
STATUTORY INSTRUMENTS

2020 No. 1637

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

PART 5

Amendment of retained direct EU legislation

Regulation (EU) No 1151/2012 of the European Parliament and of the Council

18.—(1) Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs is amended as follows.

- (2) In Article 1—
 - (a) at the end of point (b) insert “ and ”;
 - (b) at the end of point (c) omit “and”;
 - (c) omit point (d).
- (3) In Article 2—
 - (a) in paragraph 1, in the second subparagraph, for the words from “Commission” to “56,” substitute “ Secretary of State may make regulations ”;
 - (b) in paragraph 2, for “Annex XIb to Regulation (EC) No 1234/2007^{M1}” substitute “ Part 2 of Annex 7 to Regulation 1308/2013 ”;
 - (c) in paragraph 3—
 - (i) for “Union provisions” substitute “ provisions in retained EU law ”;
 - (ii) for “the single common organisation of the markets, and” substitute “ provisions in, or under, Regulation 1308/2013 and provisions relating ”;
 - (d) omit paragraph 4.
- (4) In Article 3—
 - (a) in point (6), for “Union” substitute “ United Kingdom ”;
 - (b) after point (8) insert the points in Part 1 of Schedule 2.
- (5) After Article 3 insert the new Article 3a in Part 2 of Schedule 2.
- (6) In Article 4(b), for “the Union” substitute “ Great Britain ”.
- (7) In Article 5(4)—
 - (a) in the first subparagraph, for the words from “Commission” to “56,” substitute “ Secretary of State may make regulations ”;
 - (b) in the second subparagraph, for the words from “Commission” to “56,” substitute “ Secretary of State may make regulations ”.
- (8) In Article 7—
 - (a) in paragraph 1(e) omit the words from “, taking” to the end of that point;

- (b) in paragraph 2—
 - (i) in the first subparagraph, for the words from “Commission” to “56,” substitute “ Secretary of State may make regulations ”;
 - (ii) in the second subparagraph—
 - (aa) for “Commission may adopt implementing acts” substitute “ Secretary of State may make regulations ”;
 - (bb) omit the second sentence.
- (9) In Article 8—
 - (a) in paragraph 1, in the words before point (a), for “49(2) or (5)” substitute “ 49 ”;
 - (b) omit paragraph 2.
- (10) Omit Article 9.
- (11) In Article 10—
 - (a) in paragraph 1, in the words before point (a), for “Commission” substitute “ Secretary of State ”;
 - (b) in paragraph 2, for “the Union” substitute “ Great Britain, except that, in relation to paragraph 1(d), the grounds for opposition must be assessed in relation to the territory of the United Kingdom ”.
- (12) In Article 11—
 - (a) in paragraph 1, for the words from “Commission” to “maintaining” substitute “ Secretary of State must establish and maintain ”;
 - (b) in paragraph 2—
 - (i) for “the Union”, in the first place it occurs, substitute “ Great Britain ”;
 - (ii) for “Union”, in the second place it occurs, substitute “ United Kingdom ”;
 - (iii) at the end insert—

“The entry in the register is to be treated as taking effect:

 - (a) in a case where the register is established by the Secretary of State after IP completion day but before the end of the day following the day on which IP completion day falls and the entry is in the register as established during that period, on IP completion day;
 - (b) in any other case, immediately the entry is made.”;
 - (c) in paragraph 3—
 - (i) for “Commission may adopt implementing acts” substitute “ Secretary of State may make regulations ”;
 - (ii) omit the second sentence;
 - (d) in paragraph 4, for “Commission” substitute “ Secretary of State ”.
- (13) In Article 12—
 - (a) in paragraph 2 omit “Union”;
 - (b) in paragraph 3—
 - (i) for “the Union”, in the first place it occurs, substitute “ Great Britain ”;
 - (ii) after “that are marketed” insert “ in Great Britain ”;
 - (iii) for the words from “registered in” to “Regulation” substitute “ to which paragraph 3a applies ”;

- (iv) omit “Union” in the second place it occurs;
 - (c) after paragraph 3 insert—
 - “**3a.** This paragraph applies to:
 - (a) an established protected designation of origin and an established protected geographical indication;
 - (b) a protected designation of origin and a protected geographical indication registered following a decision made by the Secretary of State under Article 52 in relation to an application made under Article 49(2).”;
 - (d) in paragraph 4, for the words from “Member State” to the end substitute “ United Kingdom or the third country, or region, as relevant, in which that geographical area of origin is located ”;
 - (e) in paragraph 5, for the words from “Directive 2000/13/EC” to “2008/95/EC^{M2}” substitute “ Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, the collective geographical marks registered under the TMA ”;
 - (f) in paragraph 6—
 - (i) after “originating in” insert “ Northern Ireland or ”;
 - (ii) omit “Union”;
 - (g) in paragraph 7—
 - (i) in the first subparagraph—
 - (aa) for the words from “Commission” to “56,” substitute “ Secretary of State may make regulations ”;
 - (bb) omit “Union”;
 - (ii) in the second subparagraph—
 - (aa) for “Commission may adopt implementing acts” substitute “ Secretary of State may make regulations ”;
 - (bb) omit “Union”;
 - (cc) omit “, including rules concerning the appropriate linguistic versions to be used”;
 - (dd) omit the second sentence.
- (14) In Article 13(3)—
 - (a) in the first subparagraph—
 - (i) for “Member States” substitute “ The designated authority ”;
 - (ii) for “that Member State” substitute “ Great Britain ”;
 - (b) omit the second subparagraph;
 - (c) in the third subparagraph, for “These authorities” substitute “ The designated authority ”.
- (15) In Article 14—
 - (a) in paragraph 1—
 - (i) in the first subparagraph, for “Commission” substitute “ Secretary of State ”;
 - (ii) in the third subparagraph, for “Directive 2008/95/EC” substitute “ the TMA ”;
 - (b) in paragraph 2, in the first sentence—

- (i) omit the words from “if” to “concerned”;
 - (ii) for “Union” substitute “ United Kingdom ”;
 - (iii) for “Commission” substitute “ Secretary of State ”;
 - (iv) for the words from “under Council” to “2008/95/EC” substitute “ in, or under, the TMA ”.
- (16) After Article 14 insert the new Articles 14a and 14b in Part 3 of Schedule 2.
- (17) In Article 15—
- (a) in paragraph 1—
 - (i) in the first subparagraph, in the words before point (a)—
 - (aa) for the words from “Commission” to “years” substitute “ Secretary of State may, by regulations, make provision for a transitional period of up to five years to apply ”;
 - (bb) omit “originating in a Member State or a third country”;
 - (cc) for “on condition” substitute “ if the Secretary of State is satisfied ”;
 - (dd) omit “Article 49(3) or”;
 - (ii) omit the second subparagraph;
 - (b) in paragraph 2—
 - (i) in the first subparagraph—
 - (aa) in the words before point (a), for the words from “the Commission” to “shown” substitute “ an application may be made to the Secretary of State to extend the transitional period mentioned in paragraph 1 to 15 years in duly justified cases and the Secretary of State may, by regulations, make provision for such a transitional provision if the Secretary of State is satisfied ”;
 - (bb) in point (a), for “Commission” substitute “ Secretary of State ”;
 - (ii) omit the second subparagraph;
 - (c) in paragraph 4—
 - (i) in the first subparagraph—
 - (aa) for the words from “a Member State may” to “10 years” substitute “ nothing in this Regulation prevents the Secretary of State from using any power the Secretary of State has to make regulations to provide for a transitional period of up to 10 years to apply ”;
 - (bb) for “Commission” substitute “ Secretary of State ”;
 - (cc) omit “to the authorities of the Member State”;
 - (dd) omit “national”;
 - (ee) for “49(3)” substitute “ 51 ”;
 - (ii) in the third subparagraph, for “dossier referred to in Article 8(2)” substitute “ submitted under Article 8(1) ”.
- (18) In Article 16—
- (a) in paragraph 1—
 - (i) in the first sentence, for the words from the beginning to “entered in”, in the second place it occurs, substitute “ The Secretary of State must enter the names of established

protected designations of origin and established protected geographical indications in ”;

(ii) after the first sentence insert—

“The entries are to be treated as taking effect on IP completion day.”.

(iii) in the last sentence, after “such registrations” insert “ under EU Regulation 1151/2012^{M3}, as they stood immediately before IP completion day, ”;

(b) in paragraph 2, for the words from “Commission” to “56,” substitute “ Secretary of State may make regulations ”;

(c) in paragraph 3—

(i) at the beginning insert “ In relation to established protected designations of origin and established protected geographical indications, ”;

(ii) after “Regulation (EC) No 510/2006^{M4}” insert “ , as that Regulation had effect in Great Britain immediately before it was repealed by EU Regulation 1151/2012, ”;

(d) after paragraph 3 insert—

“4. Article 12(3) (which requires that the symbol associated with the marketing in Great Britain of a product originating in Great Britain must appear on the labelling of certain products) is disapplied in respect of a product to which it would otherwise apply, for a period of three years, beginning with the day after the day on which IP completion day falls, on condition that the product concerned is marketed under an established protected designation of origin or an established protected geographical indication.

5. In paragraph 1, in relation to an established protected designation of origin and an established protected geographical indication, ‘corresponding specifications’ means the product specification for the relevant designation of origin or geographical indication as the specification stood immediately before IP completion day.”.

(19) In Article 18—

(a) in paragraph 3 omit “Member State or in a third”;

(b) in paragraph 4, for “Union legislation” substitute “ retained EU law ”;

(c) in paragraph 5, for the words from “Commission” to “56,” substitute “ Secretary of State may make regulations ”.

(20) In Article 19—

(a) in paragraph 1(a) omit “, in the appropriate language versions”;

(b) in paragraph 2—

(i) in the first subparagraph, for the words from “Commission” to “56,” substitute “ Secretary of State may make regulations ”;

(ii) in the second subparagraph—

(aa) for “Commission may adopt implementing acts” substitute “ Secretary of State may make regulations ”;

(bb) omit the second sentence.

(21) In Article 20—

(a) in paragraph 1, in the words before point (a) omit “(2) or (5)”;

(b) omit paragraph 2.

- (22) In Article 21—
- (a) in paragraph 1, in the words before point (a), for “Commission” substitute “ Secretary of State ”;
 - (b) in paragraph 2, for “the Union” substitute “ Great Britain ”.
- (23) In Article 22—
- (a) in paragraph 1, for the words from “Commission” to “maintaining” substitute “ Secretary of State must establish and maintain ”;
 - (b) in paragraph 2—
 - (i) for “Commission may adopt implementing acts” substitute “ Secretary of State may make regulations ”;
 - (ii) omit the second sentence.
- (24) In Article 23—
- (a) in paragraph 2 omit “Union”;
 - (b) in paragraph 3—
 - (i) in the first subparagraph—
 - (aa) for “the Union” substitute “ Great Britain ”;
 - (bb) after “that are marketed” insert “ in Great Britain ”;
 - (cc) for the words from “that is” to “Regulation” substitute “ to which paragraph 3a applies ”;
 - (ii) in the second subparagraph, for “the Union” substitute “ Great Britain ”;
 - (c) after paragraph 3 insert—

“3a. This paragraph applies to:

 - (a) an established protected traditional speciality guaranteed;
 - (b) a traditional speciality guaranteed registered following a decision made by the Secretary of State under Article 52 in relation to an application made under Article 49(2).”;
 - (d) in paragraph 4—
 - (i) in the first subparagraph—
 - (aa) for the words from “Commission” to “56,” substitute “ Secretary of State may make regulations ”;
 - (bb) omit “Union”;
 - (ii) in the second subparagraph—
 - (aa) for “Commission may adopt implementing acts” substitute “ Secretary of State may make regulations ”;
 - (bb) omit “Union”;
 - (cc) omit the words from “, including” to the end.
- (25) In Article 24—
- (a) in paragraph 2—
 - (i) for “Member States” substitute “ The designated authority ”;
 - (ii) for “at national level” substitute “ in Great Britain ”;
 - (b) in paragraph 3—

- (i) for “Commission may adopt implementing acts” substitute “ Secretary of State may make regulations ”;
 - (ii) omit the second sentence.
- (26) In Article 25—
- (a) in paragraph 1—
 - (i) in the first sentence, for the words from the beginning to “entered in” substitute “ The Secretary of State must enter the names of established protected traditional specialities guaranteed in ”;
 - (ii) after the first sentence insert—

“The entries are to be treated as taking effect on IP completion day.”;
 - (iii) in the last sentence, after “such registrations” insert “ under EU Regulation 1151/2012 as it had effect in Great Britain immediately before IP completion day ”;
 - (b) in paragraph 2—
 - (i) for the words from the beginning to “Regulation,” substitute “ An unreserved TSG name ”;
 - (ii) omit the words from “unless” to the end;
 - (iii) insert as the second and third subparagraphs—

“When the Secretary of State records an entry relating to the name on Great Britain's TSGs Register under paragraph 1, the Secretary of State must include a statement that the name may continue to be used as a traditional speciality guaranteed until 4 January 2023.

The Secretary of State must remove the entry relating to the name from Great Britain's TSGs Register on, or as soon as possible after, 4 January 2023, unless the second subparagraph of paragraph 2applies to the entry relating to that name in the meantime.”;
 - (c) after paragraph 2 insert—

“**2a.** An application to register an unreserved TSG name may be made to the Secretary of State under Article 49 of this Regulation.

If successful, the entry for the name in Great Britain's TSGs Register must be adjusted, as appropriate, and, following that adjustment, the entry in Great Britain's TSGs Register for that name applies without any time restriction.”;
 - (d) in paragraph 3—
 - (i) for the words from “Commission” to “56,” substitute “ Secretary of State may make regulations ”;
 - (ii) at the end insert “ relating to the entries to be made in the register referred to in Article 22 under paragraph 1 ”;
 - (e) after paragraph 3 insert—

“**4.** Article 23(3) (which requires that the symbol associated with the marketing in Great Britain of a product originating in Great Britain must appear on the labelling of certain products) is disapplied in respect of a product to which it would otherwise apply, for a period of three years, beginning with the day after the day on which IP completion

day falls, if the product concerned is marketed under an established protected traditional speciality guaranteed.

5. In this Article—

- (a) in relation to an established protected traditional speciality guaranteed, ‘corresponding specifications’ means the product specification for the relevant traditional speciality guaranteed as the specification stood immediately before IP completion day;
- (b) ‘the European Commission's TSGs Register’ means the register maintained by the European Commission pursuant to Article 22 of EU Regulation 1151/2012;
- (c) ‘an unreserved TSG name’ means the name of a traditional speciality guaranteed that was registered on the European Commission's TSGs Register in accordance with the requirements laid down in Article 13(1) of Regulation (EC) No 509/2006, including a name registered pursuant to an application referred to in the second subparagraph of Article 58(1) of EU Regulation 1151/2012, before IP completion day, but does not include a name for which:
 - (i) a successful application was made to the European Commission under Article 26 of EU Regulation 1151/2012 before IP completion day, and
 - (ii) any necessary adjustment has been made to the entry for that name on the European Commission's TSGs Register pursuant to Article 26(4) of EU Regulation 1151/2012 before IP completion day.”.

(27) Omit Article 26.

(28) In Article 27, for “the internal market” substitute “ Great Britain ”.

(29) For Article 28 substitute—

“Article 28

Existing enactments

1. Nothing in this Regulation prevents the maintenance of any enactment in domestic legislation on optional quality terms that is not covered by this Regulation and is in force immediately before IP completion day, provided that the enactment is not contrary to retained EU law.

2. In paragraph 1:

- (a) ‘enactment in domestic legislation’ means an enactment contained in:
 - (i) an Act or in an Order in Council, order, rules, regulations or other instrument made under an Act;
 - (ii) an Act of the Scottish Parliament or in an instrument made under an Act of the Scottish Parliament;
 - (iii) a Measure or Act of Senedd Cymru or in an instrument made under a Measure or Act of Senedd Cymru;
- (b) ‘maintenance’ includes repeal and replacement, and revocation and replacement, without, in both cases, any substantive modification of the provisions describing and regulating the use of the relevant optional quality term.

3. A modification of provisions relating to the enforcement of an enactment in domestic legislation on optional quality terms is not to be regarded as a modification of the enactment in domestic legislation on optional quality terms.”.
- (30) In Article 29—
- (a) in paragraph 1(c), for “European” substitute “ Great British ”;
 - (b) in paragraph 4, for the words from “Commission” to “56,” substitute “ Secretary of State may make regulations ”;
 - (c) in paragraph 5—
 - (i) for “Commission may adopt implementing acts” substitute “ Secretary of State may make regulations ”;
 - (ii) omit the second sentence;
 - (d) in paragraph 6—
 - (i) for “adopting delegated and implementing acts” substitute “ making regulations ”;
 - (ii) for “Commission” substitute “ Secretary of State ”.
- (31) In Article 30—
- (a) in paragraph 1, for the words from “Commission” to “56,” substitute “ Secretary of State may make regulations ”;
 - (b) in paragraph 2, for the words from “Commission” to “56,” substitute “ Secretary of State may make regulations ”.
- (32) In Article 31—
- (a) in paragraph 2—
 - (i) in the first sentence—
 - (aa) for “the Union” substitute “ Great Britain ”;
 - (bb) for “Article 18(1) of Regulation (EC) No 1257/1999^{M5}”, in the first place it occurs, substitute “ Article 32(1)(a) of Regulation (EU) No 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) ^{M6} ”;
 - (ii) in the second sentence—
 - (aa) after “For” insert “ Northern Ireland and ”;
 - (bb) after “the” insert “ authorities in Northern Ireland or the relevant ”;
 - (cc) for “Article 18(1) of Regulation (EC) No 1257/1999”, in the second place it occurs, substitute “ Article 32(2) of Regulation (EU) No 1305/2013 of the European Parliament and of the Council ”;
 - (b) in paragraph 3—
 - (i) for the words from “Commission”, in the first place it occurs, to “56,” substitute “ Secretary of State may make regulations ”;
 - (ii) for the words from “Commission”, in the second place it occurs, to “act” substitute “ Secretary of State may make regulations ”;
 - (c) in paragraph 4, for the words from “Commission” to “56,” substitute “ Secretary of State may make regulations ”.
- (33) Omit Article 32.
- (34) In Article 33(2)—

- (a) for “Commission may adopt implementing acts” substitute “ Secretary of State may make regulations ”;
 - (b) omit the second sentence.
- (35) In Article 34, for “Member States” substitute “ The designated authority ”.
- (36) In Article 37—
- (a) in paragraph 1, in the second subparagraph, for “The Member States may also contribute” substitute “ Nothing in this Regulation prevents the Secretary of State from contributing ”;
 - (b) in paragraph 2—
 - (i) in the words before point (a), after “originating in” insert “ Northern Ireland or ”;
 - (ii) in point (a), after “by the” insert “ authorities in Northern Ireland or the relevant ”;
 - (c) in paragraph 3—
 - (i) for “Commission” substitute “ Secretary of State ”;
 - (ii) at the end insert “ , in such manner as appears appropriate to the Secretary of State from time to time ”;
 - (d) omit paragraph 4.
- (37) In Article 39—
- (a) in the heading, after “in” insert “ Northern Ireland and ”;
 - (b) in the paragraph, after “controls in” insert “ Northern Ireland or ”.
- (38) In Article 40—
- (a) in paragraph 1—
 - (i) for “Member States” substitute “ The Secretary of State ”;
 - (ii) for the words from “41” to the end substitute “ 109(1), 110(2) and 111(2) of Regulation (EU) 2017/625 ”;
 - (b) in paragraph 2, for “44 of Regulation (EC) No 882/2004^{M7}” substitute “ 113(1) of Regulation (EU) 2017/625 ”.
- (39) In Article 41—
- (a) in paragraph 1—
 - (i) after “use” insert “ in Great Britain ”;
 - (ii) for “Union” substitute “ United Kingdom ”;
 - (b) in paragraph 2(b) omit “national or Union”;
 - (c) in paragraph 3, for the words from “Commission” to “56,” substitute “ Secretary of State may make regulations ”;
 - (d) after paragraph 3 insert—

“4. In this Article, ‘legal acts’ means legislation of the following kind whenever passed, made or adopted:

- (a) an Act and an enactment contained in any Order in Council, order, rules, regulations or other instrument made under an Act;
- (b) Northern Ireland legislation, an enactment contained in an instrument made under Northern Ireland legislation, and, so far as it applies to Northern Ireland, anything that forms part of domestic law by virtue of section 7A of the EUWA and the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement;

- (c) an Act of the Scottish Parliament and an enactment contained in an instrument made under an Act of the Scottish Parliament;
 - (d) a Measure or Act of Senedd Cymru and an enactment contained in an instrument made under a Measure or Act of Senedd Cymru;
 - (e) retained direct EU legislation.”.
- (40) In Article 42(2), for the words from “Commission” to “56,” substitute “ Secretary of State may make regulations ”.
- (41) In Article 43—
- (a) for “Union rules or to those of Member States” substitute “ retained EU law and any other enactments ”;
 - (b) for “those rules” substitute “ that law and those enactments ”.
- (42) In Article 44—
- (a) omit paragraph 2;
 - (b) in paragraph 3—
 - (i) for “Commission shall adopt implementing acts” substitute “ Secretary of State may make regulations ”;
 - (ii) omit the second sentence.
- (43) In Article 45—
- (a) in paragraph 1—
 - (i) in the words before point (a), for “Regulation (EC) No 1234/2007” substitute “ Regulation 1308/2013 ”;
 - (ii) in point (a), for the words from “competent authorities” to “other competent” substitute “ the competent authority or any designated ”;
 - (b) in paragraph 2—
 - (i) for “Member States”, in the first place it occurs, substitute “ The Secretary of State ”;
 - (ii) for “on their territories” substitute “ in Great Britain ”;
 - (iii) for the second and third sentences substitute—

“The Secretary of State must publish the names and addresses of the groups referred to in Article 3(2) in such manner as appears appropriate to the Secretary of State from time to time.”;
 - (c) after paragraph 2 insert—

“3. In this Article, ‘the competent authority’ means the person specified in regulation 3(1) of the Quality Schemes Regulations.”.
- (44) In Article 46—
- (a) in paragraph 1, for “Member States” substitute “ The Secretary of State ”;
 - (b) in paragraph 3, for “Member States” substitute “ The Secretary of State ”.
- (45) In Article 47—
- (a) for “(EC) No 882/2004” substitute “ (EU) 2017/625 ”;
 - (b) for “Member States may charge” substitute “ nothing in this Regulation prevents the Secretary of State from charging ”.
- (46) In Article 49—

- (a) in paragraph 1, in the first subparagraph omit “Member States or third”;
- (b) in paragraph 2—
 - (i) in the first sub-paragraph—
 - (aa) for “a Member State”, in both places it occurs, substitute “ the United Kingdom ”;
 - (bb) for “addressed to the authorities of that Member State” substitute “ lodged with the Secretary of State ”;
 - (ii) omit the second sub-paragraph;
- (c) omit paragraphs 3 and 4;
- (d) in paragraph 5, for “Commission,” substitute “ Secretary of State ”;
- (e) in paragraph 6, for “Commission” substitute “ Secretary of State ”;
- (f) in paragraph 7—
 - (i) omit the first subparagraph;
 - (ii) in the second subparagraph—
 - (aa) for “Commission may adopt implementing acts” substitute “ Secretary of State may make regulations ”;
 - (bb) omit the second sentence;
- (g) after paragraph 7 insert—

“8. In relation to the reference to “different countries” in paragraph 1, the United Kingdom is to be regarded as being one country.”.
- (47) In Article 50—
 - (a) in the heading, for “**Commission**” substitute “ **Secretary of State** ”;
 - (b) in paragraph 1—
 - (i) in the first subparagraph—
 - (aa) for “Commission”, in both places it occurs, substitute “ Secretary of State ”;
 - (bb) for “that it receives” substitute “ received ”;
 - (ii) in the second subparagraph—
 - (aa) for “Commission” substitute “ Secretary of State ”;
 - (bb) after “public” insert “ , in such manner as appears appropriate to the Secretary of State from time to time, ”;
 - (cc) for “it” substitute “ the Secretary of State ”;
 - (c) in paragraph 2—
 - (i) in the words before point (a)—
 - (aa) for “Commission” substitute “ Secretary of State ”;
 - (bb) for “it” substitute “ the Secretary of State ”;
 - (cc) for “the *Official Journal of the European Union*” substitute “ such manner as appears appropriate to the Secretary of State from time to time ”;
 - (ii) in point (a) omit “the reference to the publication of the”.
- (48) In Article 51—
 - (a) in paragraph 1—

- (i) in the first subparagraph—
 - (aa) for “in the *Official Journal of the European Union*” substitute “ of the documents published under Article 50(2) ”;
 - (bb) omit “of a Member State or”;
 - (cc) omit “and established in a third country”;
 - (dd) for “Commission” substitute “ Secretary of State ”;
 - (ii) omit the second subparagraph;
 - (iii) in the last subparagraph, for “Commission” substitute “ Secretary of State ”;
 - (b) in paragraph 2, for “Commission”, in both places it occurs, substitute “ Secretary of State ”;
 - (c) in paragraph 3, in the first, second and third subparagraphs, for “Commission”, in each place it occurs, substitute “ Secretary of State ”;
 - (d) in paragraph 4, for “Commission” substitute “ Secretary of State ”;
 - (e) in paragraph 5, for “Commission” substitute “ Secretary of State ”;
 - (f) in paragraph 6—
 - (i) in the first subparagraph, for the words from “Commission” to “56,” substitute “ Secretary of State may make regulations ”;
 - (ii) in the second subparagraph—
 - (aa) for “Commission may adopt implementing acts” substitute “ Secretary of State may make regulations ”;
 - (bb) omit the second sentence.
- (49) In Article 52—
- (a) in paragraph 1—
 - (i) for “Commission”, in both places it occurs, substitute “ Secretary of State ”;
 - (ii) for “it shall adopt implementing acts rejecting” substitute “ the Secretary of State must reject ”;
 - (iii) omit the second sentence;
 - (b) in paragraph 2—
 - (i) for “Commission” substitute “ Secretary of State ”;
 - (ii) for the words from “it” to “registering” substitute “ the Secretary of State must register ”;
 - (c) in paragraph 3—
 - (i) in the words before point (a)—
 - (aa) for “Commission” substitute “ Secretary of State ”;
 - (bb) for “it” substitute “ the Secretary of State ”;
 - (ii) in point (a) omit the words from “by means” to “substantial”;
 - (iii) in point (b), for the words from “adopt” to the end substitute “ decide whether to register the name ”;
 - (d) for paragraph 4 substitute—

“4. After making a decision under this Article, the Secretary of State must publish in such manner as appears appropriate to the Secretary of State from time to time:

- (a) a notice:
 - (i) informing the applicant and the public of the decision made in relation to the application and the reasons for that decision, and
 - (ii) providing information about the right to appeal under Article 54a against the decision and the period within which an appeal may be made, and
- (b) where the application is approved, a copy of the approved product specification.

5. An implementing act to which paragraph 6 applies is revoked.

6. This paragraph applies to an implementing act adopted by the European Commission under Article 52 of EU Regulation 1151/2012 and incorporated into domestic law by section 3(1) of the EUWA.”.

(50) After Article 52 insert the new Article 52a in Part 4 of Schedule 2.

(51) In Article 53—

- (a) in paragraph 2, in the second subparagraph—
 - (i) for “Commission”, in both places it occurs, substitute “ Secretary of State ”;
 - (ii) for “the *Official Journal of the European Union*” substitute “ such manner as appears appropriate to the Secretary of State from time to time ”;
- (b) in paragraph 3—
 - (i) in the first subparagraph, for the words from “Commission” to “56,” substitute “ Secretary of State may make regulations ”;
 - (ii) in the second subparagraph—
 - (aa) for “Commission may adopt implementing acts” substitute “ Secretary of State may make regulations ”;
 - (bb) omit the second sentence;
- (c) after paragraph 3 insert—

“4. An implementing act to which paragraph 5 applies is revoked.

5. This paragraph applies to an implementing act:

- (a) concerning a decision of the European Commission relating to an application to amend a product specification for a designation of origin, geographical indication or traditional speciality guaranteed protected in the European Union at the time the application was submitted,
- (b) adopted by the European Commission pursuant to Article 53(2) of EU Regulation 1151/2012 following the appropriate procedure referred to in that paragraph, and
- (c) incorporated into domestic law by section 3(1) of the EUWA.”.

(52) In Article 54—

- (a) in paragraph 1—
 - (i) in the first subparagraph, in the words before point (a)—
 - (aa) for “Commission” substitute “ Secretary of State ”;

- (bb) for “its” substitute “the Secretary of State's”;
- (cc) for “adopt implementing acts to” substitute “decide to”;
- (ii) in the second subparagraph, for “Commission” substitute “Secretary of State”;
- (iii) omit the third subparagraph;
- (b) in paragraph 2—
 - (i) in the first subparagraph, for the words from “Commission” to “56” substitute “Secretary of State may make regulations”;
 - (ii) in the second subparagraph—
 - (aa) for “Commission may adopt implementing acts” substitute “Secretary of State may make regulations”;
 - (bb) omit the second sentence;
- (c) after paragraph 2 insert—

“3. An implementing act to which paragraph 4 applies is revoked.

4. This paragraph applies to an implementing act adopted by the European Commission under Article 54(1) of EU Regulation 1151/2012 and incorporated into domestic law by section 3(1) of the EUWA.”

- (53) After Title 5 insert the new Title 5A in Part 5 of Schedule 2.
- (54) In Title 6 omit Chapter 1.
- (55) For Article 56 substitute the Article in Part 6 of Schedule 2.
- (56) Omit Article 57.
- (57) In Article 58(1) omit the second subparagraph.
- (58) In Article 59 omit the second paragraph.
- (59) After Article 59 omit the words from “This Regulation” to “States.”
- (60) After Annex 1 insert the new Annexes 1A and 1B in Part 7 of Schedule 2.

Commencement Information

II Reg. 18 in force at 31.12.2020, see reg. 1(7)

Marginal Citations

- M1** OJ No. L 299, 16.11.2007, p. 1, repealed by Regulation (EU) No 1308/2013 of the European Parliament and of the Council (OJ No. L 347, 20.12.2013, p. 671).
- M2** OJ No. L 299, 8.11.2008, p. 25, repealed by Directive (EU) 2015/2436 of the European Parliament and of the Council (OJ No. L 336, 23.12.2015, p. 1).
- M3** See the footnote for the reference to Regulation (EU) No 1151/2012 in the definition being substituted in [S.I. 2018/1275](#) by regulation 2(2).
- M4** OJ No. L 93, 31.3.2006, p. 12, repealed by Regulation (EU) No 1151/2012 of the European Parliament and of the Council (OJ No. L 343, 14.12.2012, p. 1). Last amended before its repeal by Commission Regulation (EC) No 1326/2008 (OJ No. L 345, 23.12.2008, p. 20).
- M5** OJ No. L 160, 26.6.1999, p. 80, repealed by Council Regulation (EC) No 1698/2005 (OJ No. L 277, 21.10.2005, p. 1).
- M6** EUR 2013/1305, amended by [S.I. 2019/764](#); there are other amending instruments but none is relevant. No areas in the United Kingdom were designated as mountain areas before IP completion day under

Changes to legislation: *There are currently no known outstanding effects for the The Agricultural Products, Food and Drink (Amendment etc.) (EU Exit) Regulations 2020, Section 18. (See end of Document for details)*

Article 32(1)(a) of Regulation (EU) No 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ No. L 347, 20.12.2013, p. 487).

M7 OJ No. L 165, 30.4.2004, p. 1, repealed by Regulation (EU) 2017/625 of the European Parliament and of the Council (OJ No. L 95, 7.4.2017, p. 1).

Changes to legislation:

There are currently no known outstanding effects for the The Agricultural Products, Food and Drink (Amendment etc.) (EU Exit) Regulations 2020, Section 18.