
WELSH STATUTORY INSTRUMENTS

2013 No. 3270

The Single Common Market Organisation (Consequential Amendments) (Wales) Regulations 2013

Amendments to the Eggs and Chicks (Wales) Regulations 2010

- 5.—(1) The Eggs and Chicks (Wales) Regulations 2010(1) are amended as follows.
- (2) In regulation 3(1) (interpretation) after the definition of “Regulation 2160/2003” insert—
- ““Regulation (EU) 2013” (*Rheoliad (EU) 2013*) means the Regulation 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, as amended from time to time;”.
- (3) In regulation 3(3) (interpretation) for “Part A of Annex XIV to the Single CMO Regulation” substitute “Part VI of Annex VII to Regulation (EU) 2013”.
- (4) In regulation 3(5)(a) and (6)(a) (interpretation) after “Single CMO Regulation” insert “or Regulation (EU) 2013”.
- (5) In regulation 8 (application of Part 3)—
- (a) in paragraphs (1) and (2)(a) for “Part A of Annex XIV to the Single CMO”, substitute “Part VI of Annex VII to Regulation (EU) 2013”; and
- (b) in paragraph (2)(b) for “Part A of Annex XIV to the Single CMO Regulation, to the sale of eggs to which point I(1) of Part A of Annex XIV” substitute “Part VI of Annex VII to Regulation (EU) 2013, to the sale of eggs to which point I(1) of Part VI of Annex VII”.
- (6) In regulation 11(1) and (2) (derogations relating to the marking of eggs) for “Part A of Annex XIV to the Single CMO Regulation”, in each place it occurs, substitute “Part VI of Annex VII to Regulation (EU) 2013”.
- (7) In Part 1 of Schedule 1 (EU provisions relating to eggs for hatching and chicks contravention of which is an offence)—
- (a) in the heading under “Part 1” insert at the end “or Regulation (EU) 2013”;
- (b) in the headings to columns 1 and 2 after “Regulation” insert “or Regulation (EU) 2013”;
- (c) in column 1 for “Article 113(3), first sub-paragraph” substitute “Article 74 of Regulation (EU) 2013”;
- (d) in column 1 after “Annex XIV”, in each place it occurs, insert “to the Single CMO Regulation”.
- (8) In Schedule 2 (general EU provisions relating to eggs in shells for consumption contravention of which is an offence)—
- (a) for Part 1 (provisions of the Single CMO Regulation) substitute—

“PART 1
PROVISIONS OF REGULATION (EU) 2013

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Relevant provision of Regulation (EU) 2013	Provisions to be read with the provisions of Regulation (EU) 2013 mentioned in column 1	Subject matter
Article 74 insofar as it relates to the marketing of eggs	Part VI of Annex VII to Regulation (EU) 2013 and Commission Regulation (EC) No. 589/2008	Prohibition on the marketing of eggs except in accordance with the marketing standards laid down in Part VI of Annex VII to Regulation (EU) 2013 and Commission Regulation (EC) No. 589/2008 .
Point II(1) of Part VI of Annex VII	Article 2(1) and (4) of Commission Regulation (EC) No. 589/2008	Quality grading of eggs as Class A (or fresh) or Class B eggs.
Point II(2) of Part VI of Annex VII	Article 4(1) of Commission Regulation (EC) No. 589/2008	Weight grading of Class A eggs.
Point II(3) of Part VI of Annex VII		Prohibition on the delivery of Class B eggs except to the food and non-food industry.
Point III(1) of Part VI of Annex VII, first subparagraph	Articles 9(1) and 11 of Commission Regulation (EC) No. 589/2008	Marking of Class A eggs.
Point III(1) of Part VI of Annex VII, second subparagraph	Articles 9, 10 and 11 of Commission Regulation (EC) No. 589/2008 , paragraphs (a) and (b) of the second subparagraph of point 2 of Part D of Annex II to Regulation (EC) No. 2160/2003 and regulation 11(1)	Marking of Class B eggs.
Point III(2) of Part VI of Annex VII	Point III(1) of Part VI of Annex VII to Regulation (EU) 2013	Place at which eggs are marked.
Point III(3) of Part VI of Annex VII, first subparagraph	Point III(1) of Part VI of Annex VII and the second subparagraph of point III(3) of Part VI of Annex VII to Regulation (EU) 2013 and regulation 11(2)	Marking of eggs sold by a producer to the final consumer at a local public market.
Articles 75(2) and (3) of Regulation (EU) 2013	Article 30(2) of Commission Regulation (EC) No. 589/2008	Marking of eggs imported from a third country where the rules applied in relation to those eggs in that country have been found

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
		to offer sufficient guarantees as to equivalence with EU legislation
Articles 75(2) and (3) of Regulation (EU) 2013	Articles 11, 30(2) and (3) of Commission Regulation (EC) No. 589/2008	Marking of eggs imported from a third country where sufficient guarantees of equivalence of the rules relating to those eggs with EU legislation have not been provided.”

(b) in the table in Part 2 (provisions of Commission Regulation [\(EC\) 589/2008](#))—

- (i) in column 2 for “point II(1) of Part A of Annex XIV to the Single CMO Regulation”, in each place it occurs, substitute “point II(1) of Part VI of Annex VII to Regulation (EU) 2013”;
- (ii) in column 2 for “Point II(2) of Part A of Annex XIV to the Single CMO Regulation” substitute “Point II(2) of Part VI of Annex VII to Regulation (EU) 2013”;
- (iii) in column 2 for “point III(1) of Part A of Annex XIV to the Single CMO Regulation”, in each place it occurs, substitute “point III(2) of Part VI of Annex VII to Regulation (EU) 2013”;
- (iv) in relation to the entry for Article 30(3) in column 2 omit “point IV(3) of Part A of Annex XIV”;

(9) in column 2 of the table in Schedule 3 (Community salmonella related controls on eggs in shell for consumption contravention of which is an offence) for “Articles 113(3) and 116 of, and Part A of Annex XIV to, the Single CMO Regulation” substitute “Article 74 and Part VI of Annex VII to Regulation (EU) 2013”.