
SCOTTISH STATUTORY INSTRUMENTS

2019 No. 347

**The Agriculture Market Measures (EU Exit)
(Scotland) (Amendment) (No. 2) Regulations 2019**

Amendment of the Eggs and Chicks (Scotland) (No. 2) Regulations 2008

- 4.—(1) The Eggs and Chicks (Scotland) (No. 2) Regulations 2008(1) are amended as follows.
- (2) In regulation 2(1) (interpretation)—
- (a) omit the definition of “Council [Directive 1999/74/EC](#)”,
 - (b) for the definition of “Council Regulation 2013” substitute—

““Council Regulation 2013” means Regulation (EU) No 1308/2013 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(2), as amended from time to time.”,
 - (c) in the definition of “Regulation (EU) No 1169/2011” at the end insert “, as last amended by Regulation (EU) 2015/2283 of the European Parliament and of the Council(3)”,
 - (d) after the definition of “Regulation (EU) No 1169/2011” omit “and”,
 - (e) in the definition of “Regulation ([EC](#)) No. 2160/2003” at the end insert “, as last amended by Council Regulation (EU) No 517/2013(4)”, and
 - (f) after the definition of “Regulation ([EC](#)) No. 2160/2003” insert—

““the Scottish welfare regulations” means the Welfare of Farmed Animals (Scotland) Regulations 2010(5), and

“third country” means any country or territory other than—

 - (i) the United Kingdom,
 - (ii) the Bailiwick of Guernsey,
 - (iii) the Bailiwick of Jersey, and
 - (iv) the Isle of Man.”.
- (3) In regulation 4 (compliance with EU provisions on eggs for hatching and chicks), in the heading omit “EU”.
- (4) In regulation 5(1) (registration of establishments) for “agency” substitute “authority”.
- (5) In regulation 7 (compliance with EU provisions on eggs in shell for consumption), in the heading omit “EU”.
- (6) In regulation 11(3) (derogation relating to free-range eggs)—

(1) [S.S.I. 2008/395](#), amended by [S.S.I. 2010/450](#), [S.I. 2011/1043](#), [S.I. 2013/3235](#) and [S.S.I. 2014/312](#).
(2) [OJ L 347](#), 20.12.2013, p.671.
(3) [OJ L 327](#), 11.12.2015, p.1.
(4) [OJ L 158](#), 10.6.2013, p.1.
(5) [S.S.I. 2010/388](#), as amended on exit day by [S.S.I. 2019/34](#).

- (a) for “Article 4(1) of Council [Directive 1999/74/EC](#) (provisions applicable to alternative systems)” substitute “schedule 3 of the Scottish welfare regulations”, and
- (b) for sub-paragraphs (a) to (e) substitute—
 - “(a) the second and third conditions of paragraph 17(d),
 - (b) paragraph 17(e),
 - (c) paragraph 18,
 - (d) paragraph 19(a)(i), and
 - (e) paragraph 19(b)(i).”.
- (7) In regulation 12(3) (derogation relating to barn eggs)—
 - (a) for “Article 4(1) of Council [Directive 1999/74/EC](#)” substitute “schedule 3 of the Scottish welfare regulations”, and
 - (b) for sub-paragraphs (a) to (e) substitute—
 - “(a) the second and third conditions of paragraph 17(d),
 - (b) paragraph 17(e),
 - (c) paragraph 18,
 - (d) paragraph 19(a)(i), and
 - (e) paragraph 19(b)(i).”.
- (8) In regulation 12A (compliance with EU provisions), in the heading omit “EU”.
- (9) In schedule 1 (community provisions relating to eggs for hatching and chicks contravention of which is an offence)—
 - (a) in the schedule heading for “COMMUNITY” substitute “RETAINED EU”,
 - (b) in Part 1 (provisions of the single CMO regulation or Council Regulation 2013), in the Table, in the first row (Article 74 of the Council Regulation 2013), in column 1 for “Article 74 of the Council Regulation 2013” substitute “Article 116 of the Single CMO Regulation”, and
 - (c) in Part 2 (provisions of [Commission Regulation \(EC\) No. 617/2008](#)), in the Table, omit the sixth row (Article 3(7)).
- (10) In schedule 2 (community provisions relating to eggs in shell for consumption contravention of which is an offence)—
 - (a) in the schedule heading for “COMMUNITY” substitute “RETAINED EU”,
 - (b) in Part 1 (provisions of Council Regulation 2013), in the Table—
 - (i) in the ninth row (Articles 75(2) and (3) of Council Regulation 2013), in column 3 for “EU legislation” substitute “retained EU law”, and
 - (ii) in the tenth row (Articles 75(2) and (3) of Council Regulation 2013), in column 3 for “EU legislation” substitute “retained EU law”,
 - (c) in Part 2 (provisions of [Commission Regulation \(EC\) No. 589/2008](#)), in the Table—
 - (i) in the second row (Article 2(2)), omit the text in column 2,
 - (ii) omit the eighteenth, nineteenth and twentieth rows (relating to Article 8),
 - (iii) in the twenty-first row (Article 9(1)), for the text in column 2 substitute “regulation 4 of the Registration of Establishments Keeping Laying Hens (Scotland) Regulations 2003(6)”,

- (iv) in the twenty-fourth row (Article 12(2), first and second sub paragraphs), in column 2—
 - (aa) omit “and Part A of Annex I,” and
 - (bb) for the words “Article 2 of [Council Regulation \(EEC\) No. 2092/91](#)” to “foodstuffs” substitute “Article 23 of [Council Regulation \(EC\) No 834/2007](#) on organic production and labelling of organic products and repealing [Regulation \(EEC\) No 2092/91](#)(7)”,
- (v) in the twenty-sixth row (Article 12(2), fourth sub paragraph)—
 - (aa) for the text in column 2 substitute “Part 4 of schedule 3 of the Scottish welfare regulations”, and
 - (bb) in column 3, for the words from “listed” to the end substitute ““enriched cages””,
- (vi) in the thirty-third row (Article 17), in column 2, for “Annex 11” substitute “Annex II”, and
- (vii) in the forty-sixth row (Article 30(3)), in column 3, for “EU legislation” substitute “retained EU law”.

(7) OJ L 189, 20.07.2007, p.1, as last amended by Council Regulation (EU) No 517/2013 (OJ L 158, 10.6.2013, p.1).