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STATUTORY RULES OF NORTHERN IRELAND

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**2014 No. 92**

**AGRICULTURE**

**The Single Common Market Organisation (Consequential Amendments) Regulations (Northern Ireland) 2014**

*Made* - - - - *19th March 2014*

*Coming into operation* *21st March 2014*

The Department of Agriculture and Rural Development is designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to the common agricultural policy of the European Union.

These Regulations make provision for a purpose mentioned in section 2(2) of the 1972 Act. It appears to the Department of Agriculture and Rural Development that it is expedient for references in these Regulations to the Regulation of the European Parliament and of the Council adopted on 16 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, to be construed as references to that Regulation, as amended from time to time<sup>(3)</sup>.

The Department of Agriculture and Rural Development makes the following Regulations in exercise of the powers conferred on it by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972<sup>(4)</sup>.

**Citation and commencement**

1. These Regulations may be cited as The Single Common Market Organisation (Consequential Amendments) Regulations (Northern Ireland) 2014 and come into operation on the 21<sup>st</sup> March 2014.

**Amendments to the Beef and Pig Carcase Classification Regulations (Northern Ireland) 2010**

2.—(1) The Beef and Pig Carcase Classification Regulations (Northern Ireland) 2010<sup>(5)</sup> are amended as follows.

(2) In regulation 2(1) (interpretation) omit the definition of “Council Regulation” and after the definition of “prescribed communications” insert the following definition—

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(1) [S.I. 2000/2812](#) to which there are amendments not relevant to the subject matter of these Regulations.  
(2) [1972 c. 68](#). Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 ([c. 51](#)) and section 3(3) of, and Part 1 of the Schedule to the European Union (Amendment) Act 2008 ([c. 7](#)).  
(3) Regulation (EU) No 1308/2013 (O.J. L 347, 20.12.2013, p. 671).  
(4) Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (C 51).  
(5) [S.R. 2010 No. 231](#).

““Regulation (EU) 2013” means Regulation (EU) No 1308/2013 of the European Parliament and of the Council adopted on the 16 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, as amended from time to time;”.

(3) In regulation 2(3) (interpretation) substitute “Council Regulation” with “Regulation (EU) 2013”.

(4) In regulation 2(4)(b) substitute “Council Regulation” with “Regulation (EU) 2013”.

(5) In Part 1 of Schedule 1 (European provisions: bovine carcasses)—

(a) in column 1 of the Table for “Council Regulation” substitute “Regulation (EU) 2013;”

(b) in column 2 of the Table for “Annex V”, in each place it occurs, substitute “Annex IV”.

(6) In the Table in Schedule 2 (European provisions: pig carcasses)—

(a) in column 1 for “Council Regulation” substitute “Regulation (EU) 2013;”

(b) in column 2 for “Annex V”, in each place it occurs, substitute “Annex IV”.

### **Amendments to the Beef and Veal Labelling Regulations (Northern Ireland) 2010**

3.—(1) The Beef and Veal Labelling Regulations (Northern Ireland) 2010(6) are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) omit the definition of “Council Regulation 1234/2007”;

(b) after the definition of “Regulation 1760/2000” insert—

““Regulation (EU) 2013” means Regulation (EU) No 1308/2013 of the European Parliament and of the Council adopted on the 16 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, as amended from time to time;”.

(3) In regulation 3 (competent authority), for the words “Article 113b of and Annex Xia to, Council Regulation 1234/2007)” substitute—

“Article 78 of, and Part I of Annex VII to, Regulation (EU) 2013;”.

(4) In regulation 5 (offences)—

(a) for paragraph (1)(c) substitute—

“(c) the following provisions of the Regulation (EU) 2013—

(i) Article 78 and paragraph II of Part I of Annex VII (classification of bovine animals aged less than 12 months at the slaughterhouse);

(ii) Article 78 and paragraph III of Part I of Annex VII (sales descriptions);

(iii) Article 78 and paragraph IV of Part I of Annex VII (compulsory indication on the label);

(iv) Article 78 and paragraph V of Part I of Annex VII (recording).”.

(b) in paragraph (2), for “paragraph IV(2) of Annex XIa to Council Regulation (EC) No.1234/2007” substitute “paragraph IV(2) of Part I of Annex VII to Regulation (EU) 2013.”.

### **Amendments to the Drinking Milk Regulations (Northern Ireland) 2008**

4.—(1) The Drinking Milk Regulations (Northern Ireland) 2008(7) are amended as follows.

(2) In regulation 2(1) (interpretation)—

- (a) omit the definition of “the Annex”;
- (b) in the definitions of “drinking milk” and “milk” for “the Annex” substitute “Part IV”;
- (c) after the definition of “milk” insert—

““Part IV” means Part IV of Annex VII to Regulation (EU) No 1308/2013 adopted on the 16 December 2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, as amended from time to time.”

(3) In regulation 2(2) (interpretation) after “Council Regulation”, in each place it occurs, insert “or Part IV”.

(4) Omit regulation 2(3) (interpretation).

(5) In regulation 3 (sale or delivery of milk and use of sales description) for “the Annex as read with point III of the Annex” substitute “Part IV as read with point III of Part IV”.

(6) Omit regulation 4 (importation of products from outside the European Community for sale as drinking milk).

(7) In regulation 6 (offences and penalties) omit “or 4”.

### **Amendments to the Eggs and Chicks Regulations (Northern Ireland) 2010**

5.—(1) The Eggs and Chicks Regulations (Northern Ireland) 2010(8) are amended as follows.

(2) In regulation 2(1) (interpretation) after the definition of “Regulation (EC) No 2160/2003” insert the following definition—

““Regulation (EU) 2013” means the Regulation (EU) No 1308/2013 of the European Parliament and of the Council adopted on the 16 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, as amended from time to time;”.

(3) In regulation 2(3) (interpretation) for “Part C of Annex XIV to the Single CMO Regulation” substitute “Part VI of Annex VII to Regulation (EU) 2013”.

(4) In regulation 2(4) (interpretation) for “Part A of Annex XIV to the Single CMO Regulation” substitute “Part VI of Annex VII to Regulation (EU) 2013”.

(5) In regulation 2(6)(a) (interpretation) after “Single CMO Regulation insert “or Regulation (EU) 2013”.

(6) In regulation 2(7)(a) (interpretation) after “Single CMO Regulation insert “or Regulation (EU) 2013”.

(7) In regulation 7 (application of this Part)—

- (a) in paragraphs (1) and (2)(a) for “Part A of Annex XIV to the Single CMO Regulation” substitute “Part VI of Annex VII to Regulation (EU) 2013”; and
- (b) in paragraph (2)(b) for “point III(3) of Part A of Annex XIV to the Single CMO Regulation, to the sale of eggs to which point I(1) of Part A of Annex XIV” substitute “Part VI of

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(7) S.R. 2008 No.237.

(8) S.R. 2010 No.125; as amended by S.R. 2011 No. 248.

Annex VII to Regulation (EU) 2013, to the sale of eggs to which point 1(1) of Part VI of Annex VII”.

(8) In regulation 10(1) (derogations relating to the marking of eggs) for “the second sub-paragraph of point III(1) of Part A of Annex XIV to the Single CMO Regulation”, substitute “Part VI of Annex VII to Regulation (EU) 2013”.

(9) In regulation 10(2) (derogations relating to the marking of eggs) for “the first sub-paragraph of point III(3) of Part A of Annex XIV to the Single CMO Regulation”, substitute “Part VI of Annex VII to Regulation (EU) 2013”.

(10) In Schedule 1 (European provisions relating to eggs for hatching and chicks contravention of which is an offence), in Part 1 (provisions of the Single CMO Regulation)—

- (a) in the heading insert at the end “or Regulation (EU) 2013”;
- (b) in the headings to columns 1 and 2 after “Regulation” insert or “Regulation (EU) 2013”;
- (c) in column 1 for “Article 113(3), first sub-paragraph” substitute “Article 74 of Regulation (EU) 2013”;
- (d) in column 1 after “Annex XIV”, in each place it occurs, insert “to the Single CMO Regulation”.

(11) In Schedule 2 (general European provisions relating to eggs in shells for consumption contravention of which is an offence)—

- (a) for Part 1 (provisions of the Single CMO Regulation) substitute—

## “PART 1

### PROVISIONS OF REGULATION (EU) 2013

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Relevant provision of Regulation (EU) 2013	Provisions to be read with the provisions of Regulation (EU) 2013 mentioned in column 1	Subject matter
Article 74 insofar as it relates to the marketing of eggs	Part VI of Annex VII to Regulation (EU) 2013 and <a href="#">Commission Regulation (EC) No. 589/2008</a>	Prohibition on the marketing of eggs except in accordance with the marketing standards laid down in Part VI of Annex VII to Regulation (EU) 2013 and <a href="#">Commission Regulation (EC) No. 589/2008</a> .
Point II(1) of Part VI of Annex VII	Article 2(1) and (4) of <a href="#">Commission Regulation (EC) No. 589/2008</a>	Quality grading of eggs as Class A (or fresh) or Class B eggs.
Point II(2) of Part VI of Annex VII	Article 4(1) of <a href="#">Commission Regulation (EC) No. 589/2008</a>	Weight grading of Class A eggs.
Point II(3) of Part VI of Annex VII		Prohibition on the delivery of Class B eggs except to the food and non-food industry.

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Point III(1) of Part VI of Annex VII, first sub-paragraph	Articles 9(1) and 11 of <a href="#">Commission Regulation (EC) No. 589/2008</a>	Marking of Class A eggs.
Point III(1) of Part VI of Annex VII, second sub-paragraph	Articles 9, 10 and 11 of <a href="#">Commission Regulation (EC) No. 589/2008</a> , paragraphs (a) and (b) of the second sub-paragraph of point 2 of Part D of Annex II to Regulation (EC) No. 2160/2003 and regulation 11(1)	Marking of Class B eggs.
Point III(2) of Part VI of Annex VII	Point III(1) of Part VI of Annex VII to Regulation (EU) 2013	Place at which eggs are marked.
Point III(3) of Part VI of Annex VII, first sub-paragraph	Point III(1) of Part VI of Annex VII and the second sub-paragraph of point III(3) of Part VI of Annex VII to Regulation (EU) 2013 and regulation 11(2)	Marking of eggs sold by a producer to the final consumer at a local public market.
Articles 75(2) and (3) of Regulation (EU) 2013	Article 30(2) of <a href="#">Commission Regulation (EC) No. 589/2008</a>	Marking of eggs imported from a third country where the rules applied in relation to those eggs in that country have been found to offer sufficient guarantees as to equivalence with EU legislation
Articles 75(2) and (3) of Regulation (EU) 2013	Articles 11, 30(2) and (3) of <a href="#">Commission Regulation (EC) No. 589/2008</a>	Marking of eggs imported from a third country where sufficient guarantees of equivalence of the rules relating to those eggs with EU legislation have not been provided.”

- (b) in the table in Part 2 (provisions of Commission Regulation [\(EC\) 589/2008](#))—
- (i) in column 2 for “point II(1) of Part A of Annex XIV to the Single CMO Regulation”, in each place it occurs, substitute “point II(1) of Part VI of Annex VII to Regulation (EU) 2013”;
  - (ii) in column 2 for “Point II(2) of Part A of Annex XIV to the Single CMO Regulation” substitute “Point II(2) of Part VI of Annex VII to Regulation (EU) 2013”;
  - (iii) in column 2 for “point III(1) of Part A of Annex XIV to the Single CMO Regulation”, in each place it occurs, substitute “point III(2) of Part VI of Annex VII to Regulation (EU) 2013”;
  - (iv) in relation to the entry for Article 30(3) in column 2 omit “point IV(3) of Part A of Annex XIV”;
- (c) in column 2 of the table in Schedule 3 (European salmonella related controls on eggs in shell for consumption contravention of which is an offence) for “Articles 113(3) and 116 of, and Part A of Annex XIV to, the Single CMO Regulation” substitute “Article 74 and Part VI of Annex VII to Regulation (EU) 2013”.

**Amendments to the Food Labelling Regulations (Northern Ireland) 1996**

6.—(1) The Food Labelling Regulations (Northern Ireland) 1996<sup>(9)</sup> are amended as follows.

(2) In regulation 2(1) (interpretation)—

- (a) omit the definition of “Council Regulation 1234/2007”;
- (b) for the definition of “grape must” substitute—
  - ““grape must” has the meaning given by point (10) of Part II of Annex VII to Regulation (EU) 2013;”
- (c) for the definition of “liqueur wine” substitute—
  - ““liqueur wine” has the meaning given in point (3) of Part II of Annex VII to Regulation (EU) 2013;”
- (d) in the definition of “raw milk” for “point III(1) of Annex XIII to Council Regulation 1234/2007” substitute “point III(1)(a) of Part IV of Annex VII to Regulation (EU) 2013”;
- (e) after the definition of “Regulation 1334/2008 on raw milk” insert the following definition—
  - ““Regulation (EU) 2013” means Regulation (EU) No 1308/2013 of the European Parliament and of the Council adopted on 16 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, as amended from time to time;”;
- (f) in the definition of “semi-skimmed milk” for “point III(1) of Annex XIII to Council Regulation 1234/2007” substitute “point III(1)(c) of Part IV of Annex VII to Regulation (EU) 2013”;
- (g) in the definition of “skimmed milk” for “point III(1) of Annex XIII to Council Regulation 1234/2007” substitute “point III(1)(d) of Part IV of Annex VII to Regulation (EU) 2013”;
- (h) in the definition of “sparkling wine” for “points” to the end substitute “points (4) to (9) of Part II of Annex VII to Regulation (EU) 2013”;
- (i) in the definition of “whole milk” for “point III(1) of Annex XIII to Council Regulation 1234/2007” substitute “point III(1)(b) of Part IV of Annex VII to Regulation (EU) 2013”;
- (j) in the definition of “wine” for “point” to the end substitute “point (1) of Part II of Annex VII to Regulation (EU) 2013;”.

(3) In regulation 43(1) and (2) (the word “wine”) for “point” to the end, substitute “point (1) of Part II of Annex VII to Regulation (EU) 2013”.

(4) In Schedule 3 (generic names in lists of ingredients), part 1 (general), in the last entry in column 2 for “Council Regulation No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products” substitute “Regulation (EU) 2013”.

<sup>(9)</sup> S.R. 1996 No. 383; as amended by S.R. 1998 No. 24, S.R. 1998 No. 253, S.R. 1999 No. 143, S.R. 1999 No. 244, S.R. 1999 No. 286, S.R. 2000 No. 189, S.R. 2000 No. 303, S.R. 2001 No. 45, S.R. 2003 No. 159, S.R. 2003 No. 300, S.R. 2003 No. 301, S.R. 2003 No. 313, S.R. 2003 No. 383, S.R. 2003 No. 448, S.R. 2003 No. 519, S.R. 2004 No. 13, S.R. 2004 No. 266, S.R. 2004 No. 469, S.R. 2005 No. 198, S.R. 2006 No. 3, S.R. 2007 No. 349, S.R. 2008 No. 198, S.R. 2008 No. 237, S.R. 2009 No. 331, S.R. 2009 No. 415, S.R. 2010 No. 33, S.R. 2010 No. 321, S.R. 2010 No. 414, S.R. 2011 No. 45 and S.I. 2011/2936.

### **Amendments to the Marketing of Fresh Horticulture Produce Regulations (Northern Ireland) 2010**

7.—(1) The Marketing of Fresh Horticulture Produce Regulations (Northern Ireland) 2010<sup>(10)</sup> are amended as follows.

(2) In regulation 2 (interpretation)—

(a) in paragraph (1)—

- (i) in the definition of “Community marketing rules” for “Council Regulation 1234/2007, and includes the rules relating to those standards contained in Articles 113 and 113a of Council Regulation 1234/2007” substitute “Regulation (EU) 2013, and includes the rules relating to those standards contained in Articles 74, 75 and 76”;
- (ii) omit the definition of “Council Regulation 1234/2007”;
- (iii) in the definition of “general marketing standard” for “Article 113a(1) of Regulation 1234/2007” substitute “Article 76(1) of Regulation (EU) 2013”;
- (iv) in the definition of “horticultural produce” for “Council Regulation 1234/2007” substitute “Regulation (EU) 2013”;
- (v) in the definition of “specific marketing standards” for “Article 113(1)(b) of Council Regulation 1234/2007” substitute “Article 76(1) of Regulation (EU) 2013”;
- (vi) after the definition of “stop notice labels” insert—

““Regulation (EU) 2013” means Regulation (EU) No 1308/2013 of the European Parliament and of the Council adopted on 16 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, as amended from time to time;”;

(b) in paragraph 2 for “Council Regulation 1234/2007” substitute “Regulation (EU) 2013”.

### **Amendments to the Milk and Milk Products (Pupils in Educational Establishments) Regulations (Northern Ireland) 2008**

8.—(1) The Milk and Milk Products (Pupils in Educational Establishments) Regulations (Northern Ireland) 2008<sup>(11)</sup> are amended as follows.

(2) In regulation 2(1) (interpretation)—

- (a) in the definition of “Community aid” for “Article 102(1) of Council Regulation 1234/2007” substitute “Article 26(1) of Regulation (EU) 2013”;
- (b) omit the definition of “the Council Regulation”;
- (c) after the definition of “national aid” insert the following definition—

““Regulation (EU) 2013” means Regulation (EU) No 1308/2013 of the European Parliament and of the Council adopted on 16 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, as amended from time to time;”.

(3) In regulation 3(1) (payment of national aid) for “Article 102(2) of Council Regulation 1234/2007” substitute “Article 217 of Regulation (EU) 2013”.

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<sup>(10)</sup> S.R. 2010 No. 198; as amended by S.R. 2012 No. 299.

<sup>(11)</sup> S.R. 2008 No. 323.

**Amendments to the Poultrymeat Regulations (Northern Ireland) 2011**

- 9.—(1) The Poultrymeat Regulations (Northern Ireland) 2011(12) are amended as follows.
- (2) In regulation 1(2) (citation, commencement and application)—
- (a) for “point I(1) of Part B of Annex XIV to the Single CMO Regulation” substitute “point 1 of Part V of Annex VII to Regulation (EU) 2013”; and
  - (b) for “that Part of that Annex to that Regulation” substitute “Part B of Annex XIV to that Regulation”.
- (3) In regulation 2 (interpretation)—
- (a) in paragraph (1)—
    - (i) in the definition of “European poultry provision” after “Single CMO Regulation” insert “or Regulation (EU) 2013”;
    - (ii) for the definition of “poultrymeat” substitute ““poultrymeat” has the meaning given by point II(1) of Part V of Annex VII to Regulation (EU) 2013;”;
    - (iii) after the definition of “premises” insert—
 

““Regulation (EU) 2013” means Regulation (EU) No 1308/2013 of the European Parliament and of the Council adopted on the 16 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, as amended from time to time;”
  - (b) in paragraph (3) after “Single CMO Regulation” insert “or Regulation (EU) 2013”.
- (4) In regulation 12(13) (powers of an authorised officer) for “Single CMO Regulation” substitute “Regulation (EU) 2013”.
- (5) In Part 1 of Schedule 1 (European poultrymeat provisions – compliance notices)—
- (a) in the heading under Part 1 after “CMO Regulation” insert “or Regulation (EU) 2013”
  - (b) in the heading in column 1 of the table substitute “Relevant provision of the Single CMO Regulation or Regulation (EU) 2013”;
  - (c) in the heading in column 2 of the table after “Single CMO Regulation” insert “or Regulation (EU) 2013”;
  - (d) in column 1 of the table for “Article 113(3), first sub-paragraph” substitute “Article 74 of Regulation (EU) 2013”;
  - (e) in column 2 of the table for “Article 116 of, and Part B of Annex XIV to the Single CMO Regulation” substitute “Article 116 and Part B(I)(2) and (3) and (III)(1) of the Annex XIV to the Single CMO Regulation and Part V of Annex VII to Regulation (EU) 2013”;
  - (f) in column 3 of the table for “Part B of Annex XIV to the Single CMO Regulation” substitute “Part B(I)(2) and(3) and (III(I) of Annex XIV to the Single CMO Regulation and Part V of Annex VII to Regulation (EU) 2013”;
  - (g) in column 1 of the table after “point III(1) of Part B of Annex XIV” insert “to the Single CMO Regulation”;
  - (h) in column 1 of the table for “point III(2) of Part B of Annex XIV” substitute “point III of Part V of Annex VII to Regulation (EU) 2013”; and
  - (i) in column 2 of the table for “Part B of Annex XIV to the Single CMO Regulation”, in each place it occurs, substitute “Part V of Annex VII to Regulation (EU) 2013”.
- (6) In Part 2 of Schedule 1 (provisions of the Commission Regulation)—

- (a) in column 2 for “Points III(1) and (2) of Part B of Annex XIV to the Single CMO Regulation” substitute “Point III(1) of Part B of Annex XIV to the Single CMO Regulation and point III of Part V of Annex VII to Regulation (EU) 2013”; and
- (b) for “Point II(3) of Part B of Annex XIV to the Single CMO Regulation” substitute “Point II(3) of Part V of Annex VII to Regulation (EU) 2013”.

### **Amendments to the Spreadable Fats (Marketing Standards) and the Milk and Milk Products (Protection of Designations) Regulations (Northern Ireland) 2008**

**10.**—(1) The Spreadable Fats (Marketing Standards) and the Milk and Milk Products (Protection of Designations) Regulations (Northern Ireland) 2008(**13**) are amended as follows.

(2) In regulation 2 (interpretation)—

(a) In paragraph (1), after the definition of “the Order”, insert—

““Regulation (EU) 2013” means Regulation (EU) No 1308/2013 of the European Parliament and of the Council adopted on 16 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, as amended from time to time”;

(b) in paragraph (2) after “Council Regulation”, in each place it occurs, insert “Regulation (EU) 2013”.

(3) In regulation 6(2) (offences and penalty)—

(a) in sub-paragraph (a) for “Annex XII to that Regulation” substitute “Part III of Annex VII to Regulation (EU) 2013”;

(b) for sub-paragraph (b)(i) substitute “(i) points 1,3,5 and 6 of Part II and point 2 of Part IV of Annex XV to the Regulation (EU) 2013”;

(c) insert after sub-paragraph (b) “(ba) Articles 75(1)(h) and 78(1) and (2) of Regulation (EU) 2013 (definitions, designations and sales descriptions applying to spreadable fats) as read with Part VII of Annex VII to that Regulation”.

### **Amendments to the Weights and Measures (Intoxicating Liquor) Order (Northern Ireland) 1989**

**11.**—(1) The Weights and Measures (Intoxicating Liquor) Order (Northern Ireland) 1989(**14**) is amended as follows:

(2) In column 2 of the table in Schedule A1—

(a) in relation to the entry for “still wine”, for “point 1 of Annex XIb to Council Regulation No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products” substitute “point(1) of Part II of Annex VII to Regulation (EU) No 1308/2013 of the European Parliament and of the Council adopted on 16 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, as amended from time to time”;

(b) in relation to the entry for “sparkling wine”, for “points 4, 5, 6, 7, 8 and 9 of Annex XIb to Council Regulation No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products” substitute “points (4) to (9) of Part II of Annex VII to Regulation (EU) No 1308/2013 of the European Parliament

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(13) S.R. 2008 No. 239.

(14) S.R. 1989 No. 164; as amended by S.R. 1990 No. 395, S.R. 1994 No. 320, S.I. 2009 No. 663, S.R. 2010 No. 203, S.I 2011 No. 2936, S.R. 2013 No. 261.

and of the Council adopted on 16 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, as amended from time to time”;

- (c) in relation to the entry for “liqueur wine”, for “point 3 of Annex XIb to Council Regulation No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products” substitute “point (3) of Part II of Annex VII to Regulation (EU) No 1308/2013 of the European Parliament and of the Council adopted on 16 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, as amended from time to time”.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 19<sup>th</sup> March 2014.

(L.S.)

*Colette McMaster*  
A senior officer of the Department of Agriculture  
and Rural Development

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## EXPLANATORY NOTE

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

These Regulations amend a number of Regulations (set out in regulations 2 to 11 of these Regulations) consequential upon the Regulation (EU) No 1308/2013 of the European Parliament and of the Council adopted on 16 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (“Regulation (EU) 2013”). Regulation (EU) 2013 repeals (subject to transitional and final provisions set out in Article 230) the earlier Single Common Market Organisation - Council Regulation (EU) No 1234/2007 of 22 October 2007 (“Council Regulation 2007”) establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products. The transitional provisions set out in Article 230 provide for certain Articles in Council Regulation 2007 to continue to apply until corresponding marketing rules made under Regulation (EU) 2013 (“corresponding marketing rules”) come into force.

The following Regulations are amended—

- (a) The Beef and Pig Carcase Classification Regulations (Northern Ireland) 2010 are amended to replace references to Council Regulation 2007 to Regulation (EU) 2013 (regulation 2).
- (b) The Beef and Veal Labelling Regulations (Northern Ireland) 2010 are amended to replace references to Council Regulation 2007 to Regulation (EU) 2013 (regulation 3).
- (c) The Drinking Milk Regulations (Northern Ireland) 2008 make provision for the enforcement of Article 114 (2) of Council Regulation 2007 (marketing standards for milk and milk products). Article 230 (1)(c) provides that Article 114 is to continue to apply until the corresponding marketing rules come into force. The 2008 Regulations are amended to replace the reference in regulation 3 (sale or delivery of milk and use of sales descriptions) to Annex XIII to Council Regulation 2007 to Part IV of Annex VII (milk for human consumption) to Regulation (EU) 2013 (regulation 4).
- (d) The Eggs and Chicks Regulations (Northern Ireland) 2010 make provision for the enforcement of EU marketing standards relating to eggs for hatching, poultry chicks and eggs in shell for consumption. Article 230 (1)(c) provides that Article 116 of, and certain parts of Annex XIV to, Council Regulation 2007 (marketing standards for products of eggs) are to continue to apply until the corresponding marketing rules come into force. Save to the extent that Council Regulation 2007 applies, Regulation (EU) 2013 applies and the 2009 Regulations are amended to refer to the relevant provisions in Regulation (EU) 2013 (regulation 5).
- (e) The Food Labelling Regulations (Northern Ireland) 1996 are amended to replace references to Council Regulation 2007 to Regulation (EU) 2013 (regulation 6).
- (f) The Marketing of Fresh Horticulture Produce Regulations (Northern Ireland) 2010 are amended to replace references to Council Regulation 2007 to Regulation (EU) 2013 (regulation 7).
- (g) The Milk and Milk Products (Pupils in Educational Establishments) Regulations (Northern Ireland) 2008 are amended to replace references to Council Regulation 2007 to Regulation (EU) 2013 (regulation 8).
- (h) The Poultrymeat Regulations (Northern Ireland) 2011 make provision for the enforcement of marketing standards relating to poultrymeat. Article 116 of, and certain parts of Annex XIV to, Council Regulation 2007 (marketing standards for poultrymeat) are to continue

**Status:** This is the original version (as it was originally made).

to apply until the corresponding marketing rules come into force. Save to the extent that Council Regulation 2007 applies, Regulation (EU) 2013 applies and the 2011 Regulations are amended to refer to the relevant provisions in Regulation (EU) 2013 (regulation 9).

- (i) The Spreadable Fats (Marketing Standards) and the Milk and Milk Products (Protection of Designations) Regulations (Northern Ireland) 2008 create offences of failing to comply with provisions in Council Regulation 2007 relating to marketing standards for fats and descriptions of milk and milk products (Articles 115 and 114 respectively). Article 230 (1)(c) of Regulation (EU) 2013 provides that Articles 114 and 115 of, and certain parts of Annex XIV to, Council Regulation 2007 are to continue to apply until the corresponding marketing rules come into force. Save to the extent that Council Regulation 2007 applies, Regulation (EU) 2013 applies and the 2008 Regulations are amended to refer to the relevant provisions in Regulation (EU) 2013 (regulation 10).
- (j) The Weights and Measures (Intoxicating Liquor) Order (Northern Ireland) 1989 is amended to replace the references to Council Regulation 2007 in Schedule A1 to Regulation (EU) 2013 (regulation 11).