

This Statutory Instrument has been made in consequence of a defect in S.I. 2020/1446 and its consequential impact on S.I. 2019/828 and S.I. 2020/1452. It is being issued free of charge to all known recipients of those Statutory Instruments.

STATUTORY INSTRUMENTS

2021 No. 279

EXITING THE EUROPEAN UNION

AGRICULTURE

FOOD

**The Common Organisation of the Markets in Agricultural
Products (Wine) (Amendment, etc.) Regulations 2021**

Approved by both Houses of Parliament

<i>Made</i>	- - - -	<i>9th March 2021</i>
<i>Laid before Parliament</i>		<i>10th March 2021</i>
<i>Coming into force</i>	- -	<i>10th March 2021</i>

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(a).

The Secretary of State is of the opinion that, by reason of urgency, it is necessary to make these Regulations without a draft of the instrument being laid before, 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 (Wine) (Amendment, etc.) Regulations 2021 and come into force on the day after the day on which they are made.

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

2.—(1) Article 107 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products(b) is amended as follows.

(a) 2018 c. 16. Paragraph 21 of Schedule 7 was amended by paragraph 53 of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020 (c. 1).
(b) EUR 2013/1308. Article 107 was amended by regulation 7 of S.I. 2019/828, which was subsequently amended by regulation 6(3) of S.I. 2020/1452. However, regulation 7 of S.I. 2019/828 was omitted in error by regulation 7(4) of S.I.

(2) For the heading substitute “Protection of established protected designations of origin etc.”.

(3) For paragraphs 1 to 4 substitute—

“1. The Secretary of State must enter the names of established protected designations of origin, established protected geographical indications, and established traditional terms, in the register provided for in Article 104 of this Regulation.

2. For the purposes of paragraph 1:

(a) ‘established protected designation of origin’ means a designation of origin within the meaning of Article 93(1)(a) to which Article 54(2) of the EU withdrawal agreement applies;

(b) ‘established protected geographical indication’ means a geographical indication within the meaning of Article 93(1)(b) to which Article 54(2) of the EU withdrawal agreement applies;

(c) ‘established traditional term’ means a traditional term within the meaning of Article 112 to which Article 54(2) of the EU withdrawal agreement applies.”

The Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 2020

3. Regulation 6(3) of the Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 2020(a) is revoked.

Victoria Prentis

Parliamentary Under Secretary of State

Department for Environment, Food and Rural Affairs

9th March 2021

2020/1446, meaning that the amendments to Article 107 did not come into effect on IP completion day as intended. Article 112 was amended by regulation 43 of S.I. 2019/821. There are other amendments that are not relevant to these regulations.
(a) S.I. 2020/1452.

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 (e)) arising from the withdrawal of the United Kingdom from the European Union.

Regulation 2 amends Article 107 of Regulation (EU) No 1308/2013 (EUR 2013/1308) in order to correct an error in the Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446).

Article 107 was amended by regulation 7 of the Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/828), which was subsequently amended by regulation 6(3) of the Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1452). However, regulation 7 of S.I. 2019/828 was omitted in error by regulation 7(4) of S.I. 2020/1446, meaning that the amendments to Article 107 did not come into effect on IP completion day as intended. Regulation 2 makes equivalent amendments to Article 107 to those intended to come into force on IP completion day.

Regulation 3 revokes regulation 6(3) of S.I. 2020/1452 which was rendered ineffective by regulation 7(4) of S.I. 2020/1446.

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.

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