
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Spirit Drinks Regulations 2008 ([S.I. 2008/3206](#)), the Wine Regulations 2011 ([S.I. 2011/2936](#)) and the European Union Withdrawal (Consequential Modifications) (EU Exit) Regulations 2020 ([S.I. 2020/1447](#)).

Regulation 2 makes amendments to the Spirit Drinks Regulations 2008 in relation to the enforcement of [Commission Regulation \(EC\) No 936/2009](#) applying the agreements between the European Union and third countries on the mutual recognition of certain spirit drinks (OJ No. L 264, 8.10.2009, p. 5). This includes an amendment making the contravention of Article 1 of [Commission Regulation \(EC\) No 936/2009](#) an offence (regulation [2\(3\)](#)).

Regulation 3 makes amendments to the Wine Regulations 2011 in relation to the enforcement of [Commission Regulation \(EC\) No 1416/2006](#) laying down specific rules on the implementation of Article 7(2) of the Agreement between the European Community and the United States of America on trade in wine concerning the protection of US names of origin in the Community (OJ No. L 267, 27.9.2006, p. 22). This includes an amendment making the contravention of the first sentence of Article 1 of [Commission Regulation \(EC\) No 1416/2006](#), as read with regulation 6A(2) of the Wine Regulations 2011 (inserted by regulation [3\(5\)](#)), an offence (regulation [3\(11\)\(a\)](#)).

Regulation 4 makes amendments to the European Union Withdrawal (Consequential Modifications) (EU Exit) Regulations 2020 to exclude non-ambulatory references in legislation which relates to direct payments from the interpretative provision in the new paragraph 2A of Schedule 8 to the European Union (Withdrawal) Act 2018 ([c. 16](#)). This maintains the existing position regarding such references.

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