

## SCHEDULE 1

### Transitional provisions and savings

## PART 2

### Existing MRLs etc. under Regulation (EC) No 396/2005

#### Existing MRLs under Annexes 2 and 3 to Regulation (EC) No 396/2005

3.—(1) In accordance with this paragraph, an MRL which immediately before exit day is set out in an entry in a table in Annex 2 or 3 to Regulation (EC) No 396/2005 as it has effect immediately before exit day is taken to have been set by each competent authority in relation to its constituent territory—

- (a) for an MRL set out in an entry in the table in Annex 2, under Articles 14(1B)(a) and 15(2)(b) of Regulation (EC) No 396/2005;
- (b) for an MRL set out in an entry in the table in Part A of Annex 3, under Articles 14(1B)(a) and 15(2)(a)(i) of Regulation (EC) No 396/2005;
- (c) for an MRL set out in an entry in the table in Part B of Annex 3, under Articles 14(1B)(a), 15(2)(a)(ii) and 16 of Regulation (EC) No 396/2005.

(2) An MRL to which sub-paragraph (1) applies is taken to apply from the date which it applied from in accordance with a regulation made under Article 14(1) of Regulation (EC) No 396/2005 as it had effect immediately before exit day, except in accordance with sub-paragraph (3).

(3) For the purposes of Article 15(3) of Regulation (EC) No 396/2005, an MRL to which sub-paragraph (1)(b) applies is taken to apply from exit day.

(4) In sub-paragraph (1), “Annex 2” and “Annex 3” means Annex 2 and 3 respectively to Regulation (EC) No 396/2005 as it has effect immediately before exit day and read in accordance with paragraph 4.

(5) Sub-paragraph (6) applies where an MRL to which sub-paragraph (1) applies is immediately before exit day subject to a requirement for the European Commission—

- (a) to take specified information into account when reviewing that MRL if the information is submitted by a specified date, or the lack of that information if it is not submitted by that date; or
- (b) to take into account the commercial availability of a specified reference standard when reviewing that MRL by a specified date, or the unavailability of it if it is not commercially available by that date.

(6) Where this sub-paragraph applies, on and after exit day the MRL is taken to be subject to the requirement as modified as follows—

- (a) a reference in the requirement to the Commission is to be read as a reference to the competent authority;
- (b) if the specified date occurred before exit day and on or before that specified date—
  - (i) the specified information was submitted to the European Commission, the specified date is to be read as 1st January 2020;
  - (ii) the specified information was not submitted to the European Commission, the requirement is to be read as a requirement on the competent authority to take the lack of that information into account when reviewing the MRL.

(7) For the purposes of sub-paragraphs (5) and (6), a date, a reference standard or information is “specified” if it is specified in the requirement.