
STATUTORY INSTRUMENTS

2019 No. 464

EXITING THE EUROPEAN UNION

AGRICULTURE

FOOD

The Sprouts and Seeds (Amendment)
(EU Exit) Regulations 2019

<i>Sift requirements satisfied</i>	<i>19th February 2019</i>
<i>Made</i> - - - -	<i>4th March 2019</i>
<i>Laid before Parliament</i>	<i>7th March 2019</i>
<i>Coming into force in accordance with regulation 1</i>	

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018⁽¹⁾

The requirements of paragraph 3(2). Of Schedule 7 to that Act (relating to the appropriate Parliamentary procedure for these Regulations have been satisfied.

As required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety there has been open and transparent public consultation during the preparation of these Regulations

PART 1

Introduction

Citation and commencement

1. These Regulations may be cited as the Sprouts and Seeds (Amendment) (EU Exit) Regulations 2019 and come into force on exit day.

PART 2

Amendment of retained direct EU legislation

Amendment of Commission Implementing Regulation (EU) No. 208/2013

2. Commission Implementing Regulation (EU) No. 208/2013 on traceability requirements for sprouts and seeds intended for the production of sprouts is amended as follows.

3. In Article 1, in the final subparagraph, for “European Union legislation”, substitute “retained EU law”.

4. In Article 4, for “Union”, substitute “United Kingdom”.

5. After Article 5, omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.

Amendment of Commission Regulation (EU) No. 210/2013

6. Commission Regulation (EU) No. 210/2013 on the approval of establishments producing sprouts pursuant to Regulation (EC) No. 852/2004 of the European Parliament and of the Council is amended as follows.

7. After Article 3, omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.

Amendment of Commission Regulation (EU) No. 211/2013

8. Commission Regulation (EU) No. 211/2013 on certification requirements for imports into the Union of sprouts and seeds intended for the production of sprouts is amended as follows.

9. In Article 1—

- (a) where it first occurs, for “Union”, substitute “United Kingdom”;
- (b) for “European Union legislation” substitute “retained EU law”.

10. In Article 2, after point (b), insert “(c) “third country” means a country or state other than the United Kingdom.”.

11. In Article 3, in paragraph 1—

- (a) in the opening words, for “Union”, substitute “United Kingdom”;
- (b) for the second subparagraph, substitute —

“The certificate and, when applicable, the results of microbiological testing on Enterobacteriaceae as referred to in paragraph 4 of this article, must be drawn up in English, or in English and Welsh.”.

12. After Article 5, omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.

13. In the Annex—

- (a) after the heading to model certificate, for “Certificate to EU”, substitute “Certificate to the United Kingdom”;
- (b) in the Notes to the Certificate, in Part 1, at the third indent, for “European Union”, substitute “United Kingdom”.

Signed by the authority of the Secretary of State for Health and Social Care.

4th March 2019

Steve Brine
Parliamentary Under-Secretary of State,
Department of Health and Social Care

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to legislation relating to the safety of food. Part 2 amends retained direct EU legislation for the whole of the United Kingdom.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the public, private or voluntary sector is foreseen.