
STATUTORY INSTRUMENTS

2018 No. 1275

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

PART 2

Competent authority and control bodies

The competent authority etc.

- 3.**—(1) The competent authority is the Secretary of State.
- (2) The Secretary of State is also responsible for exercising the functions of—
- (a) a Member State for the purposes of Articles 8, 13, 20, 24, 34, 37(3), 38, 40 and 46;
 - (b) the authorities of a Member State for the purposes of Article 13(3) and the first subparagraph of Article 49(2);
 - (c) a Member State for the purposes of—
 - (i) the second subparagraph of Article 49(2);
 - (ii) Article 49(3), as read with Article 15;
 - (iii) Article 49(4);
 - (iv) Article 10(2) of Regulation 668/2014.

Responsibilities of appointed enforcement authority

4.—(1) Each enforcement authority must report to the Secretary of State when it exercises a power under these Regulations to—

- (a) enter premises;
- (b) issue an enforcement notice.

(2) The report must cover the result of that exercise and must be submitted to the Secretary of State within 28 days of that result.

Delegation to control bodies

5.—(1) The Secretary of State may delegate tasks related to official controls of the quality schemes to control bodies, in accordance with Article 39.

(2) The Secretary of State may not delegate any task related to official controls under Article 39 to a control body unless the Secretary of State is satisfied that the control body—

- (a) shall ensure that the task is carried out promptly by a person competent to perform it in accordance with Regulation 882/2004;
- (b) has made arrangements to ensure that a finding of any breach of these Regulations or the EU Regulations is communicated to the Secretary of State immediately, and that any other result is communicated within 28 days.