

2020 No. 0000

EXITING THE EUROPEAN UNION

AGRICULTURE

FOOD

The Food and Drink (Amendment) (EU Exit) Regulations 2020

<i>Sift requirements satisfied</i>	2020
<i>Made</i> - - - -	***
<i>Laid before Parliament</i>	***
<i>Coming into force in accordance with regulation 1</i>	

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018(a).

The requirements of paragraph 3(2) of Schedule 7 to that Act (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

Citation and commencement

1. These Regulations may be cited as the Food and Drink (Amendment) (EU Exit) Regulations 2020 and come into force on the later of IP completion day or the 21st day after the day on which they are laid.

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

2. In Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers(b), in Article 2, in paragraphs 2(g) and 3, for “Articles 23 to 26 of Regulation (EEC) No 2913/92” substitute “section 17(2) to (4) of the Taxation (Cross-border Trade) Act 2018(c), as read with the Customs (Origin of Chargeable Goods) (EU Exit) Regulations 2020(d), insofar as those subsections and Regulations relate to the determination of the country of origin of a food”.

(a) 2018 c. 16, amended by the European Union (Withdrawal Agreement) Act 2020 (c. 1).
(b) EUR 2011/1169, to which there are prospective amendments that will come into force on IP completion day that are not relevant to these Regulations.
(c) 2018 c. 22.
(d) S.I. 2020/ .

Commission Delegated Regulation (EU) 2018/273

3. In Commission Delegated Regulation (EU) 2018/273 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and penalties(a), in Article 21—

- (a) in point (a)—
 - (i) in point (iii), for the words from “to another” to “1186/2009” substitute “outside of the United Kingdom to another private individual in Great Britain in compliance with the conditions in the first three bullet points in the first sub-paragraph of paragraph 6.3 of Section 6 of the UK Reliefs document(b),”;
 - (ii) in point (v), omit the words from “as defined” to “1186/2009”;
- (b) after the existing paragraph insert—

“In this Article:

 - (a) ‘trade fair’ means an event of the type specified in any of the bullet points in the first sub-paragraph of paragraph 24.3 of the UK Reliefs document;
 - (b) ‘UK Reliefs document’ means the document entitled “Reliefs Reference Document, version 1.0 dated 7th December 2020”.”

Date

Draft – not for signature
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(g)) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to retained direct EU legislation relating to food information and wine.

An electronic copy of the UK Reliefs document referred to in regulation 3 is available from [*web address to be inserted when available*]. A hard copy of that document is available for inspection free of charge at the offices of HMRC at 100 Parliament Street, London SW1A 2BQ.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.

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- (a) EUR 2018/273, to which there are prospective amendments that will come into force on IP completion day that are not relevant to these Regulations.
 - (b) The UK Reliefs document is available electronically from [*to be completed*]. A hard copy is available for inspection free of charge at the offices of HMRC at 100 Parliament Street, London SW1A 2BQ.