

SCHEDULE 8

Commission Delegated Regulation (EU) 2019/33: new provisions

PART 5

New Article 61

“Article 61

Transitional measures

1. Without prejudice to Article 41 of the EU withdrawal agreement, products to which paragraphs 2 and 3 apply may be marketed until stocks are exhausted.
2. This paragraph applies to grapevine products that:
 - (a) were labelled in the United Kingdom but not placed on the market in the United Kingdom or a member State before 14th January 2019,
 - (b) do not comply with the requirements in force under this Regulation, and
 - (c) comply with the requirements of Regulation 607/2009 as those requirements had effect immediately before Regulation 607/2009 was repealed by EU Regulation 2019/33.
3. This paragraph applies to grapevine products that:
 - (a) were labelled in the United Kingdom but not placed on the market in the United Kingdom or a member State before IP completion day,
 - (b) do not comply with the requirements in force under this Regulation, and
 - (c) comply with the requirements of EU Regulation 2019/33 as it had effect immediately before IP completion day.
4. Products to which paragraph 5 applies may be marketed:
 - (a) before the relevant day, and
 - (b) in relation to stocks of such products in existence immediately before the relevant day, on and after the relevant day until stocks are exhausted.
5. This paragraph applies to grapevine products that:
 - (a) were labelled without being placed on the market, in the United Kingdom on or after IP completion day and before the relevant day,
 - (b) do not comply with the requirements in force under this Regulation, and
 - (c) comply with the requirements of EU Regulation 2019/33 as it had effect immediately before IP completion day.
6. In this Article:
 - (a) ‘making available on the market’ has the meaning given in Article 40(a) of the EU withdrawal agreement;
 - (b) ‘placed on the market’ means the first making available on the market of a grapevine product;
 - (c) ‘the relevant day’ means the day that falls 21 months after the day on which IP completion day falls.”