
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend a number of Regulations (set out in Parts 2 and 3 of these Regulations) consequential upon the Regulation (EU) 2013 of the European Parliament and of the Council adopted on 16 December 2013 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 (“Regulation (EU) 2013”). Regulation (EU) 2013 repeals (subject to transitional and final provisions set out in Article 230) the earlier Single Common Market Organisation - Council Regulation (EU) No 1234/2007 of 22 October 2007 (“Council Regulation 2007”) establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products. The transitional provisions set out in Article 230 provide for certain Articles in Council Regulation 2007 to continue to apply until corresponding marketing rules made under Regulation (EU) 2013 (“corresponding marketing rules”) come into force.

The following Regulations set out in Part 2 are amended—

- (a) The Beef and Pig Carcase Classification (England) Regulations 2010 are amended to replace references to Council Regulation 2007 with Regulation (EU) 2013 (regulation 2).
- (b) The Beef and Veal Labelling Regulations 2010 (which apply in relation to England only) are amended to replace references to Council Regulation 2007 with Regulation (EU) 2013 (regulation 3).
- (c) The Drinking Milk (England) Regulations 2008 (which apply in England only) make provision for the enforcement of Article 114 (2) of Council Regulation 2007 (marketing standards for milk and milk products). Article 230(1)(c) provides that Article 114 is to continue to apply until the corresponding marketing rules come into force. The 2008 Regulations are amended to replace the reference in regulation 6 (sale or delivery of milk and use of sales descriptions) to Annex XIII to Council Regulation 2007 with Part IV of Annex VII (milk for human consumption) to Regulation (EU) 2013 (regulation 4).
- (d) The Eggs and Chicks (England) Regulations 2009 make provision for the enforcement of EU marketing standards relating to eggs for hatching, poultry chicks and eggs in shell for consumption. Article 230(1)(c) provides that Article 116 of, and certain parts of Annex XIV to, Council Regulation 2007 are to continue to apply until the corresponding marketing rules come into force. Save to the extent that Council Regulation 2007 applies, Regulation (EU) 2013 applies and the 2009 Regulations are amended to refer to the relevant provisions in Regulation (EU) 2013 (regulation 5).
- (e) The Food Labelling Regulations 1996 (which apply in England, Wales and Scotland) are amended to replace references to Council Regulation 2007 with Regulation (EU) 2013 (regulation 6).
- (f) The Legislative and Regulatory Reform (Regulatory Functions) Order 2007 (which applies in England, Wales, Scotland and Northern Ireland) is amended to replace the reference to Council Regulation 2007 in Part 2 of the Schedule with Regulation (EU) 2013 (regulation 7).
- (g) The Marketing of Fresh Horticultural Produce Regulations 2009 (which apply in England, Wales, Scotland and Northern Ireland) are amended to replace references to Council Regulation 2007 with Regulation (EU) 2013 (regulation 8).

Changes to legislation: There are currently no known outstanding effects for the The Single Common Market Organisation (Consequential Amendments) Regulations 2013. (See end of Document for details)

- (h) The Milk and Milk Products (Pupils in Educational Establishments) (England) Regulations 2008 are amended to replace references to Council Regulation 2007 with Regulation (EU) 2013 (regulation 9).
- (i) The Poultrymeat (England) Regulations 2011 make provision for the enforcement of marketing standards relating to poultrymeat. Article 116 of, and certain parts of Annex XIV to, Council Regulation 2007 are to continue to apply until the corresponding marketing rules come into force. Save to the extent that Council Regulation 2007 applies, Regulation (EU) 2013 applies and the 2011 Regulations are amended to refer to the relevant provisions in Regulation (EU) 2013 (regulation 10).
- (j) The Spreadable Fats (Marketing Standards) and the Milk and Milk Products (Protection of Designations) (England) Regulations 2008 create offences of failing to comply with provisions in Council Regulation 2007 relating to marketing standards for fats and descriptions of milk and milk products (Articles 115 and 114 respectively). Article 230 (1)(c) of Regulation (EU) 2013 provides that Articles 114 and 115 of, and certain parts of Annex XIV to, Council Regulation 2007 are to continue to apply until the corresponding marketing rules come into force. Save to the extent that Council Regulation 2007 applies, Regulation (EU) 2013 applies and the 2008 Regulations are amended to refer to the relevant provisions in Regulation (EU) 2013 (regulation 11).
- (k) The Weights and Measures (Intoxicating Liquor) Order 1988 (which applies in England, Wales, Scotland and Northern Ireland) is amended to replace the references to Council Regulation 2007 in Schedule A1 with Regulation (EU) 2013 (regulation 12).
- (l) The Wine Regulations 2011 (which apply in England, Wales, Scotland and Northern Ireland) are amended to replace the references to Council Regulation 2007 with Regulation (EU) 2013 (regulation 13).

The following Regulations set out in Part 3, which apply in Scotland only, are amended—

- (a) The Milk and Dairies (Scotland) Regulations 1990 are amended to replace the reference to Council Regulation 2007 to Regulation (EU) 2013 (regulation 14).
- (b) The Milk and Milk Products (Pupils in Educational Establishments) (Scotland) Regulations 2001 are amended to replace references to Council Regulation 2007 to Regulation (EU) 2013 (regulation 15).
- (c) The Food Hygiene (Scotland) Regulations 2006 are amended to replace the reference to Council Regulation 2007 to Regulation (EU) 2013 (regulation 16).
- (d) The Eggs and Chicks (Scotland) (No. 2) Regulations 2008 make provision for the enforcement of certain provisions of Council Regulation 2007 insofar as they relate to eggs for hatching and farmyard poultry chicks and other eggs. Article 230 (1)(c) provides that Article 116 of, and certain parts of Annex XIV to Council Regulation 2007 (marketing standards for products of eggs) are to continue to apply until the corresponding marketing rules come into force. Save to that extent Regulation (EU) 2013 applies and the 2008 Regulations are amended to refer to the relevant provisions of Regulation (EU) 2013 (regulation 18).
- (e) The Marketing of Horticultural Produce (Scotland) Regulations 2009 are amended to replace references to Council Regulation 2007 to Regulation (EU) 2013 (regulation 19).
- (f) The Beef and Pig Carcase Classification (Scotland) Regulations 2010 are amended to replace references to Council Regulation 2007 Regulation (EU) 2013 (regulation 20).
- (g) The Beef and Veal Labelling (Scotland) Regulations 2010 only are amended to replace references to Council Regulation 2007 to Regulation (EU) 2013 (regulation 21).
- (h) The Drinking Milk (Scotland) Regulations 2011 make provision for the enforcement of Article 114 (2) of Council Regulation 2007 (marketing standards for milk and milk products). Article 230 (1)(c) provides that Article 114 is to continue to apply until the corresponding marketing rules come into force. The 2011 Regulations are amended to replace the reference

in regulation 2 (interpretation) to Annex XIII to Council Regulation 2007 to Part IV of Annex VII (milk for human consumption) to Regulation (EU) 2013 (regulation 22).

- (i) The Poultrymeat (Scotland) Regulations 2011 make provision for the enforcement of marketing standards relating to poultrymeat. Article 116 of, and certain parts of Annex XIV to, Council Regulation 2007 (marketing standards for poultrymeat) are to continue to apply until the corresponding marketing rules come into force. Save to that extent Regulation (EU) 2013 applies and the 2011 Regulations are amended to refer to the relevant provisions in Regulation (EU) No 2013 (regulation 23).
- (j) The Marketing of Bananas (Scotland) Regulations 2012 are amended to replace the references to Council Regulation 2007 to Regulation (EU) No /2013 (regulation 24).

Changes to legislation:

There are currently no known outstanding effects for the The Single Common Market Organisation (Consequential Amendments) Regulations 2013.