
STATUTORY INSTRUMENTS

2021 No. 756

The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021

PART 2

Amendment of retained direct EU legislation

Commission Delegated Regulation (EU) 2017/891

4.—(1) Commission Delegated Regulation (EU) 2017/891 supplementing [Regulation \(EU\) No 1308/2013](#) of the European Parliament and of the Council with regard to the fruit and vegetables and processed fruit and vegetables sectors and supplementing [Regulation \(EU\) No 1306/2013](#) of the European Parliament and of the Council with regard to penalties to be applied in those sectors⁽¹⁾ is amended as follows.

(2) In Article 2(2)—

(a) in point (k), for “Member State” substitute “appropriate authority”;

(b) in point (l)—

(i) in point (i)—

(aa) omit “national”;

(bb) after “operational programmes” insert “as referred to in Article 36(2) of [Regulation \(EU\) No 1308/2013](#)”;

(ii) in points (ii) and (iii), for “national strategy” substitute “strategy as referred to in Article 36(2) of [Regulation \(EU\) No 1308/2013](#)”;

(c) after point (m), insert—

“(n) ‘constituent nation’ means England, Wales, Scotland or Northern Ireland, as the case may be;

(o) ‘public funds’ means moneys provided by Parliament, Senedd Cymru, the Scottish Parliament, the Northern Ireland Assembly or a body exercising public functions within the United Kingdom. References to ‘public funding’ are to be construed accordingly;

(p) ‘relevant authority’ means:

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

(ii) in relation to Wales, the Welsh Ministers;

⁽¹⁾ EUR 2017/891, amended by [S.I. 2020/1446](#). Under Article 138 of the withdrawal agreement (as defined in s39(1) of the European Union (Withdrawal Agreement) Act 2020 (c. 1)) and s7A of the European Union (Withdrawal) Act 2018 (c. 16) certain common organisation of the markets measures committed under the multiannual financial framework 2014-20 and previous financial perspectives continue to be governed by directly applicable EU law.

⁽²⁾ Article 2 was amended by [S.I. 2020/1446](#).

- (iii) in relation to Scotland, the Scottish Ministers;
 - (iv) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;
 - (q) ‘third country’ means any country or territory other than:
 - (i) the United Kingdom;
 - (ii) the Bailiwick of Jersey;
 - (iii) the Bailiwick of Guernsey;
 - (iv) the Isle of Man;
 - (r) ‘existing non-UK member’ means an ex-transnational producer organisation member:
 - (i) who was, immediately before IP completion day, a producer member of a transnational producer organisation within the meaning of Articles 2(b) and 2(d) (as they had effect immediately before IP completion day); and
 - (ii) at least one of whose holdings is situated in a European Union Member State;
 - (s) ‘ex-transnational producer organisation’ means a producer organisation that was, immediately before IP completion day, recognised in the United Kingdom as a transnational producer organisation within the meaning of Article 2(d) (as it had effect immediately before IP completion day).”
- (3) After Article 2, insert—

“Article 2A

Definition of appropriate authority

1. For the purposes of this Regulation, ‘appropriate authority’ means:
 - (a) in relation to England, the Secretary of State;
 - (b) in relation to Wales, the Welsh Ministers;
 - (c) in relation to Scotland, the Scottish Ministers;
 - (d) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs.
 2. But the appropriate authority is the Secretary of State:
 - (a) in relation to Scotland, at any time that the Secretary of State and the Scottish Ministers so agree;
 - (b) in relation to Northern Ireland, at any time that the Secretary of State and the Department of Agriculture, Environment and Rural Affairs so agree.
 3. The relevant authorities for Scotland and Northern Ireland must each ensure that a statement identifying the appropriate authority for their constituent nation is published on a website maintained by them or on their behalf.”
- (4) After Article 14(2)(3), insert—
- “(3) By way of derogation from paragraph 2, an existing non-UK member(4) of an ex-transnational producer organisation continues to be a producer member of such organisation

(3) Article 14 was amended by S.I. 2020/1446.

(4) A definition of “existing non-UK member” is inserted in Article 2(r) by regulation 4(2)(c).

until the end of the implementation of an ongoing operational programme that was being implemented by that organisation before IP completion day.”.

(5) After Article 14, insert—

“Article 14A

Head office of a producer organisation

1. The head office of a producer organisation must be located in the constituent nation in which the organisation achieves the majority of the value of marketed production calculated in accordance with Articles 22 and 23.

But the head office may be established in the constituent nation where the majority of producer members are located, if both the appropriate authority for that constituent nation and the appropriate authority for the constituent nation referred to in the first subparagraph consent.

2. Notwithstanding paragraph 1, the head office:

- (a) may not move to another constituent nation until the end of the implementation of an ongoing operational programme; and
- (b) may be maintained in a particular constituent nation for as long as the appropriate authority for that constituent nation and the appropriate authorities referred to in paragraph 1 consent.

3. The appropriate authority for the constituent nation in which the head office of the producer organisation is located:

- (a) may:
 - (i) subject to paragraph 4, approve the producer organisation’s operational programme;
 - (ii) grant financial assistance in accordance with Articles 32(1)(b) and 34 of [Regulation \(EU\) No 1308/2013](#);
- (b) must:
 - (i) organise checks on the producer organisation and apply any administrative penalties in accordance with Article 34A of Regulation (EU) 2017/892; and
 - (ii) provide, on the request of the appropriate authority for a constituent nation in which members are located, all relevant documentation.

4. Notwithstanding paragraph 3(a)(i), where the producer organisation is implementing an operational programme at the time of applying for a new operational programme, the appropriate authority that may approve the new programme is the appropriate authority for the constituent nation in which the producer organisation will have its head office at the time that the new programme will be implemented, to be determined in accordance with paragraphs 1 and 2 on the basis of the new operational programme.”.

(6) In Article 15(2), for “Member States” substitute “the appropriate authority or authorities (as the case may be)”.

(7) In Article 16(4)(a)(5)—

- (a) after “contained in an”, insert “ongoing”;
- (b) after “programme that was”, insert “being”.

(8) Before the heading “Chapter II Operational funds and operational programmes”, insert—

“Article 21A

Head office of an association of producer organisations

1. The head office of an association of producer organisations must be located in the constituent nation in which the member producer organisations achieve the majority of the value of marketed production calculated in accordance with Articles 22 and 23

But the head office may be established in the constituent nation where the majority of member producer organisations are located, if both the appropriate authority for that constituent nation and the appropriate authority for the constituent nation referred to in the first subparagraph consent.

2. Notwithstanding paragraph 1, the head office:

- (a) may not move to another constituent nation until the end of the implementation of an ongoing operational programme; and
- (b) may be maintained in a particular constituent nation for as long as the appropriate authority for that constituent nation and the appropriate authorities referred to in paragraph 1 consent.

3. The appropriate authority for the constituent nation in which the head office of the association of producer organisations is located:

- (a) may:
 - (i) subject to paragraph 4, approve the association’s operational programme;
 - (ii) grant financial assistance in accordance with Articles 32(1)(b) and 34 of [Regulation \(EU\) No 1308/2013](#);
- (b) must:
 - (i) organise checks on the association of producer organisations and apply any administrative penalties in accordance with Article 34B of Regulation (EU) 2017/892; and
 - (ii) provide, on the request of the appropriate authority for a constituent nation in which members are located, all relevant documentation.

4. Notwithstanding paragraph 3(a)(i), where the association of producer organisations is implementing an operational programme at the time of applying for a new operational programme, the appropriate authority that may approve the new programme is the appropriate authority for the constituent nation in which the association will have its head office at the time that the new programme will be implemented, to be determined in accordance with paragraphs 1 and 2 on the basis of the new operational programme.”.

(9) In Article 23(6)—

- (a) in the heading, omit “Union”;
- (b) in paragraph 1, in the first subparagraph, for “Member States” substitute “The appropriate authority”;
- (c) in paragraph 2, omit “Union”;
- (d) omit paragraph 3;
- (e) in paragraph 4—
 - (i) in the first subparagraph, for “competent authority of the Member State concerned” substitute “appropriate authority”;

- (ii) in the second subparagraph, for “competent authority of the Member State concerned”, substitute “appropriate authority and the Secretary of State (when the Secretary of State is not the appropriate authority)”.
- (10) In Article 24—
 - (a) for “Member States shall ensure that producer organisations comply” substitute “The appropriate authority for the constituent nation in which a producer organisation has its head office must ensure that the producer organisation complies”;
 - (b) for “national standards of cost-based accounting” substitute “standards of cost-based accounting applicable in the constituent nation concerned”.
- (11) In Article 26(1)—
 - (a) in the first subparagraph—
 - (i) for “Member State, which has granted the recognition,” substitute “appropriate authority for the constituent nation in which their head office is located”;
 - (ii) omit “Union”;
 - (iii) after “financial assistance” insert “referred to in Articles 32(1)(b) and 34 of [Regulation \(EU\) No 1308/2013](#)”;
 - (b) in the second subparagraph, for “Member States may set” substitute “nothing in this Regulation prevents the appropriate authority from setting”.
- (12) In Article 27—
 - (a) for the heading, substitute “**Strategy**”;
 - (b) in paragraph 1—
 - (i) omit “national” in each place it occurs;
 - (ii) in the first subparagraph, omit the words from “after having”, in the first place it occurs, to the end;
 - (c) for paragraph 2 substitute—

“**2.** In addition to the elements referred to in Article 36(2) of [Regulation \(EU\) No 1308/2013](#), the strategy must integrate all the decisions taken and provisions adopted for the purposes of Articles 152 to 163 of that Regulation that apply in the constituent nation concerned”;
 - (d) in paragraph 3—
 - (i) for the first subparagraph substitute—

“**3.** The relevant authority must carry out an analysis of the initial situation as part of the process of drawing up the strategy.”;
 - (ii) in the second and third subparagraphs, for “It” substitute “This analysis”;
 - (e) in paragraph 4—
 - (i) in the first subparagraph, for “Member States” substitute “The relevant authority”;
 - (ii) omit “national” in both places it occurs;
 - (f) in paragraph 5—
 - (i) for “Member States” substitute “The relevant authority”;
 - (ii) omit “national”.
- (13) Omit Article 28.
- (14) In Article 29—

- (a) in the heading, omit “Member State”;
 - (b) for “Member States may adopt” substitute “Nothing in this Regulation prevents the appropriate authority from adopting”.
- (15) In Article 30—
- (a) in paragraph 1—
 - (i) in the first subparagraph—
 - (aa) for “Member State’s” substitute “relevant authority’s”;
 - (bb) for “that Member State” substitute “the appropriate authority for the constituent nation concerned”;
 - (ii) in the second subparagraph—
 - (aa) for “a Member State” substitute “the relevant authority”;
 - (bb) for “national strategy” substitute “strategy referred to in Article 36(2) of [Regulation \(EU\) No 1308/2013](#)”;
 - (b) in paragraph 2, for “Member State concerned” substitute “appropriate authority”;
 - (c) in paragraph 4, for “national strategy” substitute “strategy referred to in Article 36(2) of [Regulation \(EU\) No 1308/2013](#)”;
 - (d) in paragraph 6, for “Member States” substitute “the appropriate authorities”.
- (16) In Article 31(7)—
- (a) in paragraph 2, omit the words from “However” to the end;
 - (b) omit paragraph 3;
 - (c) in paragraph 5—
 - (i) in the first subparagraph, in point (b), for “national property rules” substitute “property rules as they apply in the relevant constituent nation”;
 - (ii) in the second subparagraph—
 - (aa) for “Member States” substitute “the appropriate authority”;
 - (bb) for “their national strategy” substitute “the strategy referred to in Article 36(2) of [Regulation \(EU\) No 1308/2013](#)”;
 - (d) in paragraph 6—
 - (i) in the first subparagraph, for “Member States” substitute “The appropriate authority”;
 - (ii) in the fourth subparagraph—
 - (aa) for “the Union” substitute “any European Union”;
 - (bb) after “(EAGF)” insert “and any aid paid to finance the investment from public funds shall be recovered by or on behalf of the relevant authority or authorities that provided the aid, in both cases”;
 - (iii) for the fifth subparagraph, substitute—

“The obligations to recover any aid paid from public funds under the fourth subparagraph do not apply to investments that are financed under an operational programme implemented by an ex-transnational producer organisation, provided that:

- (a) the investment was financed under an operational programme that was being implemented by the ex-transnational producer organisation immediately before IP completion day; and
 - (b) the investment was carried over to a subsequent operational programme because the fiscal depreciation period of the investment exceeded the length of the operational programme being implemented immediately before IP completion day.”;
 - (e) in paragraph 7, in the second and third subparagraphs, for “Member States” substitute “the appropriate authority”;
 - (f) in paragraphs 8 and 9, omit “national”.
- (17) In Article 32(1)—
- (a) for “Member States may authorise that producer members of associations of producer organisations” substitute “Associations of producer organisations may make provision in their members’ agreements and statutes for producer members”;
 - (b) before “finance” insert “to”.
- (18) In Article 33—
- (a) in paragraph 1, for “Member States” substitute “The appropriate authority”;
 - (b) in paragraph 2, for “Member States”, in both places it occurs, substitute “The appropriate authority”.
- (19) In Article 34—
- (a) in paragraph 1—
 - (i) in the first subparagraph, for “Member States” substitute “The appropriate authority”;
 - (ii) in the second subparagraph, for “Member States” substitute “the appropriate authority”;
 - (b) in paragraph 2—
 - (i) in the first subparagraph—
 - (aa) for “Member States” substitute “The appropriate authority”;
 - (bb) for “them” substitute “the appropriate authority”;
 - (ii) in the second subparagraph—
 - (aa) in the words before point (a), for “Member States” substitute “the appropriate authority”;
 - (bb) in point (c), for “percentage to be fixed by Member States” substitute “maximum of 25%”;
 - (cc) in point (d), for “national” substitute “additional”;
 - (iii) in the third subparagraph—
 - (aa) for “Member States” substitute “The appropriate authority”;
 - (bb) for “the competent”, in both places it occurs, substitute “that appropriate”;
 - (cc) omit “of the Member State”;
 - (iv) in the fourth subparagraph, for “Member States” substitute “The appropriate authority”.
- (20) In Article 35—
- (a) in paragraph 1—

- (i) in the first subparagraph—
 - (aa) for “Member States may permit producer organisations to apply” substitute “A producer organisation may apply to the appropriate authority for the constituent nation in which the producer organisation has its head office”;
 - (bb) for “three or four-month period” substitute “quarter”;
- (ii) for the second subparagraph substitute—

“A producer organisation applying for an advance payment must demonstrate to the satisfaction of the appropriate authority, and the appropriate authority must verify, that:

 - (a) financial contributions to the producer organisation’s operational fund have been levied and paid in accordance with Articles 24 and 25;
 - (b) the corresponding producer organisation contribution has actually been spent; and
 - (c) any previous advance payments received by the producer organisation have actually been spent.”;
- (b) after paragraph 3, insert—

“4. In this Article ‘quarter’ means a period of three months ending with the last day of March, June, September or December.”.
- (21) In Article 36—
 - (a) in paragraph 2(b)—
 - (i) for “Union” substitute “European Union”;
 - (ii) after “EAGF” insert “and any aid paid to finance those investments from public funds shall be recovered by or on behalf of the relevant authority or authorities that provided the aid”;
 - (b) in paragraph 3—
 - (i) for “Union” substitute “European Union”;
 - (ii) at the end insert the following subparagraph—

“Any aid paid from public funds for multiannual commitments, such as environmental actions, where their long term objectives and expected benefits cannot be realised because of the interruption of the measure shall be recovered by or on behalf of the relevant authority or authorities that provided the aid.”.
 - (c) omit paragraph 6(8).
- (22) Omit Article 37.
- (23) Omit Section 2 of Chapter III of Title II.
- (24) In Article 40—
 - (a) for paragraph 1, substitute—

“1. A producer organisation may apply for support for the administrative cost of setting up mutual funds and the replenishment of mutual funds, as referred to in point (d) of the first subparagraph of Article 33(3) of [Regulation \(EU\) No 1308/2013](#).”;
 - (b) in paragraph 2—
 - (i) omit “referred to in paragraph 1”;

- (ii) omit “Union”;
 - (iii) after “financial assistance” insert “referred to in Articles 32(1)(b) and 34 of [Regulation \(EU\) No 1308/2013](#)”;
 - (c) in paragraph 3, omit “referred to in paragraph 1”;
 - (d) in paragraph 4, for “Member States may fix” substitute “Nothing in this Regulation prevents the appropriate authority from fixing”.
- (25) Omit Sections 4 to 6 of Chapter III of Title II.
- (26) In Article 51—
- (a) for paragraph 1, substitute—

“1. Harvest insurance actions must be managed by the producer organisation. Harvest insurance actions do not have to cover all of the members of the producer organisation, and can be targeted at specific producer members.

Harvest insurance actions are not permitted to cover contracts of insurance that are not effected and carried out as principal by an authorised person in accordance with the Financial Services and Markets Act 2000(9).”;
 - (b) in paragraph 2—
 - (i) in the first subparagraph—
 - (aa) for “Member States” substitute “The appropriate authority for the constituent nation in which the producer organisation has its head office”;
 - (bb) omit “national”;
 - (ii) in the second subparagraph, omit “Union”.
- (27) Omit Section 8 of Chapter III of Title II.
- (28) In the heading of Chapter IV, for “National” substitute “Additional”.
- (29) In Article 52—
- (a) in the heading, for “national” substitute “additional”;
 - (b) omit paragraphs 1 and 2;
 - (c) in paragraph 3—
 - (i) for “region” substitute “regions”;
 - (ii) for “national financial assistance” substitute “additional financial assistance referred to in Article 35 of [Regulation \(EU\) No 1308/2013](#)”;
 - (d) in paragraph 4—
 - (i) for the first subparagraph substitute—

“4. Regulations under Article 35(1) of [Regulation \(EU\) No 1308/2013](#) must specify the regions to which the regulations apply.

The regions must be a distinct part of the territory of the constituent nation concerned and data must be available in order to calculate the degree of organisation of producers in the fruit and vegetables sector in those regions.

The appropriate authority must determine the regions where the degree of organisation of producers in the fruit and vegetables sector is particularly low on the basis of objective and non-discriminatory criteria, such as those regions’—

- (a) agronomic and economic characteristics;
- (b) agricultural and fruit and vegetable potential; and
- (c) institutional or administrative structure.”;
- (ii) in the second subparagraph—
 - (aa) for “defined” substitute “specified”;
 - (bb) for “a Member State” substitute “such regulations”;
- (e) omit paragraph 5.
- (30) In Article 53, for “national” substitute “additional”.
- (31) For Article 54, substitute—

“Article 54

Publications concerning producer organisations and associations of producer organisations

Each appropriate authority must each ensure that the following information and documents are published on a website maintained by them or on their behalf, starting in 2022:

- (a) by 31 January each year:
 - (i) the total amount of the operational funds approved that year for operational programmes;
 - (ii) the total amount of financial assistance granted under Articles 32(1)(b) and 34 of [Regulation \(EU\) No 1308/2013](#) for that year;
 - (iii) the allocations of the amounts referred to in points (i) and (ii) between:
 - (aa) crisis prevention and management measures;
 - (bb) other measures;
- (b) by 15 November each year, an annual report on producer organisations and associations of producer organisations, and operational funds and operational programmes in operation during the previous year. This annual report must contain the information set out in Annex V to this Regulation.

Where the appropriate authorities agree, the information and documents may instead be published in respect of the United Kingdom as a whole.”.

- (32) In the heading of Section 2 of Chapter V, omit “national”.
- (33) In Article 56(1), for “national strategies” substitute “strategies referred to in Article 36(2) of [Regulation \(EU\) No 1308/2013](#)”.
- (34) In Article 57(3)—
 - (a) in the first subparagraph—
 - (i) after “report” insert “to be sent by the producer organisation or association of producer organisations concerned to the appropriate authority”;
 - (ii) omit “as referred in Article 21(4) of Implementing Regulation (EU) 2017/892”;
 - (b) in the last subparagraph for “Article 21” substitute “Article 9(2)(j)”.
- (35) In Article 58—
 - (a) omit “national” in each place it occurs (including the heading);
 - (b) in paragraph 1—
 - (i) for “Member States” substitute “Each appropriate authority”;
 - (ii) for “they” substitute “each appropriate authority”;

- (iii) at the end, insert “Where the appropriate authorities agree, the system may be a single system in respect of the United Kingdom as a whole.”;
 - (c) in paragraph 3, omit the second subparagraph.
- (36) In Article 59—
- (a) in paragraph 1(10), for “Member States” substitute “the appropriate authority”;
 - (b) in paragraph 7, for “Member States” substitute “the appropriate authorities”;
 - (c) in paragraph 8, for “Member State” substitute “appropriate authority”.
- (37) In Article 60—
- (a) in paragraph 1(11)—
 - (i) for “Member States” substitute “The appropriate authority”;
 - (ii) for “national authority” substitute “public authority within the United Kingdom”;
 - (b) in paragraph 2—
 - (i) in the words before point (a)—
 - (aa) for “Member States” substitute “the responsible authority”;
 - (bb) for “under Union and national legislation” substitute “in law”;
 - (ii) after point (c), insert—

“In this paragraph, the ‘responsible authority’ is the appropriate authority for the constituent nation in which the producer organisation has its head office in respect of actions under point (b), and the Secretary of State in respect of actions under points (a) and (c).”.
- (38) In Article 61(2), for “Member State” substitute “appropriate authority”.
- (39) Omit Articles 62 to 65.
- (40) In Article 67—
- (a) for paragraph 1(b) substitute—
 - “(b) at the following rates—
 - (i) if the undue payment was made from European Union funds, at the rate applied by the European Central Bank to its main refinancing operations published in the ‘C’ series of the *Official Journal of the European Union* and in force on the date on which the undue payment is made, plus three percentage points;
 - (ii) if the undue payment was made from public funds, at the Bank of England base rate in force on the date on which the undue payment is made, plus three percentage points.”;
 - (b) after paragraph 1 insert—

“1A. In paragraph 1, “Bank of England base rate” for any particular day means—

 - (a) except where point (b) applies, the rate as last announced at a meeting of the Monetary Policy Committee of the Bank of England held prior to that day as the official dealing rate, being the rate at which the Bank is willing to enter into transactions for providing short-term liquidity in the money markets; or

(10) Article 59(1) was amended by [S.I. 2020/1446](#).

(11) Article 60(1) was amended by [S.I. 2020/1446](#).

- (b) if an order under section 19 (reserve powers) of the Bank of England Act 1998(12) is in force, any equivalent rate determined by the Treasury under that section.”;
- (c) for paragraph 2 substitute—
 - “2. Payments recovered, and interest and penalties imposed in relation to aid paid from European Union funds must be paid to the EAGF. Payments recovered, and interest and penalties imposed in relation to aid paid from public funds must be paid to the relevant authority that provided the aid.”.
- (41) After Article 67, insert—

“Article 67A

Apportionment of recovered aid, interest and penalties

- 1. Aid paid from public funds that is recovered under this Regulation, together with any interest payable thereon in accordance with this Regulation, must be apportioned between the relevant authorities in accordance with the proportion of that aid that was provided by each authority.
- 2. Penalties imposed under this Regulation in relation to aid paid from public funds must be paid to the relevant authority for the constituent nation in which the head office of the producer organisation was located during the period to which the penalty relates.”.
- (42) Omit Articles 76 and 77.
- (43) In Article 78, for “competent authority of the Member State” substitute “appropriate authority”.
- (44) Omit Article 80.
- (45) After Article 81, omit the words from “This Regulation” to “Member States.”.
- (46) In Annex II—
 - (a) in point 14, for “national” substitute “applicable”;
 - (b) in point 15, omit “national or regional”.
- (47) In Annex III—
 - (a) in point 1, omit the third paragraph;
 - (b) in point 2(a)—
 - (i) in the first paragraph, for “Union financial assistance” substitute “financial assistance referred to in Articles 32(1)(b) and 34 of [Regulation \(EU\) No 1308/2013](#)”;
 - (ii) in the third paragraph—
 - (aa) for “Member States may restrict” substitute “Nothing in this Regulation prevents the appropriate authority from restricting”;
 - (bb) for “they” substitute “it”;
 - (c) in point 2(b)—
 - (i) in the first paragraph, for “Member States’ approval” substitute “approval by the appropriate authority”;
 - (ii) omit the third and fourth paragraphs;
 - (d) in point 3, omit the words from “, where applicable” to the end;

- (e) in point 4, omit the last paragraph;
 - (f) omit point 5;
 - (g) in point 7, for “Union or national support” substitute “support from European Union or public funds”;
 - (h) in point 8, for “Member State concerned” substitute “appropriate authority”;
 - (i) in point 9, for “Union or national support” substitute “support from European Union or public funds”;
 - (j) in point 10, for “Member State” substitute “appropriate authority”;
 - (k) omit point 12;
 - (l) in point 14, omit “, European”.
- (48) Omit Annex IV.
- (49) In the heading of Annex V, omit “of Member States”.
- (50) In Annex V, in Part A(13)—
- (a) omit point 1;
 - (b) in point 2—
 - (i) omit “, and producer groups”, in each place it occurs;
 - (ii) in point (e)—
 - (aa) omit “/groups”;
 - (bb) omit “/recognition plan”;
 - (c) in point 3—
 - (i) in point (a)—
 - (aa) omit “national”;
 - (bb) after “financial assistance” insert “referred to in Articles 32(1)(b), 34 and 35 of [Regulation \(EU\) No 1308/2013](#)”;
 - (ii) omit points (c) and (d);
 - (d) in point 4—
 - (i) in the words before point (a), omit “and recognition plans”;
 - (ii) omit point (b).
- (51) In Annex V, in Part B, in point (a), for “Member State” substitute “appropriate authority”.
- (52) In Annex VIII(14), for point 4(b), substitute—
- “(b) the total share of the voting rights exercisable by non-producer members must be no more than 20%.”.

(13) Part A of Annex V was amended by [S.I. 2020/1446](#).

(14) Annex VIII was inserted by [S.I. 2020/1446](#).