
STATUTORY INSTRUMENTS

2020 No. 1501

The Food (Amendment) (EU Exit) Regulations 2020

PART 1

Introductory

Citation and commencement

1. These Regulations may be cited as the Food (Amendment) (EU Exit) Regulations 2020 and come into force—

- (a) as regards this regulation and regulations 3, 4 and 5, immediately before IP completion day;
- (b) as regards regulation 2 and Part 3, on IP completion day.

PART 2

Amendment of subordinate legislation

The Food (Lot Marking) Regulations 1996

2. In regulation 4 of the Food (Lot Marking) Regulations 1996⁽¹⁾, after paragraph (g) insert—

- “(h) a sales unit of food that is a qualifying Northern Ireland good within the meaning given to it from time to time in regulations made under section 8C(6) of the European Union (Withdrawal) Act 2018.”

The Food (Amendment) (England) (EU Exit) Regulations 2019

3.—(1) The Food (Amendment) (England) (EU Exit) Regulations 2019⁽²⁾ are amended as follows.

(2) In regulation 3—

(a) for paragraph (2)(a) substitute—

“(a) in the definition of “authorised activated alumina treatment” for paragraph (b) substitute—

“(b) in the case of natural mineral water or spring water brought into England from Scotland or Wales, a treatment which complies with Articles 1 to 3 of [Commission Regulation \(EU\) No 115/2010](#)⁽³⁾;

(1) S.I. 1996/1502, relevant amending instruments are S.I. 2014/1855, S.I. 2014/2303 (W. 227), S.S.I. 2014/312 and S.I. 2018/806 (W. 162).

(2) S.I. 2019/150.

(3) OJ No. L 37, 10.02.2010, p. 13-15.

- (c) in the case of natural mineral water or spring water brought into England from Northern Ireland or from an EEA State, a treatment which complies with Articles 1 and 2 of [Commission Regulation \(EU\) No 115/2010](#) as it has effect in EU law;
- (d) in the case of natural mineral water or spring water brought into England from a country outside the UK and the EEA, a treatment which complies with Articles 1 and 2 of [Commission Regulation \(EU\) No 115/2010](#),”;”;
- (b) for paragraph (3) substitute—
 - “(3) For regulation 3(1)(d) substitute—
 - “(d) is a natural mineral water intended for—
 - (i) movement into Northern Ireland;
 - (ii) export to a third country.”;”;
- (c) for paragraph (4)(a)(iii)(bb) substitute—
 - “(bb) for paragraph (ii) substitute—
 - “(ii) it has equivalent recognition in Northern Ireland granted by the Agency in accordance with regulation 4(2)(d)(i) of, and Part 2 of Schedule 1 to, the Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations (Northern Ireland) 2015(4), or
 - (iii) it has equivalent recognition in Scotland granted by the Agency in accordance with regulation 4(1)(d)(i) of, and Part 2 of Schedule 3 to, the Natural Mineral Water, Spring Water and Bottled Drinking Water (Scotland) (No. 2) Regulations 2007(5), or
 - (iv) it has equivalent recognition in Wales granted by the Agency in accordance with regulation 4(2)(d)(i) of, and Part 2 of Schedule 1 to, the Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2015(6).”;

The Food (Amendment) (EU Exit) Regulations 2019

- 4.—(1) The Food (Amendment) (EU Exit) Regulations 2019(7) are amended as follows.
- (2) Omit regulation 2.
- (3) In regulation 3(2)(a), in the substituted text, for “exit” substitute “IP completion”.
- (4) In regulation 5—
 - (a) in paragraph 2(b), for “the United Kingdom” substitute “Great Britain”;
 - (b) in paragraph (19), in the substituted text, for “exit” substitute “IP completion”.
- (5) In Schedule 1, in the substituted text—
 - (a) omit point (b);
 - (b) renumber point (c) as point (b);

(4) S.R. 2015/365, as it will be prospectively amended by S.R. 2019/353.

(5) S.S.I. 2007/483 amended by S.S.I. 2009/273 and S.S.I. 2011/1043.

(6) S.I. 2015/1867 (W. 274), as it will be prospectively amended by S.I. 2019/1046 (W. 185).

(7) S.I. 2019/529.

- (c) renumber point (d) as point (c).
- (6) In Schedule 2—
 - (a) for Part 1 substitute the Part in the Schedule;
 - (b) in Part 2, in the substituted text—
 - (i) in point (a)—
 - (aa) omit point (ii);
 - (bb) renumber point (iii) as point (ii);
 - (cc) renumber point (iv) as point (iii);
 - (ii) in point (b)—
 - (aa) omit point (ii);
 - (bb) renumber point (iii) as point (ii);
 - (cc) renumber point (iv) as point (iii);
 - (c) in Part 3, for the inserted text substitute—
 - “The specified legislation is:
 - (a) the Weights and Measures (Miscellaneous Foods) Order 1988⁽⁸⁾;
 - (b) the Weights and Measures (Packaged Goods) Regulations 2006⁽⁹⁾.”;
 - (d) in Part 4, in the substituted text—
 - (i) omit point (b);
 - (ii) renumber point (c) as point (b);
 - (iii) renumber point (d) as point (c).

The Environment, Food and Rural Affairs (Amendment) (EU Exit) Regulations 2019

5.—(1) The Environment, Food and Rural Affairs (Amendment) (EU Exit) Regulations 2019⁽¹⁰⁾ are amended as follows.

- (2) In regulation 2, in the inserted text—
 - (a) in paragraph (6), for “exit” substitute “IP completion”;
 - (b) in paragraph (12), for “exit” in each place it occurs, substitute “IP completion”.
- (3) In regulation 4—
 - (a) in paragraph 2—
 - (i) in the words before the inserted text, for “(z)” substitute “(z1)”;
 - (ii) in the inserted text—
 - (aa) renumber point “(z1)” as point “(z2)”;
 - (bb) renumber point “(z2)” as point “(z3)”;
 - (cc) renumber point “(z3)” as point “(z4)”;
 - (b) in paragraph (4)(a)(i), for “referred to in” substitute “acts referred to in”;
 - (c) in paragraph (12)—
 - (i) in sub-paragraph (b), in the substituted text, after “subject to” insert—

⁽⁸⁾ S.I. 1988/2040, amended by S.I. 1990/1550, 1994/2868, 2006/659, 2009/663, 2014/2975.

⁽⁹⁾ S.I. 2006/659, amended by the Consumer Rights Act 2015 (2015 c. 15), section 78, and by SI 2013/1478, 2014/2975, 2015/1630, 2019/5.

⁽¹⁰⁾ S.I. 2019/778.

“[Commission Implementing Regulation \(EU\) No 2018/775](#)(**11**) laying down rules for the application of Article 26(3) of [Regulation \(EU\) No 1169/2011](#) of the European Parliament and of the Council on the provision of food information to consumers, as regards the rules for indicating the country of origin or place of provenance of the primary ingredient of a food and”;

(ii) in sub-paragraph (c), in the substituted paragraph, in point (b), after “1337/2013” insert “or [Regulation \(EU\) No 2018/775](#)”;

(d) for paragraph (17)(b)(i) substitute—

“(i) for “the Commission may adopt implementing acts” substitute “regulations may be made”.”.

(4) In the Schedule, in the substituted text—

(a) in Article 51—

(i) in paragraph 2—

(aa) in the words before point (a), for “the United Kingdom” substitute “Great Britain”;

(bb) omit point (a);

(cc) renumber point (b) as point (a);

(dd) renumber point (c) as point (b);

(ii) in paragraph 3—

(aa) in the words before point (a), for “the United Kingdom” substitute “Great Britain”;

(bb) omit point (b);

(cc) renumber point (c) as point (b);

(dd) renumber point (d) as point (c);

(b) in Article 51a—

(i) in paragraph 1(a), for the words from “9(1)(e)” to the end substitute “9(1)(e), by the Secretary of State”;

(ii) in paragraph 2—

(aa) in the words before point (a), for “the United Kingdom” substitute “Great Britain”;

(bb) omit point (a);

(cc) renumber point (b) as point (a);

(dd) renumber point (c) as point (b);

(c) in Article 51b(1), for the words from “exercisable” to the end substitute “exercisable by the Secretary of State”;

(d) omit Article 51d;

(e) renumber Article 51e as Article 51d;

(f) renumber Article 51f as Article 51e.

PART 3

Amendment of retained direct EU legislation

Regulation (EU) No 1169/2011 of the European Parliament and of the Council

6. In Article 34(5) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers⁽¹²⁾ in the second subparagraph, omit the second sentence.

Commission Implementing Regulation (EU) No 2018/775

7.—(1) Commission Implementing Regulation (EU) No 2018/775⁽¹³⁾ laying down rules for the application of Article 26(3) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, as regards the rules for indicating the country of origin or place of provenance of the primary ingredient of a food is amended as follows.

(2) In Article 1(2)—

- (a) omit “Regulation (EC) No 110/2008 or”;
- (b) after “251/2014” insert “or Regulation (EU) No 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⁽¹⁴⁾”.

(3) After Article 1 insert—

“Article 1A

Definitions

In this Regulation:

‘country’, in relation to the United Kingdom, means the United Kingdom as a whole and does not mean any of the individual constituent nations forming part of the United Kingdom;
‘retained EU law’ has the meaning given in section 6(7) of the European Union (Withdrawal) Act 2018 but does not include any legislation so far as it extends to Northern Ireland.”.

(4) In Article 2(a)—

- (a) in point (ii), for the words from “either” to “countries” substitute “in more than one country”;
- (b) in point (iv), for “Member State(s) or third” substitute “the name of the relevant”;
- (c) in point (v) omit “Member State or within a third”;
- (d) in point (vi), for “Union provisions” substitute “provisions in legislation which form part of retained EU law”.

(5) In Article 4, omit the fourth paragraph.

⁽¹²⁾ OJ No. L 304, 22.11.2011, p.18, to which there are amendments not relevant to these regulations.

⁽¹³⁾ OJ No. L131, 29.5.2018, p. 8-11.

⁽¹⁴⁾ OJ No. L130, 17.5.2019, p. 1-54.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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