
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 3

Poultrymeat

Amendment of Commission Regulation (EC) No 543/2008

8.—(1) Commission Regulation (EC) No 543/2008 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the marketing standards for poultrymeat is amended as follows.

(2) In Article 1—

- (a) in the words before paragraph 1, for “Article 121(e)(ii) of Regulation (EC) No 1234/2007” substitute “Article 75(1)(g) of Regulation (EC) No 1308/2013”;
- (b) in paragraph 1(a), in the fourth indent, for “Member States may apply Article 12” substitute “Article 12 may be applied”;
- (c) in paragraph 2, in the last subparagraph, for the words from “Article 1(3)(a)” to the end substitute “Article 2(2)(j) of Regulation (EU) No 1169/2011”.

(3) In Article 2—

- (a) in point (c), for “Article 1(3)(b) of Directive 2000/13/EC” substitute “Article 2(2)(e) of Regulation (EU) No 1169/2011”;

(b) after point (f) insert—

“(g) ‘third country’ means any country or territory other than—

- (i) the United Kingdom,
- (ii) the Bailiwick of Guernsey,
- (iii) the Bailiwick of Jersey, or
- (iv) the Isle of Man;

(h) ‘relevant authority’ means:

- (i) in relation to England, the Secretary of State,

- ^{F1}(ii)
- (ii) in relation to Scotland, the Scottish Ministers,
- (iii) in relation to Wales, the Welsh Ministers;
- (i) ‘national reference laboratory’ means a laboratory designated in accordance with Article 100 of Regulation (EU) 2017/625.”.
- (4) In Article 3(5)—
- (a) in the words before point (a)—
- (i) for “adopted in accordance with Directive 2000/13/EC” substitute “ made in accordance with Regulation (EU) No 1169/2011 ”;
- (ii) for “within the meaning of Article 13(1)(b) of that Directive” substitute “ referred to in Article 8(7) of that Regulation ”;
- (b) omit point (a);
- (c) in point (b), for the words from “point III(2)” to “1234/2007” substitute “ points 2(2) to (4) of Part 5 of Annex 7 to Regulation (EU) No 1308/2013 ”.
- (5) In Article 4(1)—
- (a) the existing text becomes the first subparagraph;
- (b) in that subparagraph, in the words before the first indent—
- (i) for “Article 3(1)(1) of Directive 2000/13/EC” substitute “ Article 9(1)(a) of Regulation (EU) No 1169/2011 ”;
- (ii) omit the words from “and the” to “to this Regulation”;
- (c) after that subparagraph insert—
- “The terms referred to in the first subparagraph must appear in English, but may also appear in any other language.”.
- (6) In Article 5—
- [^{F2}(a) in paragraph 1, for “the Community” substitute “Great Britain”];
- (b) in paragraph 2, for “Directive 2000/13/EC” substitute “ Regulation (EU) No 1169/2011 ”;
- (c) in paragraph 3, for “Article 10 of Directive 2000/13/EC” substitute “ Article 24 of Regulation (EU) No 1169/2011 ”;
- (d) in paragraph 4—
- (i) omit point (a);
- (ii) in point (c), for the words from “point III(2)” to “1234/2007” substitute “ point 3 of Part 5 of Annex 7 to Regulation (EU) No 1308/2013 ”;
- (e) in paragraph 5, for “Article 14 of Directive 2000/13/EC” substitute “ Article 44 of Regulation (EU) No 1169/2011 ”.
- (7) In Article 6, for the words from “point II(3)” to “1234/2007” substitute “ point 2(3) of Part 5 of Annex 7 of Regulation 1308/2013 ”.
- (8) In Article 9—
- (a) in paragraph 1, omit the words from “may be” to “The pre-packages”;
- (b) omit paragraph 13;
- (c) at the end insert—

“14. For the purposes of this Article, Directive [76/211/EEC^{MI}](#) is to be read in accordance with paragraphs 15 to 17.

15. “Third country” has the meaning set out in Article 2(g).

16. Annex 1 is to be read as if:

- (a) in paragraph 4:
 - (i) in the fifth subparagraph, for the words from “departments in” to “departments” there were substituted “ authority and if he holds at the disposal of the competent authority ”;
 - (ii) in the sixth subparagraph, for “non-EEC” there were substituted “ third ”;
- (b) in paragraph 5:
 - (i) in the heading:
 - (aa) for “departments” there were substituted “ authority ”;
 - [^{F3}(bb) for “the Community” there were substituted “Great Britain”];
 - (ii) in the first subparagraph:
 - (aa) for “departments of the Member States” there were substituted “ authority ”;
 - [^{F4}(bb) for “the Community” there were substituted “Great Britain”];
 - (iii) in the third and fourth subparagraphs “used by a Member State” were omitted;
- (c) in paragraph 6:
 - (i) in the heading, for “departments” there were substituted “ authority ”;
 - (ii) in the first subparagraph, for “departments of the Member States” there were substituted “ authority ”.

17. Annex 2 is to be read as if, in paragraph 1, the third subparagraph were omitted.”.

(9) In Article 10—

- (a) the existing text becomes the first paragraph;
- (b) in that paragraph—
 - (i) omit the words from “and the” to “Annex III”;
 - (ii) for “Article 1(3)(a) of Directive [2000/13/EC](#)” substitute “ Article 2(2)(j) of Regulation (EU) No 1169/2011 ”;
- (c) after that paragraph insert—

“The terms referred to in the first paragraph must appear in English, but may also appear in any other language.”.

(10) In Article 11—

- (a) in paragraph 1—
 - (i) omit the words from “and the” to “Annex IV”;

- (ii) for “Article 1(3)(a) of Directive 2000/13/EC” substitute “Article 2(2)(j) of Regulation (EU) No 1169/2011;
 - (iii) at the end insert the following subparagraph—
 - “The terms referred to in the first subparagraph must appear in English, but may also appear in any other language.”.
 - (b) in paragraph 3—
 - (i) omit “national”;
 - (ii) omit the words from “which are applicable” to the end;
 - (c) omit paragraphs 4 and 5.
- (11) In Article 12—
- (a) in paragraph 1(a), omit “of the Member State”;
 - (b) in paragraph 6, for the words from “Each” to “Commission” substitute “ The relevant authority must make available ”.
- (12) In Article 13—
- (a) for “Article 121(e)(v) of Regulation (EC) 1234/2007” substitute “ Article 75(3)(g) of Regulation (EU) No 1308/2013 ”;
 - (b) for “Member States” substitute “ relevant authority ”;
 - (c) for “authorities of the Member State concerned” substitute “ authority ”.
- (13) In Article 14—
- (a) in the second paragraph, for “Commission” substitute “ relevant authority ”.
 - (b) after the second paragraph insert—
 - “The requirement in the first paragraph applies to products entering the United Kingdom from the European Union only on or after the period of 12 months beginning on the day on which [^{F5}IP completion day] falls.”.
- (14) In Article 15—
- (a) in paragraph 1—
 - (i) omit “and Article 17(3)”;
 - [^{F6}(ii) for “the Community” substitute “Great Britain”];
 - (b) in paragraph 2, for “authorities designated by each Member State” substitute “ authority ”.
- (15) In Article 16—
- (a) in paragraph 2, omit “of the Member State”;
 - (b) in paragraph 3—
 - (i) in the first subparagraph, for “authorities”, in both places it occurs, substitute “ authority ”;
 - (ii) in the second subparagraph, for “They” substitute “ The competent authority ”;
 - (c) in paragraph 5—
 - (i) after “in the” insert “ national ”;
 - (ii) omit “of the Member State” in both places that it appears;
 - (d) in paragraph 6—
 - (i) in the first subparagraph—
 - (aa) for “within the Community” substitute “ in [^{F7}Great Britain] ”;

- (bb) for the words from “at least” to the end substitute “the words ‘water content exceeds UK limit’”;
 - (ii) in the second subparagraph, for “within the Community” substitute “ in [^{F8}Great Britain] ”.
- (16) Omit Article 17.
- (17) In Article 18—
- (a) in paragraph 1—
 - (i) in the first subparagraph—
 - (aa) for the words from “authorities” to “respective” substitute “ authority must inform the ”;
 - (bb) for “15, 16 and 17” substitute “ 15 and 16 ”;
 - (ii) in the second subparagraph—
 - (aa) for “laboratories shall notify the Commission” substitute “ laboratory must notify the relevant authority ”;
 - (bb) omit the second sentence;
 - (b) in paragraph 2—
 - (i) in the first sentence—
 - (aa) for “Member States” substitute “ relevant authority ”;
 - (bb) for “15, 16 and 17” substitute “ 15 and 16 ”;
 - (ii) omit the second and third sentences.
- (18) In Article 20—
- [^{F9}(a) in paragraph 1, for “the Community” substitute “Great Britain”];
 - (b) in paragraph 2, for “authorities designated by each Member State” substitute “ authority ”.
- (19) Omit Article 20a.
- (20) After Article 22, omit the words from “This Regulation” to “Member States.”.
- (21) Omit Annexes 1, 3 and 4.
- (22) In Annex 5, in point (e), in the second subparagraph, for “Community law” substitute “ retained direct EU legislation ”.
- (23) In Annexes 7 and 8, in paragraph 3, for “Council” substitute “ relevant authority ”.
- (24) Omit Annexes 10 and 11.

Textual Amendments

- F1** Words in reg. 8(3)(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(18)(a)**
- F2** Reg. 8(6)(a) 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(18)(b)**
- F3** Words in reg. 8(8)(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(18)(c)(i)**

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 8. (See end of Document for details)

- F4** Words in reg. 8(8)(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(18)(c)(ii)**
- F5** Words in reg. 8(13)(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(18)(d)**
- F6** Reg. 8(14)(a)(ii) 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(18)(e)**
- F7** Words in reg. 8(15)(d)(i)(aa) 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(18)(f)(i)**
- F8** Words in reg. 8(15)(d)(ii) 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(18)(f)(ii)**
- F9** Reg. 8(18)(a) 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(18)(g)**

Commencement Information

- I1** Reg. 8 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** OJ No L 46, 21.2.1976, p 1, as last amended by Directive 2007/45/EC of the European Parliament and of the Council (OJ No L 247, 21.9.2007, p 17).

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 8.