3) of Part VI of Annex VII to Council Regulation 2013	Marking of eggs sold by a producer to the final consumer at a local public market.
Articles 75(2) and (3) of Council Regulation 2013	Article 30(2) of Commission Regulation (EC) No. 589/2008	Marking of eggs imported from a third country where the rules applied in relation to those eggs in that country have been found to offer sufficient guarantees as to equivalence with EU legislation
Articles 75(2) and (3) of Council Regulation 2013	Articles 11, 30(2) and (3) of Commission Regulation (EC) No. 589/2008	Marking of eggs and packs imported from a third country where sufficient guarantees of equivalence of the rules relating to those eggs with EU legislation have not been provided.”

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(b) in Part 2 (provisions of Commission Regulation (EC) No. 589/2008)—

- (i) in relation to the entry for Article 2(1) of Commission Regulation (EC) No. 589/2008 in column 2, for “Part A of Annex XIV, first indent, to the Single CMO Regulation” substitute “Part VI of Annex VII, paragraph (a), to the Council Regulation 2013”;
- (ii) in relation to the entry for Article 2(4) of Commission Regulation (EC) No. 589/2008 in column 2, for “Part A of Annex XIV, second indent, to the Single CMO Regulation” substitute “Part VI of Annex VII, paragraph (b), to the Council Regulation 2013”;
- (iii) in relation to the entry for Article 4(1) of Commission Regulation (EC) No. 589/2008 in column 2, for “Part A of Annex XIV to the Single CMO Regulation” substitute “Part VI of Annex VII to the Council Regulation 2013”;
- (iv) in relation to the entry for Article 8(5) of Commission Regulation (EC) No. 589/2008 in column 2, for “Part A of Annex XIV, second sub-paragraph, of the Single CMO Regulation”, substitute “Part VI of Annex VII, second sub-paragraph, to the Council Regulation 2013”;
- (v) in relation to the entry for Article 10 of Commission Regulation (EC) No. 589/2008 in column 2, for “Part A of Annex XIV, second sub-paragraph to the Single CMO

Regulation”, substitute “ Part VI of Annex VII, second sub-paragraph, to the Council Regulation 2013 ”; and

(vi) in relation to the entry for Article 30(3) of Commission Regulation (EC) No. 589/2008 in column 2, omit “Point IV(3) of Part A of Annex XIV to the Single CMO Regulation and”.

(7) In Schedule 2A (EU provisions relating to eggs in shell for consumption: salmonella control related requirements where the contravention of which is an offence) in relation to the entry for Point 2, second sub-paragraph, paragraph (a), of Part D of Annex II of Regulation (EC) No. 2160/2003, in column 2, for “Part A of Annex XIV to, the Single CMO Regulation” substitute “ Part VI of Annex VII to the Council Regulation 2013 ”.

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**Marginal Citations**

**M1** S.S.I 2008/395; as amended by [S.S.I. 2010/450](#) and [S.I. 2011/1043](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Single Common Market Organisation (Consequential Amendments) Regulations 2013, Section 18.