
STATUTORY INSTRUMENTS

2019 No. 822

**The Market Measures (Marketing Standards)
(Amendment) (EU Exit) Regulations 2019**

PART 2

Bananas

Amendment of Regulation 1333/2011

2.—(1) Commission Implementing Regulation (EU) No 1333/2011 laying down marketing standards for bananas, rules on the verification of compliance with those marketing standards and requirements for notifications in the banana sector is amended as follows.

(2) In Article 1, in the second paragraph, for the words from “, to bananas originating in the Union” to the end substitute “in the United Kingdom.”.

(3) In Article 2, in point (a), omit “originating in third countries or other regions of the Union and”.

(4) After Article 2 insert:

“Article 2a

1. For the purposes of this Regulation, ‘third country’ means any country or territory other than:

- (a) the United Kingdom;
- (b) the Bailiwick of Jersey;
- (c) the Bailiwick of Guernsey;
- (d) the Isle of Man.

2. For the purposes of this Regulation, ‘appropriate authority’ means:

- (a) in relation to England, the Secretary of State;
- (b) in relation to Wales, the Welsh Ministers;
- (c) in relation to Scotland, the Scottish Ministers;
- (d) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs.

3. But the appropriate authority is the Secretary of State:

- (a) in relation to Scotland, if consent is given by the Scottish Ministers;
- (b) in relation to Northern Ireland, if consent is given by the Department of Agriculture, Environment and Rural Affairs.”.

(5) In Article 3 for “Member States” substitute “The appropriate authorities”.

(6) Omit Article 4.

- (7) In Article 5—
 - (a) for “Union”, in the first place it occurs, substitute “United Kingdom”;
 - (b) omit “in the Member State of first unloading in the Union”.
- (8) In Article 6(2)—
 - (a) for “Union” substitute “United Kingdom”;
 - (b) omit “, as regards products imported from third countries,”.
- (9) In Article 6(3) for “Union” substitute “United Kingdom”.
- (10) In Article 7—
 - (a) omit the words from “the place” to “harvested in the Union,”;
 - (b) for “Union”, in the second place it occurs, substitute “United Kingdom”;
 - (c) omit “or from Union regions of production”;
 - (d) for “Union”, in the last place it occurs, substitute “United Kingdom”.
- (11) In Article 8 omit “national”, in each place it occurs.
- (12) In Article 9(1) omit “bananas harvested in the Union or”.
- (13) In Article 9(2)—
 - (a) in the first paragraph—
 - (i) in the first sentence, for the words from “national authorities” to the end substitute “authorities”;
 - (ii) in the third sentence, for the words from “Union market” to the end substitute “United Kingdom market”;
 - (b) in the third paragraph, for “Member States” substitute “The appropriate authorities”.
- (14) In Article 9(3) omit “of the Member States”.
- (15) In Chapter 3, for the heading substitute “FINAL PROVISIONS”.
- (16) After Article 13 omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.
- (17) In Annex 1—
 - (a) in point 3—
 - (i) omit the words from “produced in” to “Cyprus”;
 - (ii) for “Union” substitute “United Kingdom”;
 - (b) in point 5, in paragraph C, omit the last sentence;
 - (c) in point 6, in paragraph C, omit the words from “and, in the case” to the end.
- (18) In Annex 2—
 - (a) in the box in the top right corner, for “EU No” substitute “Ref No”;
 - (b) in box 5, for “destiantion” substitute “destination”.
- (19) In Annex 4, in the heading, for “Union” substitute “United Kingdom”.