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STATUTORY INSTRUMENTS

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**2019 No. 1403**

**EXITING THE EUROPEAN UNION  
AGRICULTURE  
FOOD**

**The Common Organisation of the Markets in  
Agricultural Products (Transitional Arrangements  
etc.) (Amendment) (EU Exit) Regulations 2019**

*Made - - - - 28th October 2019*

*Coming into force in accordance with regulation 1*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018<sup>(1)</sup>.

There has been consultation, as required by Article 9 of Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety<sup>(2)</sup>, during the preparation of these Regulations so far as they relate to food.

In accordance with paragraph 1(3) of Schedule 7 to the European Union (Withdrawal) Act 2018, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

**Citation and commencement**

1. These Regulations may be cited as the Common Organisation of the Markets in Agricultural Products (Transitional Arrangements etc.) (Amendment) (EU Exit) Regulations 2019 and come into force immediately before exit day.

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(1) 2018 c. 16.

(2) OJ No L 31, 1.2.2002, p.1, as last amended by Commission Regulation (EU) 2017/228 (OJ No L 35, 10.2.2017, p. 10).

## **Amendment of the Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments) (EU Exit) Regulations 2019**

2.—(1) The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments) (EU Exit) Regulations 2019(3) are amended as follows.

(2) In regulation 3(a), in the inserted text, for “29 March 2021”, in both places it occurs, substitute “the end of the period of two years beginning on the day after that on which exit day falls”.

(3) For regulation 9(d)(i) substitute—

“(i) in the first subparagraph—

(aa) omit “and paragraph 3”;

(bb) for the words from “competition authority” to “this paragraph” substitute “Competition and Markets Authority”;

(4) In regulation 18(c)—

(a) for paragraph (i) substitute—

“(i) in the words before point (a)—

(aa) for “Member States recognise” substitute “the Secretary of State recognises”;

(bb) for “they shall” substitute “the Secretary of State must”;

(b) after paragraph (ii) insert—

“(iia) in point (b), for “them” substitute “the Secretary of State”;

(5) For regulation 19 substitute—

“19. In Article 159—

(a) in the words before point (a), for “Member States” substitute “the Secretary of State”;

(b) omit points (a)(ii) and (iii) and (b).”

(6) In regulation 22(c)(i)—

(a) in subparagraph (aa), for “appropriate authority” substitute “Secretary of State”;

(b) for subparagraph (bb) substitute—

“(bb) for “or 2, they shall” substitute “, the Secretary of State must”;

(7) In regulation 27, in the inserted text, for “29 March 2021” substitute “the end of the period of two years beginning on the day after that on which exit day falls”.

(8) In regulation 41(a)(v), for the inserted text substitute—

“By way of derogation from the second subparagraph, in relation to a member State, the notification referred to in the first subparagraph shall be made before the end of the relevant period or (if later) before the first consignment of meat of each individual operator is imported into the United Kingdom after exit day, and thereafter within one month after any changes in the information to be notified.

In this paragraph, ‘relevant period’ means the period of three months beginning on the day after that on which exit day falls.”

(9) In regulation 44(c), in the inserted text, for “29 March 2021”, in both places it occurs, substitute “the end of the period of two years beginning on the day after that on which exit day falls”.

(10) In regulation 51, in the substituted text, for “29 March 2021” substitute “the end of the period of two years beginning on the day after that on which exit day falls”.

(11) In regulations 52(b), 53 and 54(a), in the inserted text, for “29 March 2021”, in each place it occurs, substitute “the end of the period of two years beginning on the day after that on which exit day falls”.

28th October 2019

*George Eustice*  
Minister of State  
Department for Environment, Food and Rural  
Affairs

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(b) and (d)) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations amend transitional provisions contained in the Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/828) to take account of subsequent amendments to the definition of “exit day” in the European Union (Withdrawal) Act 2018, and make minor amendments to correct errors in those Regulations. Those Regulations amend retained direct EU legislation in the field of agricultural market measures, and make consequential amendments to domestic secondary legislation.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.