
STATUTORY INSTRUMENTS

2022 No. 1150

The Common Organisation of the Markets in
Agricultural Products (Amendment) Regulations 2022

PART 2

Amendment of retained direct EU legislation

CHAPTER 1

Amendment of retained direct EU legislation applying in relation to England and Wales

Council Regulation (EC) No 1234/2007

2. In Annex 14 of Council Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation)(1)—

(a) in part B, in point 1—

(i) in paragraph 2(a), for “the Community” substitute “Great Britain”;

(ii) in paragraph 3—

(aa) for “Member States may derogate from” substitute “Nothing in this Regulation prevents the relevant authority from using any power that authority has to provide that”;

(bb) after “of this Regulation” insert “do not apply”;

(cc) at the end, insert—

“The ‘relevant authority’ is—

(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.”;

(b) in Part C, in point 1—

(i) in the heading, after “Scope” insert “and definition of ‘third country’”;

(ii) in paragraph 1, for “the Community” substitute “Great Britain”;

(iii) after paragraph 2, insert—

“3. For the purposes of this Part, ‘third country’ means any country or territory other than—

(a) the United Kingdom;

(b) the Bailiwick of Guernsey;

(1) EUR 2007/1234, to which there are amendments not relevant to these Regulations; points 1(2) and (3) of Part B, and Part C, of Annex 14 are saved by Article 230(1)(c) of EUR 2013/1308 (which was itself amended by [S.I. 2019/1422](#)).

- (c) the Bailiwick of Jersey;
- (d) the Isle of Man.”.

Commission Regulation (EC) No 543/2008

3.—(1) [Commission Regulation \(EC\) No 543/2008](#) laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the marketing standards for poultrymeat⁽²⁾ is amended as follows.

(2) In Article 9(12)—

- (a) for the words from the beginning to “indications, the” substitute “The”;
- (b) at the end, insert “authorised by section 8(5A) of the Weights and Measures Act 1985⁽³⁾”.

(3) In Article 13, for “European Norm No EN/45011 of 26 June 1989” substitute “ISO/IEC 17065 (Requirements for bodies certifying products, processes and services)⁽⁴⁾”.

(4) In Article 20(4), for “Articles 17 and” substitute “Article”.

Regulation (EU) No 1308/2013 of the European Parliament and of the Council

4. In Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products⁽⁵⁾, in Annex 7, in Part 1, in point 6, in paragraph 5, for “European Standard EN 45011 or ISO/IEC Guide 65” substitute “ISO/IEC 17065 (Requirements for bodies certifying products, processes and services)”.

CHAPTER 2

Amendment of retained direct EU legislation applying to England only

Commission Regulation (EC) No 543/2008

5.—(1) [Commission Regulation \(EC\) No 543/2008](#) laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the marketing standards for poultrymeat is amended as follows.

(2) In Article 1, for “Article 75(1)(g) of Regulation (EC) No 1308/2013” substitute “the fourth paragraph (Poultry and poultrymeat) of Schedule 4 to the Agriculture Act 2020, excluding live poultry,”.

(3) In Article 13, for “Article 75(3)(g) of Regulation (EU) No 1308/2013” substitute “Article 11(1)”.

Commission Regulation (EC) No 617/2008

6. In Article 3(5) of [Commission Regulation \(EC\) No 617/2008](#) laying down detailed rules for implementing Regulation (EC) No 1234/2007 as regards marketing standards for eggs for hatching and farmyard poultry chicks⁽⁶⁾, omit “75(3),”.

(2) EUR 2008/543, amended by [S.I. 2019/1422](#); there are other amending instruments, but none is relevant.

(3) [1985 c. 72](#); sub-section (5A) was inserted into section 8 by [S.I. 1994/2867](#), amended by [S.I. 2001/55](#) and [S.I. 2009/3046](#).

(4) ISBN 978 0 580 78472 9. This international standard was published by the British Standards Institution on 31st October 2012.

(5) EUR 2013/1308; relevant amending instruments are [S.I. 2019/821](#) (which was itself amended by [S.I. 2020/1453](#)), [831](#).

(6) EUR 2008/617, amended by [S.I. 2019/1422](#).

Commission Implementing Regulation (EU) No 543/2011

7.—(1) Commission Implementing Regulation (EU) No 543/2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors⁽⁷⁾ is amended as follows.

- (2) In Article 3(2), omit “referred to in Article 75(1)(b) of Regulation (EU) No 1308/2013”.
- (3) In Article 8, for “Articles 75 and” substitute “Article”.
- (4) In Article 10(1), omit “pursuant to Article 75 of Regulation (EU) No 1308/2013”.
- (5) In Article 11(1), for “Articles 75 and” substitute “Article”.

Regulation (EU) No 1308/2013 of the European Parliament and of the Council

8.—(1) Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products is amended as follows.

- (2) In Article 76(1), omit “referred to in Article 75”.
- (3) In Article 80(1)—
 - (a) omit “point (g) of Article 75(3) and in”;
 - (b) after “and (3)” insert “and in Commission Delegated Regulation (EU) 2019/934 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards wine-growing areas where the alcoholic strength may be increased, authorised oenological practices and restrictions applicable to the production and conservation of grapevine products, the minimum percentage of alcohol for by-products and their disposal, and publication of OIV files⁽⁸⁾”.
- (4) In Article 83(1), for “Notwithstanding Article 75(2), nothing” substitute “Nothing”.
- (5) In Article 85—
 - (a) in paragraph 1, omit the words from “and the” to the end;
 - (b) in paragraph 2, omit “pursuant to Article 86”.
- (6) In Article 90(2), omit “pursuant to Article 80(3)”.
- (7) In Article 228(9), omit point (a).
- (8) In Annex 7—
 - (a) in Part 2—
 - (i) in point (1), in the second paragraph—
 - (aa) in point (c), omit the first indent;
 - (bb) in point (d), omit “, subject to derogations provided for under Article 75(2),”;
 - (ii) in point (3)—
 - (aa) in point (b), omit the words from “, except for” to the end;
 - (bb) in point (c), in the fourth indent omit the words from “or a mixture” to the end;
 - (cc) in point (d), omit the words from “, except for” to the end;
 - (dd) omit point (f);

(7) EUR2011/543, amended by S.I. 2019/822 (which was itself amended by S.I. 2020/1453); there are other amending instruments but none is relevant.

(8) EUR2019/934, amended by S.I. 2020/1637, 2021/632.

- (iii) in point (6)(a), for the words from “on any list” to the end substitute “set out in the list in the Appendix to Annex 2 to Regulation (EU) 2019/934”;
- (iv) in point (12), omit the second sentence;
- (v) in point (13), in the first paragraph omit the words from “used in” to “Article 91”;
- (vi) in point (14), in the first paragraph, in point (a)(i), omit the words from “used according” to “Article 91”;
- (b) in Part 6, in point 1(1), omit “Article 75 concerning”;
- (c) in Part 8—
 - (i) in point (1), in the second paragraph—
 - (aa) in point (a), for “accordance with Article 75(2)” substitute “Commission Regulation (EEC) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis⁽⁹⁾ and Commission Implementing Regulation (EU) No 29/2012 on marketing standards for olive oil⁽¹⁰⁾,”;
 - (bb) in points (b) and (c), for “accordance with Article 75(2)” substitute “Regulation (EEC) No 2568/91 and Regulation (EU) No 29/2012,”;
 - (ii) in points (2) to (6), for “accordance with Article 75(2)” substitute “Regulation (EEC) No 2568/91 and Regulation (EU) No 29/2012,”.
- (9) In Annex 8—
 - (a) in Part 1—
 - (i) in Section C, in paragraph 7, omit “, subject to any exceptions made under Article 75(2)”;
 - (ii) in Section D, in paragraph 1, for “under Article 75(2)” substitute “in Regulation (EU) 2019/934”;
 - (b) in Part 2, in Section D, in paragraph 5, for “prescribed under Article 75(2)” substitute “set out in Article 14 of Regulation (EU) 2019/934”.

Regulation (EU) No 251/2014 of the European Parliament and of the Council

9. In Article 4(4) of Regulation (EU) No 251/2014 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products⁽¹¹⁾, for the words from “accordance with” to “Regulation (EU) No 1308/2013” substitute “paragraphs A to D of Part 1 of Annex 8 to Regulation (EU) No 1308/2013 and Commission Delegated Regulation (EU) 2019/934 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards wine-growing areas where the alcoholic strength may be increased, authorised oenological practices and restrictions applicable to the production and conservation of grapevine products, the minimum percentage of alcohol for by-products and their disposal, and publication of OIV files”.

Commission Delegated Regulation (EU) 2019/934

10.—(1) Commission Delegated Regulation (EU) 2019/934 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards wine-growing areas where the alcoholic strength may be increased, authorised oenological practices and restrictions applicable to

⁽⁹⁾ EUR 1991/2568, amended by [S.I. 2019/1422](#) (which was itself amended by [S.I. 2020/1453](#)).

⁽¹⁰⁾ EUR 2012/29, amended by [S.I. 2019/1422](#) (which was itself amended by [S.I. 2020/1453](#)), [2022/938](#).

⁽¹¹⁾ EUR 2014/251, to which there are amendments not relevant to these Regulations.

the production and conservation of grapevine products, the minimum percentage of alcohol for by-products and their disposal, and publication of OIV files is amended as follows.

(2) In Article 4(1)(a), omit “and Article 80(3)(b) to (e)”.

(3) In Article 7(1), omit “point (h) of Article 75(3) and”.

(4) In Article 9(1), for “Article 75(3)(f) of Regulation (EU) No 1308/2013” substitute “this Regulation”.

Commission Implementing Regulation (EU) 2019/935

11. In Article 2 of Commission Implementing Regulation (EU) 2019/935 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards analysis methods for determining the physical, chemical and organoleptic characteristics of grapevine products and notifications of Member States decisions concerning increases in natural alcoholic strength⁽¹²⁾ omit “referred to in point (d) of Article 75(5) of Regulation (EU) No 1308/2013”.

(12) EUR 2019/935, amended by [S.I. 2020/1637](#); there is another amending instrument but it is not relevant.