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STATUTORY INSTRUMENTS

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**2020 No. 1637**

The Agricultural Products, Food and Drink  
(Amendment etc.) (EU Exit) Regulations 2020

PART 5

Amendment of retained direct EU legislation

**Commission Delegated Regulation (EU) No 664/2014**

**22.**—(1) Commission Delegated Regulation (EU) No 664/2014 supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to the establishment of the Union symbols for protected designations of origin, protected geographical indications and traditional specialities guaranteed and with regard to certain rules on sourcing, certain procedural rules and certain additional transitional rules is amended as follows.

(2) Before Article 1 insert—

*“Article A1*

*Definition of ‘third country’*

In this Regulation ‘third country’ means any country, other than the United Kingdom, and includes:

- (a) the Bailiwick of Guernsey;
- (b) the Bailiwick of Jersey;
- (c) the Isle of Man.”.

(3) In Article 2—

- (a) for the heading substitute—  
“Article 2

*Symbols”;*

- (b) omit “Union”;
- (c) after the existing paragraph insert—

“In Part A of the table in the Annex:

- (a) the symbol which is designed to publicise protected designations of origin for products marketed under that designation is established as it appears in the first column of that table;
- (b) the symbol which is designed to publicise protected geographical indications for products marketed under that designation is established as it appears in the second column of that table;

- (c) the symbol which is designed to publicise traditional specialities guaranteed for products marketed under that designation is established as it appears in the third column of that table.

In Part B of the table in the Annex, each of the symbols which appears in Part A of that table is set out in the corresponding form in which it may be reproduced in black and white.”

- (4) Omit Article 4.
- (5) In Article 5—
  - (a) at the beginning insert “In the case of an application to which Article 49(5) of Regulation (EU) No 1151/2012 applies,”;
  - (b) omit “of the Member State or”;
  - (c) for “Commission” substitute “Secretary of State”;
  - (d) omit “of a Member State or”.
- (6) Article 6 is amended in accordance with paragraphs (7) to (12).
- (7) In paragraph 1, in the third and fourth subparagraphs, for “Commission” substitute “Secretary of State”.
- (8) In paragraph 2—
  - (a) in the first subparagraph—
    - (i) in the first sentence, for the words from “authorities” to “relates to” substitute “Secretary of State”;
    - (ii) in the second sentence, for the words from “authorities” to “established” substitute “Secretary of State”;
    - (iii) in the third sentence—
      - (aa) after “a product specification” insert “concerning products originating in the United Kingdom”;
      - (bb) for “Member State” substitute “Secretary of State”;
    - (iv) for the fourth sentence substitute—
 

“Applications for a minor amendment to a product specification concerning products originating in the United Kingdom must be submitted by a group having a legitimate interest.”;
    - (v) in the fifth sentence, for “Commission” substitute “Secretary of State”;
  - (b) in the third and fourth subparagraphs, for “Commission” substitute “Secretary of State”;
  - (c) for the fifth subparagraph substitute—
 

“After making a decision in relation to an application under this paragraph, the Secretary of State must publish in such manner as appears appropriate to the Secretary of State:

    - (a) a notice:
      - (i) informing the applicant and the public of the decision made under this paragraph in relation to the application and the reasons for that decision, and
      - (ii) providing information about the right to appeal under Article 54a of Regulation (EU) No 1151/2012 against the decision and the period within which an appeal may be made, and
    - (b) where the application is approved, a copy of the amended product specification.

The publication obligations imposed on the Secretary of State by the previous subparagraph also apply in the case of an application that is tacitly approved by virtue of the third subparagraph.”.

- (9) In paragraph 3—
  - (a) in the first subparagraph—
    - (i) after “public authorities” insert “of a third country”;
    - (ii) after “competent authorities” insert “of a third country (‘third country temporary amendments’)”;
  - (b) number the second subparagraph as paragraph 3a.
- (10) In paragraph 3a (as numbered by paragraph (9)(b))—
  - (a) omit the second and third sentences;
  - (b) for “Temporary amendments concerning products originating in third countries” substitute “They”;
  - (c) for the words from “Member States shall publish” to “third countries the” substitute “The”;
  - (d) omit “Member States and”;
  - (e) omit the last sentence;
  - (f) for “Commission”, in each place it occurs in the remaining text, substitute “Secretary of State”.
- (11) After paragraph 3a (as numbered by paragraph (9)(b)) insert—

“**3b.** The Secretary of State must publish a notice, in such manner as appears appropriate to the Secretary of State from time to time, providing the public with details of a third country temporary amendment and the period during which that temporary amendment is to apply.”.
- (12) After paragraph 3b (as numbered by paragraph (9)(b)) insert the new paragraphs 4 to 4o in Part 1 of Schedule 5.
- (13) Omit Article 7(2).
- (14) Omit Articles 8 and 9.
- (15) In Article 10 omit the second paragraph.
- (16) After Article 10 omit the words from “This Regulation” to “States.”.
- (17) For the Annex substitute the Annex in Part 2 of Schedule 5.