
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by 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)(a), (c), (d) and (e)) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to legislation relating to—

- (a) agricultural products and foodstuffs;
- (b) aromatised wines;
- (c) spirit drinks;
- (d) wine;
- (e) tribunal procedure rules concerning decisions relating to applications for the registration, amendment and cancellation of designations of origin, geographical indications and traditional specialities guaranteed for agricultural products and foodstuffs, geographical indications for aromatised wine and designations of origin, geographical indications and traditional terms for wines.

Part 2 amends the Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018 (S.I. 2018/1275) (“the 2018 Regulations”) to take account of changes relating to official controls affecting the 2018 Regulations made by Regulation (EU) 2017/625 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products (OJ No. L 95, 7.4.2017, p. 1).

Part 3 omits provisions in subordinate legislation that were included in that to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union. The legislation amended by that subordinate legislation, which would otherwise have come into force on IP completion day, either no longer applies or the amendments for that legislation are replaced by amendments in these Regulations which consolidate and update the previous amendments, taking account of the transition period.

Part 4 is divided into three Chapters and amends domestic legislation relating to agricultural products and foodstuffs, tribunal procedure rules, spirit drinks and wine. Chapter 1 makes amendments that extend to the United Kingdom, Chapter 2 make amendments that extend to Great Britain and Chapter 3 makes amendments that extend to Northern Ireland.

Part 5 and the Schedules amend retained direct EU legislation relating to agricultural products and foodstuffs, aromatised wine, spirit drinks and wine.

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