
STATUTORY INSTRUMENTS

2019 No. 822

**The Market Measures (Marketing Standards)
(Amendment) (EU Exit) Regulations 2019**

PART 4

Carcases

Amendment of Regulation 2017/1182

6.—(1) Commission Delegated Regulation (EU) 2017/1182 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the Union scales for the classification of beef, pig and sheep carcasses and as regards the reporting of market prices of certain categories of carcasses and live animals is amended as follows.

(2) In the heading of Chapter I omit “Union”.

(3) Before Article 1 insert—

“Article 11

Definitions

- 1.** For the purposes of this Regulation, the following definitions shall apply:
 - (a) ‘constituent nation’ means England, Wales, Scotland or Northern Ireland, as the case may be;
 - (b) ‘relevant authority’ means:
 - (i) in relation to England, the Secretary of State;
 - (ii) in relation to Wales, the Welsh Ministers;
 - (iii) in relation to Scotland, the Scottish Ministers;
 - (iv) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs.
- 2.** For the purposes of this Regulation, ‘appropriate authority’ means:
 - (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;
 - (d) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs.
- 3.** But the appropriate authority is the Secretary of State:
 - (a) in relation to Scotland, if consent is given by the Scottish Ministers;
 - (b) in relation to Northern Ireland, if consent is given by the Department of Agriculture, Environment and Rural Affairs.”.

- (4) In Article 1 for “each Member State” substitute “the United Kingdom”.
- (5) In Article 2(1)—
 - (a) for “Member States may decide” substitute “Nothing in this Regulation prevents the appropriate authorities from deciding”;
 - (b) for “Member States may determine” substitute “Nothing in this Regulation prevents the appropriate authorities from determining”.
- (6) In Article 2(2) for “Member States may decide” substitute “Nothing in this Regulation prevents the appropriate authorities from deciding”.
- (7) In Article 2(3)—
 - (a) for “Member States” substitute “Nothing in this Regulation prevents the appropriate authorities”;
 - (b) for “may decide” substitute “from deciding”.
- (8) Omit Article 2(4).
- (9) In Article 4 for “Member States may decide” substitute “Nothing in this Regulation prevents the appropriate authorities from deciding”.
- (10) In Article 5—
 - (a) for “Member States may further subdivide” substitute “Nothing in this Regulation prevents the appropriate authorities from further subdividing”;
 - (b) for “Member States may authorise” substitute “Nothing in this Regulation prevents the appropriate authorities from authorising”.
- (11) In Article 6(4)—
 - (a) for “For” substitute “Nothing in this Regulation prevents the appropriate authorities, for”;
 - (b) for “Member States may allow” substitute “from allowing”;
 - (c) for “Member States”, in the second place it occurs, substitute “The appropriate authorities”;
 - (d) omit “national”.
- (12) In Article 7(2)—
 - (a) for “Commission” substitute “appropriate authority”;
 - (b) for “Member State” substitute “constituent nation”.
- (13) In Article 7(4)—
 - (a) in the words before point (a), omit “of the Member State concerned”;
 - (b) in point (b), for “Member State concerned” substitute “appropriate authority”.
- (14) In Article 8(6) for “Member States may lay” substitute “Nothing in this Regulation prevents the appropriate authorities from laying”.
- (15) In Article 8(7)—
 - (a) for “Member States may lay” substitute “Nothing in this Regulation prevents the appropriate authorities from laying”;
 - (b) omit “national”.
- (16) In Article 9—
 - (a) for “Member States”, in both places it occurs, substitute “The relevant authorities”;
 - (b) for “Member State” substitute “appropriate authority”.
- (17) In Article 10(1)—

- (a) for “Member States” substitute “The appropriate authorities”;
 - (b) for “their territory” substitute “the relevant constituent nation”.
- (18) Omit Article 10(3).
- (19) In Article 10(4)—
- (a) in the first sentence, for “Member States” substitute “The appropriate authority”;
 - (b) omit the second sentence.
- (20) For Article 10(6) substitute—
- “(6) The appropriate authority may authorise beef and sheep automated grading methods without organising an authorisation test, provided that the same grading methods were authorised before exit day for application in a member State on the basis of an authorisation test where the sample of carcasses is sufficiently representative for the bovine or sheep population in the constituent nation concerned.”.
- (21) In Article 10(7) omit the second paragraph.
- (22) Omit Article 11(3) and (4).
- (23) In Article 11(5) omit “Commission”.
- (24) For Article 11(6) substitute—
- “(6) The appropriate authority may authorise a grading method without an authorisation test, provided that the same grading method was authorised before exit day for application in a member State on the basis of an authorisation test where the sample of carcasses is sufficiently representative of the pig population in the constituent nation concerned.”.
- (25) In Article 12(2)(b) omit “of the Member State concerned”.
- (26) In Article 13 for “15” substitute “14”.
- (27) In Article 15(1)—
- (a) for “average of the prices” substitute “price”;
 - (b) omit the words from “, and weighted” to the end.
- (28) Omit Article 16(2).
- (29) In Article 17(1) for the words from the beginning to “of the Member State” substitute “The appropriate authority”.
- (30) In Article 17(2)—
- (a) for “Member States” substitute “the appropriate authorities”;
 - (b) for “a Member State” substitute “the appropriate authority”.
- (31) In the heading of Chapter 3 for “UNION” substitute “UNITED KINGDOM”.
- (32) In the heading of Section 1 of Chapter 3 for “union” substitute “United Kingdom”.
- (33) In the heading of Article 18 for “Union” substitute “United Kingdom”.
- (34) In Article 18(1)—
- (a) in point (a)—
 - (i) for “Union”, in the first place it occurs, substitute “United Kingdom”;
 - (ii) omit “weighted”;
 - (iii) omit “national”;
 - (iv) omit the second sentence;
 - (b) in point (b) for “Union”, in each place it occurs, substitute “United Kingdom”;
 - (c) in point (c) for “Union”, in each place it occurs, substitute “United Kingdom”.

- (35) In Article 18(2) for “Union”, in both places it occurs, substitute “United Kingdom”.
- (36) In Article 19—
- (a) for “Union”, in each place it occurs (including the heading), substitute “United Kingdom”;
 - (b) omit “weighted”;
 - (c) omit “national”;
 - (d) omit the second sentence.
- (37) In Article 20—
- (a) for “Union”, in each place it occurs (including the heading), substitute “United Kingdom”;
 - (b) omit the words from “That average” to the end.
- (38) In Article 21—
- (a) for “Union”, in each place it occurs (including the heading), substitute “United Kingdom”;
 - (b) omit the words from “That average” to the end.
- (39) In the heading of Section 2 of Chapter 3 for “Union” substitute “United Kingdom”.
- (40) In Article 22—
- (a) for “Union”, in each place it occurs (including the heading), substitute “United Kingdom”;
 - (b) omit paragraph 2.
- (41) In Article 23—
- (a) for “Union”, in each place it occurs (including the heading), substitute “United Kingdom”;
 - (b) omit paragraph 2.
- (42) In Article 24—
- (a) for “Union”, in each place it occurs (including the heading), substitute “United Kingdom”;
 - (b) omit the second sentence.
- (43) Omit Chapter 4.
- (44) After Article 27 omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.
- (45) In Annex 4—
- (a) in paragraph 1 of Part A—
 - (i) for “Member State concerned”, in both places it occurs, substitute “appropriate authority”;
 - (ii) omit the second, third and fifth sentences;
 - (b) omit Part B;
 - (c) omit Part C.
- (46) In Annex 5—
- (a) in Part A—
 - (i) in point 1(c) for “Member State” substitute “appropriate authority”;
 - (ii) in point 1(f) for “Commission” substitute “appropriate authority”.
 - (b) omit Part B.

Amendment of Regulation 2017/1184

7.—(1) Commission Implementing Regulation (EU) 2017/1184 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as

regards the Union scales for the classification of beef, pig and sheep carcasses and as regards the reporting of market prices of certain categories of carcasses and live animals is amended as follows.

(2) Before Article 1 insert—

“Article A1

Definitions

1. For the purposes of this Regulation, the following definitions shall apply:
 - (a) ‘constituent nation’ means England, Wales, Scotland or Northern Ireland, as the case may be;
 - (b) ‘relevant authority’ means:
 - (i) in relation to England, the Secretary of State;
 - (ii) in relation to Wales, the Welsh Ministers;
 - (iii) in relation to Scotland, the Scottish Ministers;
 - (iv) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs.
2. For the purposes of this Regulation, ‘appropriate authority’ means:
 - (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;
 - (d) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs.
3. But the appropriate authority is the Secretary of State:
 - (a) in relation to Scotland, if consent is given by the Scottish Ministers;
 - (b) in relation to Northern Ireland, if consent is given by the Department of Agriculture, Environment and Rural Affairs.”.

(3) In Article 1(1)(c)—

- (a) for “or a region of the Member State” substitute “of the constituent nation”;
- (b) for “national” substitute “applicable”.

(4) In Article 1(2) for “Member States may require” substitute “Nothing in this Regulation prevents the appropriate authorities from requiring”.

(5) In Article 2(2) omit “of a Member State”.

(6) In Article 3(1) omit “in a Member State”.

(7) In Article 3(2)—

- (a) in the words before point (a) omit “in a Member State”;
- (b) in point (c) for “Member States” substitute “the appropriate authorities”.

(8) In Article 5(1) for “Member States” substitute “appropriate authorities”.

(9) In Article 5(2)—

- (a) for “Member State” substitute “constituent nation”;
- (b) for “national level” substitute “the level of that constituent nation”.

(10) In Article 6—

- (a) omit the first paragraph;

- (b) in the second paragraph—
 - (i) omit “beef”;
 - (ii) for “at least two” substitute “four”;
 - (iii) for “Great Britain” substitute “England, Wales, Scotland”;
 - (iv) omit the words from “, which may” to the end.
- (11) In Article 7 omit “Union”.
- (12) In Article 8(1) for “Member State”, in both places it occurs, substitute “appropriate authority”.
- (13) In Article 8(2)—
 - (a) for “Member State”, in the first place it occurs, substitute “The relevant authority”;
 - (b) for “that Member State”, in both places it occurs, substitute “the relevant constituent nation”.
- (14) In Article 9 omit “Union”.
- (15) In Article 10 for “Member State”, in both places it occurs, substitute “appropriate authority”.
- (16) In Article 11 for “Member State”, in both places it occurs, substitute “appropriate authority”.
- (17) In Article 12 for “Member State”, in both places it occurs, substitute “appropriate authority”.
- (18) In Article 13(1)—
 - (a) omit “in the Member State concerned”;
 - (b) for “a Member State” substitute “an appropriate authority”;
 - (c) for “that Member State” substitute “the appropriate authority”.
- (19) For Article 13(2) substitute—

“The appropriate authority may decide not to take the prices for flat-rate purchases of carcasses of bovine animals aged eight months or more into account in the calculations of prices. In such cases a representative price for each class shall be calculated by the appropriate authority, taking into account the factors referred to in Article 14 of Delegated Regulation (EU) 2017/1182 and in Article 5 of this Regulation.”.
- (20) In Article 14 for “Member State”, in both places it occurs, substitute “appropriate authority”.
- (21) Omit Article 15.
- (22) Omit Chapter 3.
- (23) After Article 19 omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.