
STATUTORY INSTRUMENTS

2019 No. 1422

The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019

PART 2

Amendment of retained direct EU legislation

CHAPTER 2

Marketing Standards Amendments

SECTION 2

Olive Oil

Amendment of Commission Implementing Regulation (EU) No 29/2012

7.—(1) Commission Implementing Regulation (EU) No 29/2012 on marketing standards for olive oil is amended as follows.

(2) In Article 1—

(a) in paragraph 1—

- (i) for “Directive [2000/13/EC](#) and Regulation [\(EC\) No 510/2006](#)” substitute “ Regulation (EU) No 1169/2011 and Regulation (EU) No 1151/2012 ”;
- (ii) for “Annex XVI to Regulation [\(EC\) No 1234/2007](#)” substitute “ Part 8 of Annex 7 to Regulation (EU) No 1308/2013 ”;

(b) after paragraph 2, insert—

“3. In this Regulation:

(a) ‘appropriate authority’ means:

(i) in relation to:

(aa) England, the Secretary of State;

^{F1}(bb)

(cc) Scotland, the Scottish Ministers;

(dd) Wales, the Welsh Ministers, or

(ii) the Secretary of State:

(aa) in relation to Scotland, if consent is given by the Scottish Ministers;

^{F2}(bb)

- (b) ‘constituent nation’ means England, Wales [^{F3}or Scotland], as the case may be;
- (c) a reference to a ‘country’ is to be read as including the British Overseas Territories.”.

(3) In Article 2—

- (a) in the first subparagraph, after “opened and” insert “, subject to the third subparagraph ”;
- (b) in the second subparagraph, for “the Member States may set” substitute “ nothing in this Regulation prevents the appropriate authority from setting ”;
- (c) after the second subparagraph insert—

“Oils as referred to in Article 1(1) which are labelled in accordance with this Regulation as it had effect immediately before [^{F4}IP completion day] may:

^{F5}(a)

- (b) be placed on the market until the end of the period of 21 months beginning on the day on which [^{F4}IP completion day] falls, and remain on the market until stocks are exhausted.”.

(4) In Article 3, in the first subparagraph—

- (a) for “Article 118 of Regulation (EC) No 1234/2007” substitute “ Article 78(1) of Regulation (EU) 1308/2013 ”;
- (b) for “Article 3(1)(1) of Directive 2000/13/EC” substitute “ Article 9 of Regulation (EU) 1169/2011 ”.

(5) In Article 4—

- (a) in paragraph 1, for “Annex XVI to Regulation (EC) No 1234/2007”, in both places it occurs, substitute “ Part 8 of Annex 7 to Regulation (EU) No 1308/2013 ”;

(b) in paragraph 2—

- (i) in point (a), for the words from “from” to the end substitute “ from one country, a reference to that country; or ”;

(ii) for point (b) substitute—

“(b) in the case of blends of olive oils originating, in accordance with the provisions of paragraphs 4 and 5, from more than one country:

- (i) a reference to the countries concerned, or

- (ii) the words ‘blend of olive oils from more than one country’ or similar; or”;

(iii) in point (c), for “Regulation (EC) No 510/2006 substitute “ Regulation (EU) No 1151/2012 ”;

(c) for paragraphs 4 and 5 substitute—

“4. In the case of import from another country, the designation of origin for the purposes of paragraph 1 is the country in which the mill where the oil was extracted from the olives is situated.

5. The designation of origin may also contain wording indicating the country in which the olives were harvested.

6. By way of derogation from paragraphs 2, 4 and 5, in relation to any country or countries each of which is a member of a block of countries to which a regional trade agreement applies, references to that country or countries in the designation of origin may be replaced by references to the name under which the block of countries is known pursuant to that regional trade agreement.

7. In this Article, ‘regional trade agreement’ means an agreement of the type to which Article 24(5) of the General Agreement on Tariffs and Trade 1994^{M1} applies.”

(6) In Article 5(e), for “Annex XVI to Regulation (EC) No 1234/2007” substitute “ Part 8 of Annex 7 to Regulation (EU) No 1308/2013 ”.

(7) Omit Article 5a.

(8) In Article 6(1), omit the third subparagraph.

(9) Omit Article 7.

(10) In Article 8—

(a) omit paragraph 1;

(b) for paragraph 2 substitute—

“(2) The appropriate authority may take samples to verify the truth of the indications on the labelling concerned.”;

(c) omit paragraphs 3 and 4.

(11) In Article 8a—

(a) in the first sentence, for “Each Member State” substitute “ The appropriate authority ”;

(b) omit the second sentence.

(12) In Article 9—

(a) for paragraph 1 substitute—

“1. Without prejudice to the penalties laid down in Regulation (EU) No 1308/2013 and in Article 3 of Regulation (EEC) No 2568/91, the appropriate authority must apply, in accordance with the legislation applying in the constituent nation concerned, effective, proportionate and dissuasive penalties if this Regulation is breached.”;

(b) in paragraph 2—

(i) in the first subparagraph—

(aa) for “Member States concerned” substitute “ appropriate authority ”;

(bb) for “their territory” substitute “ the constituent nation concerned ”;

(ii) in the second subparagraph—

(aa) omit point (b);

(bb) in point (c), for “Member State concerned” substitute “ appropriate authority ”.

(13) Omit Articles 10, 10a and 12.

(14) After Article 12, omit the words from “This Regulation” to “Member States.”.

Changes to legislation: There are currently no known outstanding effects for the The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019, Section 7. (See end of Document for details)

Textual Amendments

- F1** Words in reg. 7(2)(b) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Common Organisation of the Markets in Agricultural Products \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2020 \(S.I. 2020/1453\)](#), regs. 1(2)(b), **14(17)(a)(i)**
- F2** Reg. 7(2)(b) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Common Organisation of the Markets in Agricultural Products \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2020 \(S.I. 2020/1453\)](#), regs. 1(2)(b), **14(17)(a)(ii)**
- F3** Words in reg. 7(2)(b) substituted (31.12.2020 immediately before IP completion day) by [The Common Organisation of the Markets in Agricultural Products \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2020 \(S.I. 2020/1453\)](#), regs. 1(2)(b), **14(17)(a)(iii)**
- F4** Words in reg. 7(3)(c) substituted (31.12.2020 immediately before IP completion day) by [The Common Organisation of the Markets in Agricultural Products \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2020 \(S.I. 2020/1453\)](#), regs. 1(2)(b), **14(17)(b)(ii)**
- F5** Words in reg. 7(3)(c) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Common Organisation of the Markets in Agricultural Products \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2020 \(S.I. 2020/1453\)](#), regs. 1(2)(b), **14(17)(b)(i)**

Commencement Information

- I1** Reg. 7 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

Marginal Citations

- M1** Available from: https://www.wto.org/english/tratop_e/region_e/region_art24_e.htm. A hard copy is available for inspection free of charge at the offices of DEFRA at Seacole Building, 2 Marsham Street, London SW1P 4DF.

Changes to legislation:

There are currently no known outstanding effects for the The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019, Section 7.