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DRAFT STATUTORY INSTRUMENTS

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**2020 No.**

**The Agricultural Products, Food and Drink  
(Amendment etc.) (EU Exit) Regulations 2020**

**PART 4**

Amendment of subordinate legislation: amendments  
coming into force on IP completion day

**CHAPTER 1**

Amendment of subordinate legislation extending to the United Kingdom

**The Spirit Drinks Regulations 2008**

- 7.—(1) The Spirit Drinks Regulations 2008(1) are amended as follows.  
(2) Omit regulation 2 and Schedule 1.

**The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009**

8.—(1) The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009(2) are amended as follows.

- (2) In rule 22—
- (a) in paragraph (6)—
- (i) after sub-paragraph (g), insert—
- “(h) in an appeal against an agricultural product or foodstuff decision, within 28 days beginning with the day on which notice of the decision is published by the Secretary of State under Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs as incorporated into domestic law by section 3(1) of the EUWA;
- (i) in an appeal against an aromatised wine decision, within 28 days beginning with the day on which on which notice of the decision is published by the Secretary of State under Regulation (EU) No 251/2014 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical

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(1) [S.I. 2008/3206](#); amended by [S.I. 2019/1289](#). Prospective amendments were included in [S.I. 2019/865](#). They would have come into force on IP completion day. Those prospective amendments are omitted by regulation 6 of this instrument and replaced, in relation to Great Britain, with the amendments in regulation 10 of this instrument and, in relation to Northern Ireland, with the amendments in regulation 13 of this instrument. There are other amending instruments but none is relevant.

(2) [S.I. 2009/1976](#); relevant amending instruments are [S.I. 2010/43](#) and, prospectively on IP completion day, [S.I. 2019/758](#), 828. Prospective amendments were also included in [S.I. 2019/865](#). They would have come into force on IP completion day. Those prospective amendments are omitted by regulation 6 of this instrument and replaced with the amendments in regulation 8 of this instrument.

indications of aromatised wine products as incorporated into domestic law by section 3(1) of the EUWA.”;

(ii) after sub-paragraph (j) insert—

“(k) in an appeal against a spirit drink decision, within 28 days beginning with the day on which notice of the decision is published by the Secretary of State under Regulation (EU) 2019/787 of the European Parliament and of the Council on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages<sup>(3)</sup> as incorporated into domestic law by section 3(1) of the EUWA;

(l) in an appeal against a traditional term wine decision, within 28 days beginning with the day on which notice of the decision is published by the Secretary of State under Commission Delegated Regulation (EU) 2019/33 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation as incorporated into domestic law by section 3(1) of the EUWA.”.

(b) after paragraph (6) insert—

“(7) In this rule—

“agricultural product or foodstuff decision” means a decision of the Secretary of State specified in column 1 of the table in Part 2 of Annex 1B to Regulation (EU) No 1151/2012 of the European Parliament and of the Council<sup>(4)</sup>;

“aromatised wine decision” means a decision of the Secretary of State specified in column 1 of the table in Annex 2B to Regulation (EU) No 251/2014 of the European Parliament and of the Council<sup>(5)</sup>;

“EUWA” means the European Union (Withdrawal) Act 2018;

“spirit drink decision” means a decision of the Secretary of State specified in column 1 of the table in Part 2 of Annex 2 to Regulation (EU) 2019/787 of the European Parliament and of the Council<sup>(6)</sup>;

“traditional term wine decision” means a decision of the Secretary of State specified in column 1 of the table in Annex A2 to Commission Delegated Regulation (EU) 2019/33<sup>(7)</sup>.”.

## The Wine Regulations 2011

9.—(1) The Wine Regulations 2011<sup>(8)</sup> are amended as follows.

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- (3) EUR 2019/787, amended on IP completion day by regulation 28 of, and Schedule 10 to, this instrument.
- (4) Annex 1B is inserted in EUR 2012/1151 on IP completion day by Part 7 of Schedule 2 of this instrument.
- (5) Annex 2B is inserted in EUR 2014/251 on IP completion day by Part 8 of Schedule 4 of this instrument.
- (6) Annex 2 is inserted in EUR 2019/787 on IP completion day by Part 3 of Schedule 10 to this instrument.
- (7) Annex A2 is inserted in EUR 2019/33 on IP completion day by Part 6 of Schedule 8 to this instrument.
- (8) S.I. 2011/2936, amended by S.I. 2013/3235, 2019/524, 2020/639. Prospective amendments were included in S.I. 2019/865. They would have come into force on IP completion day. Those prospective amendments are omitted by regulation 6 of this instrument. Those amendments are replaced, in relation to Great Britain, on IP completion day with the amendments in regulation 11 of this instrument. They are replaced, in relation to Northern Ireland, on IP completion day with the amendments in regulation 14 of this instrument. There are other amending instruments but none are relevant.

- (2) In regulation 1(3) omit the words from “, and” to the end.
- (3) Omit regulation 20.