
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

Commission Implementing Regulation (EU) No 668/2014

23.—(1) Commission Implementing Regulation (EU) No 668/2014 laying down rules for the application of 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) Before Article 1 insert—

“Article A1

Definitions

In this Regulation:

- (a) ‘EU Regulation 1151/2012’ means Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs as it had effect immediately before IP completion day;
- (b) ‘EU Regulation 668/2014’ means Commission Implementing Regulation (EU) No 668/2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs as it had effect immediately before IP completion day;
- (c) ‘Great Britain’s PDOs and PGIs Register’ has the meaning given in Article 3(23) of Regulation (EU) No 1151/2012;
- (d) ‘third country’ means any country, other than the United Kingdom, and includes:
 - (i) the Bailiwick of Guernsey;
 - (ii) the Bailiwick of Jersey;
 - (iii) the Isle of Man.”
- (3) Omit Article 1(2).
- (4) In Article 6—
 - (a) in paragraph 1 omit the second subparagraph;
 - (b) in paragraph 3, for “Commission”, in both places it occurs, substitute “Secretary of State”.
- (5) In Article 8—
 - (a) for the words from “as referred to” to “States concerned” substitute “by more than one group referred to in the first subparagraph of Article 49(1) of Regulation (EU) No 1151/2012 relating to a trans-border geographical area, or the name of a traditional

- speciality guaranteed, must be submitted to the Secretary of State by one of the applicant groups or through the authorities of the relevant third country concerned or by the authorities of one of the third countries concerned (where there is more than one of them”;
- (b) for “Member States and third” substitute “of the”.
- (6) In Article 9(3), for “Commission” substitute “Secretary of State”.
- (7) In Article 10—
- (a) in paragraph 1, in the first subparagraph, for the words from “The reference” to “lead to the” substitute “The application must be accompanied by an”;
- (b) in paragraph 2—
- (i) in the second subparagraph, for the words from “The reference” to “lead to the” substitute “It must also be accompanied by an”;
- (ii) omit the third subparagraph;
- (iii) in the fourth subparagraph omit the second sentence;
- (c) in paragraph 3—
- (i) for “Commission” substitute “Secretary of State”;
- (ii) for “the second subparagraph of Article 6(3)”, in the first place it occurs, substitute “Article 6(3a)”;
- (iii) for “the second subparagraph of Article 6(3)”, in the second place it occurs, substitute “Article 6(3c)”;
- (d) in paragraph 4, for “Commission”, in both places it occurs, substitute “Secretary of State”.
- (8) In Article 11(1) omit the second subparagraph.
- (9) In Article 12—
- (a) for “Commission” substitute “Secretary of State”;
- (b) for “10, 11, and 15” substitute “10 and 11”.
- (10) In Article 13—
- (a) in paragraph 1—
- (i) omit “Union”;
- (ii) for “Annex X to this Regulation” substitute “the Annex to Delegated Regulation (EU) No 664/2014 and in accordance with paragraph 2.”;
- (b) for paragraph 2 substitute—
- “2. Where a symbol appears on the labelling of a product, it must be reproduced as follows:
- (a) the whole of the symbol must be printed;
- (b) the symbol must be printed to a minimum size of 15mm x 15mm;
- (c) when printed in colour, the symbol must be printed using:
- (i) in the Pantone colour matching system(1), Pantone gold solid PMS 467 C and PMS Black C, or
- (ii) in the four-colour CMYK system(2), the combined coloured printing inks in the measures:

(1) The Pantone colour matching system is an industry-standard colour specification system which allocates a number and a specific ink formulation to each colour.

(2) CMYK refers to a process of printing colour using four inks: Cyan (C), Magenta (M), Yellow (Y) and Key (K) where Key is black.

- (aa) gold – C:0 M:15 Y:40 K:15, and
 - (bb) black – C:0 M:0 Y:0 K:100;
 - (d) when printed in black and white, the symbol:
 - (i) must be displayed on a white background;
 - (ii) may not be reversed as a negative image;
 - (iii) must be printed using:
 - (aa) in the Pantone colour matching system, Pantone PMS Black C, or
 - (bb) in the four-colour CMYK system, black - C:0 M:0 Y:0 K:100.”;
 - (c) in paragraph 3 omit “Union”;
 - (d) omit paragraph 5.
- (11) In Article 14—
 - (a) in paragraph 1—
 - (i) in the words before point (a)—
 - (aa) for the words from the beginning to “registering” substitute “Where the Secretary of State publishes a notice under Article 52(4) of Regulation (EU) No 1151/2012 relating to a decision of the Secretary of State to approve the registration of”;
 - (bb) for “Commission shall” substitute “Secretary of State must, as soon as possible after the notice period relating to the notice has expired,”;
 - (ii) for point (c) substitute—
 - “(c) the date of registration;”;
 - (b) after paragraph 1 insert—
 - “**1a.** The Secretary of State must attach a copy of the product specification for the designation or origin or geographical indication referred to in paragraph 1 to the register as soon as possible after the notice period relating to the notice has expired.
 - 1b.** An entry for a designation of origin or geographical indication recorded in the register pursuant to paragraph 1 grants the protection for the designation of origin or geographical indication provided for in Article 13 of Regulation (EU) No 1151/2012 and that protection takes effect immediately after:
 - (a) the entry is recorded in the register, and
 - (b) a copy of the product specification for the designation of origin or geographical indication is attached to the register.”;
 - (c) in paragraph 2—
 - (i) in the words before point (a), for the words from the beginning to “shall” substitute “Where the Secretary of State publishes a notice under Article 52(4) of Regulation (EU) No 1151/2012 relating to the Secretary of State’s decision to approve an application to register a traditional speciality guaranteed, the Secretary of State must, as soon as possible after the notice period relating to the notice has expired,”;
 - (ii) for point (c) substitute—
 - “(c) the date of registration;”;
 - (iii) omit point (f);
 - (d) after paragraph 2 insert—

2a. The Secretary of State must attach a copy of the product specification for the traditional speciality guaranteed referred to in paragraph 2 to the register as soon as possible after the notice period relating to the notice has expired.

2b. An entry for a traditional speciality guaranteed made in the register grants the protection for the traditional speciality guaranteed provided for in Article 24 of Regulation (EU) No 1151/2012 and that protection takes effect immediately after:

- (i) the entry is recorded in the register, and
 - (ii) a copy of the product specification for the traditional speciality guaranteed is attached to the register.”;
- (e) for paragraphs 3 and 4 substitute the new paragraphs 3 to 3n and 4 to 6 in Part 1 of Schedule 6.
- (12) After Article 14 insert the new Articles 14a and 14b in Part 2 of Schedule 6.
- (13) Omit Article 15.
- (14) In Article 16 omit the second, third and fourth paragraphs.
- (15) After Article 16 omit the words from “This Regulation” to “States.”.
- (16) In Annex 1—
- (a) for “EU No: [for EU use only]” substitute “GB No: [for official use only]”;
 - (b) in section 2, in the heading, for “**Member State**” substitute “**Great Britain, Northern Ireland**”;
 - (c) after the line below section 5, for the words from “**Reference**” to the end substitute—

“Product specification

[attach copy]”.

- (17) In Annex 2, in the words before section 1—
- (a) for “EU No: [for EU use only]” substitute “GB No: [for official use only]”;
 - (b) for “Member State” substitute “Great Britain, Northern Ireland”.
- (18) In Annex 3—
- (a) in section 1, for “*Official Journal (OJ)* publication” substitute “the single document (where relevant) and product specification for the application published under Article 50(2) of Regulation (EU) No 1151/2012”;
 - (b) in section 2—
 - (i) for “*Official Journal (OJ)* publication” substitute “connection with the publication of the single document (where relevant) and product specification for the application published under Article 50(2) of Regulation (EU) No 1151/2012”;
 - (ii) for “Date of *OJ* publication” substitute “Date of publication”;
 - (c) in section 3, for “*national*” substitute “*third country*”;
 - (d) in section 5, in the second subparagraph, after “authorities” insert “of a third country”.
- (19) In Annex 4—
- (a) in section 1, for “*Official Journal (OJ)* publication” substitute “the notice relating to the application published under Article 50(2) of Regulation (EU) No 1151/2012”;
 - (b) in section 2—

- (i) in the heading, for “**Official Journal (OJ) publication**” substitute “**the notice relating to the application published under Article 50(2) of Regulation (EU) No 1151/2012**”;
 - (ii) for “Date of *OJ* publication” substitute “Date of publication”.
- (20) In Annex 5—
 - (a) in the words before section 1, for “EU No: [for EU use only]” substitute “GB No: [for official use only]”;
 - (b) in section 2, in the heading, for “**Member State**” substitute “**Great Britain, Northern Ireland**”.
- (21) In Annex 6—
 - (a) in the words before section 1, for “EU No: [for EU use only]” substitute “GB No: [for official use only]”;
 - (b) in section 2, in the heading, for “**Member State**” substitute “**Great Britain, Northern Ireland**”.
- (22) In Annex 7—
 - (a) in the words before section 1, for “EU No: [for EU use only]” substitute “GB No: [for official use only]”;
 - (b) in section 2, in the heading, for “**Member State**” substitute “**Great Britain, Northern Ireland**”;
 - (c) in section 6, for the words in square brackets and points (a) and (b) substitute “[Insert the proposed updated product specification]”.
- (23) In Annex 8—
 - (a) in the words before section 1—
 - (i) for “the second subparagraph of Article 6(3)” substitute “Article 6(3a)”;
 - (ii) for “EU No: [for EU use only]” substitute “GB No: [for official use only]”;
 - (b) in section 1, in the heading, omit “**Member State or**”.
- (24) In Annex 9—
 - (a) in the words before section 1, for “EU No: [for EU use only]” substitute “GB No: [for official use only]”;
 - (b) in section 2, in the heading, for “**Member State**” substitute “**Great Britain, Northern Ireland**”.
- (25) Omit Annex 10.