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DRAFT STATUTORY INSTRUMENTS

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**2019 No.**

**The Food and Drink, Veterinary Medicines and Residues (Amendment etc.) (EU Exit) Regulations 2019**

**PART 5**

**Amendment of retained direct EU legislation relating to veterinary medicines and residues**

**Regulation (EC) No 470/2009 of the European Parliament and of the Council**

**18.**—(1) Regulation (EC) No 470/2009 of the European Parliament and of the Council laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin is amended as follows.

- (2) For Article 8 substitute the Article in Part 1 of Schedule 9.
- (3) For Article 9 substitute the Article in Part 2 of Schedule 9.
- (4) In Article 10—
  - (a) for paragraph 1 substitute the paragraphs in Part 3 of Schedule 9;
  - (b) in paragraph 2—
    - (i) in the first subparagraph—
      - (aa) for “Commission” substitute “Secretary of State”;
      - (bb) for “paragraph 1” substitute “paragraphs 1 and 1A”;
      - (cc) after “Article 14” insert “, subject to the consent requirement in Article 83B of Regulation (EU) 528/2012 (treating this Article as a provision of that Regulation for the purposes of construing Article 83B(1))”;
      - (dd) omit the second sentence;
    - (ii) in the second subparagraph, for “Article 10(2) of Directive 98/8/EC” substitute “Article 19(7) of Regulation (EU) No 528/2012”;
  - (c) omit paragraph 3.
- (5) In Article 14—
  - (a) for paragraph 1 substitute—

“1. The appropriate authority (or, as regards Article 10(2), the Secretary of State) must classify pharmacologically active substances in accordance with this Article.”;
  - (b) in paragraph 3, for the words after “human health” to the end substitute “, and when laying down a limit regard may be had to any international decisions in respect of that substance.”;
  - (c) in paragraph 5 omit the words from “, pursuant to” to “as appropriate.”;
  - (d) in paragraph 6 omit the words from “, pursuant to” to “as appropriate.”.
- (6) After Article 14 insert the Article in Part 4 of Schedule 9.