STATUTORY INSTRUMENTS

1978 No. 861

AGRICULTURE

The Common Agricultural Policy (Wine) Regulations 1978

Made - - - -	12*th June* 1978
Laid before Parliament	22*nd June* 1978
Coming into Operation	24*th July* 1978

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the common agricultural policy of the Economic Community, acting jointly in exercise of the powers conferred upon them by the said section 2(2) and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Common Agricultural Policy (Wine) Regulations 1978, and shall come into operation on 24th July 1978.

Interpretation and revocation

2.—(1) In these regulations, unless the context otherwise requires—

"Community provision" means any provision of any regulation of the European Communities which is referred to in Schedule 1 to these regulations;

"the Minister" means, in relation to England, the Minister of Agriculture, Fisheries and Food and, in relation to Scotland, Northern Ireland and Wales, the Secretary of State;

"relevant Community provision" means any Community provision referred to in column 1 or 2 of Part I, II, III, IV, V or VI of Schedule 2 to these regulations, being a provision of a regulation of the European Communities of which the full title and reference are set out in Schedule 1 to these regulations.

"sale by retail" means any sale to a person buying otherwise than for the purpose of resale but does not include a sale to a caterer for the purposes of his catering business, or a sale to a manufacturer for the purposes of his manufacturing business; and "manufacturing" means using wine, for the purpose of a trade or business (other than a catering business), in the composition, manufacture or preparation of any product, and corresponding expressions have corresponding meanings.

(2) The Interpretation Act 1889(c) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament and as if these regulations and the regulations hereby revoked were Acts of Parliament.

(a) Designated by the European Communities (Designation) Order 1972—S.I. 1972/1811.
(b) 1972 c. 68. (c) 1889 c. 63.

(3) Any reference to a relevant Community provision in column 1 of Part I, II, III, IV, V or VI of Schedule 2 to these regulations is a reference to such provision as supplemented by or otherwise read with the relevant Community provisions referred to in column 2 of that Part and described in column 3 of that Part.

(4) The regulations specified in Schedule 3 to these regulations are hereby revoked.

Enforcement

3.—(1) Subject to the provisions of this regulation, the local authorities, the Minister and the Wine Standards Board are hereby designated competent authorities or agencies for the purposes of the Community provisions.

(2) It shall be the duty of each local authority to secure the enforcement and execution within its area of the relevant Community provisions in so far as they relate to retail sales.

(3) It shall be the duty of the Minister and the Wine Standards Board to secure the enforcement and execution of the relevant Community provisions in so far as they relate to anything other than retail sales:

Provided that the Wine Standards Board shall not have authority to institute proceedings for an offence against a relevant Community provision.

(4) Nothing in this regulation shall be taken as authorising in Scotland the Minister or a local authority to institute proceedings for an offence against a relevant Community provision.

(5) In this regulation—

(*a*) "local authority" means—

(i) as respects England and Wales, a food and drugs authority for the purposes of the Food and Drugs Act 1955**(a)**;

(ii) as respects Scotland, a regional or islands council which is the enforcement authority for the purposes of sections 1, 2, 6 and 18 of the Food and Drugs (Scotland) Act 1956**(b)**;

(iii) as respects Northern Ireland, a district council for the purposes of section 29 of the Food and Drugs Act (Northern Ireland) 1958**(c)**;

(*b*) "the Wine Standards Board" means the Wine Standards Board of the Vintners' Company.

(6) The provisions of this regulation are without prejudice to the duties of such local authorities under the provisions of the respective Acts referred to in paragraph (5) of this regulation.

Offences and penalty

4. If any person contravenes or fails to comply with a relevant Community provision, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding four hundred pounds.

Defences

5.—(1) In England and Wales, sections 113 (which relates to a contravention due to some person other than the person charged) and 115 (which relates to the conditions under which a warranty may be pleaded as a defence) of the Food and

(a) 1955 c.16 (4 & 5 Eliz. 2). **(b)** 1956 c. 30. **(c)** 1958 c. 27 **(NI).**

Drugs Act 1955 shall apply for the purposes of these regulations as if references therein to proceedings taken or brought under that Act included references to proceedings taken or brought for an offence under these regulations.

(2) In Scotland, sections 45 (which relates to a contravention due to default of some other person) and 46 (which relates to conditions under which a warranty may be pleaded as a defence) of the Food and Drugs (Scotland) Act 1956 shall apply for the purposes of these regulations as if references therein to proceedings taken or brought under that Act included references to proceedings taken or brought for an offence under these regulations and as if references therein to a contravention of a provision of that Act included references to a contravention of a relevant Community provision.

(3) In Northern Ireland, sections 51 (which relates to a contravention due to some other person other than the person charged) and 52 (which relates to the conditions under which a warranty may be pleaded as a defence) of the Food and Drugs Act (Northern Ireland) 1958 shall apply for the purposes of the regulations as if references therein to proceedings taken or brought under that Act included references to proceedings taken or brought for an offence under these regulations.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 12th June 1978.

(L.S.)

John Silkin,
Minister of Agriculture, Fisheries and Food.

8th June 1978.

Bruce Millan,
Secretary of State.

Regulation 2(1)

SCHEDULE 1

COMMUNITY PROVISIONS

Regulations containing Community provisions	Official Journal of the European Communities: References
1 Council Regulation (EEC) No 24 of 4th April 1962 on the progressive establishment of a common organisation of the market in wine	OJ No 30, 20.4.62, p 989/62 (OJ/SE 1959/62 p 123)
2 Commission Regulation (EEC) No 134 of 25 October 1962 on the declaration of wine harvests and stocks	OJ No 111, 6.11.62, p 2604/62 (OJ/SE 1959/62 p 276)
3 Council Regulation (EEC) No 816/70 laying down additional provisions regarding the common organisation of the market in wine	OJ No L99, 5.5.70, p 1 (OJ/SE 1970 (I) p 234)
4 Council Regulation (EEC) No 817/70 laying down special provisions relating to quality wines produced in specified regions	OJ No L99, 5.5.70, p 20 (OJ/SE 1970 (I) p 252)
5 Council Regulation (EEC) No 959/70 authorising the coupage of German red wines with imported red wines	OJ No L115, 28.5.70, p 6 (OJ/SE 1970 (I) p 284)
6 Commission Regulation (EEC) No 1136/70 amending Regulation No. 134 on the declaration of wine harvests and stocks	OJ No L134, 19.6.70, p 4 (OJ/SE 1970 (II) p 381)
7 Commission Regulation (EEC) No 1594/70 on the notification, carrying out and control of the processes of enriching, acidifying and deacidifying wine	OJ No L173, 6.8.70, p 23 (OJ/SE 1970 (II) p 558)
8 Commission Regulation (EEC) No 1618/70 on measures for controlling the sweetening of table wines and of quality wines produced in specified regions	OJ No L175, 8.8.70, p 17 (OJ/SE 1970 (II) p 562)
9 Commission Regulation (EEC) No 1697/70 on the down-grading of quality wines produced in specified regions	OJ No L190, 26.8.70, p 2 (OJ/SE 1970 (II), p 577)
10 Council Regulation (EEC) No 2312/71 amending Regulation No 816/70 laying down additional provisions for the common organisation of the market in wine	OJ No L244, 30.10.71, p 9 (OJ/SE 1971 (III); p 891)
11 Commission Regulation (EEC) No 2247/73 on the control of quality wines produced in specified regions	OJ No L230, 18.8.73, p 12 (1973 Vol 16)
12 Council Regulation (EEC) No 2592/73 supplementing Regulation (EEC) No 816/70 as regards the total maximum content of sulphur dioxide (SO_2) in wines other than sparkling wines and liqueur wines intended for direct human consumption in the Community	OJ No L269, 26.9.73, p 1 (1973 Vol 16)

SCHEDULE 1—*continued*

Regulations containing Community provisions	Official Journal of the European Communities: References
13 Commission Regulation (EEC) No 2805/73 determining a list of white quality wines, produced in specified regions and of imported white quality wines containing a certain percentage of sulphur dioxide and laying down certain transitional provisions relating to the percentage of sulphur dioxide in wines produced before 1 October 1973	OJ No L289, 16.10.73, p 21 (1973 Vol 16)
14 Council Regulation (EEC) No 1532/74 amending Regulation (EEC) No 816/70 as regards the rules on the total maximum sulphur dioxide content of wine and the definition of liqueur wine	OJ No L166, 21.6.74, p 1 (1974 Vol 17)
15 Council Regulation (EEC) No 1876/74 concerning the addition of alcohol to products in the wine sector	OJ No L198, 20.7.74, p 1 (1974 Vol 17)
16 Council Regulation (EEC) No 2133/74 laying down general rules for the description and presentation of wines and grape musts	OJ No L227, 17.8.74, p 1 (1974 Vol 17)
17 Council Regulation (EEC) No 2893/74 on sparkling wines produced in the Community and specified in item 12 of Annex II to Regulation (EEC) No 816/70	OJ No L310, 21.11.74, p 1 (1974 Vol 17)
18 Council Regulation (EEC) No 680/75 amending Regulation No 1876/74 concerning the addition of alcohol to products in the wine sector	OJ No L72, 20.3.75, p 46 (1975 Vol 18)
19 Commission Regulation (EEC) No 1153/75 prescribing the form of the accompanying documents for wine products and specifying the obligations of wine producers and traders other than retailers	OJ No L113, 1.5.75, p 1 (1975 Vol 18)
20 Commission Regulation (EEC) No 2152/75 on detailed rules for the application of Regulations (EEC) Nos 2893/74 and 2894/74 in respect of sparkling wines	OJ No L219, 19.8.75, p 7 (1975 Vol 18)
21 Commission Regulation (EEC) No 2160/75 amending Regulation (EEC) No 2805/73 as regards the list of white quality wines produced in specified regions and of imported white quality wines containing a certain percentage of sulphur dioxide	OJ No L220, 20.8.75, p 7 (1975 Vol 18)
22 Council Regulation (EEC) No 1160/76 amending Regulation (EEC) No 816/70 laying down additional provisions for the common organisation of the market on wine	OJ No L135, 24.5.76, p 1 (1976 Vol 19)
23 Council Regulation (EEC) No 1161/76 amending Regulation (EEC) No 817/70 laying down special provisions relating to quality wines produced in specified regions	OJ No L135, 24.5.76, p 27 (1976 Vol 19)

SCHEDULE 1—*continued*

Regulations containing Community provisions	Official Journal of the European Communities: References
24 Council Regulation (EEC) No 1162/76 on measures designed to adjust wine-growing potential to market requirements	OJ No L135, 24.5.76, p 32 (1976 Vol 19)
25 Council Regulation (EEC) No 1168/76 amending Regulation (EEC) No 2133/74 laying down general rules for the description and presentation of wines and grape musts	OJ No L135, 24.5.76, p 46 (1976 Vol 19)
26 Commission Regulation (EEC) No 1455/76 amending for the third time Regulation (EEC) No 2805/73 as regards the maximum sulphur dioxide content of certain white quality wines	OJ No L163, 24.6.76, p 12 (1976 Vol 19)
27 Commission Regulation (EEC) No 1608/76 laying down detailed rules for the description and presentation of wines and grape musts	OJ No L183, 8.7.76, p 1 (1976 Vol 19)
28 Council Regulation (EEC) No 1848/76 laying down general rules for the import of wines, grape juice and grape must	OJ No L204, 30.7.76, p 5 (1976 Vol 19)
29 Commission Regulation (EEC) No 2115/76 laying down detailed rules for the import of wines, grape juice and grape must	OJ No L237, 28.8.76, p 1 (1976 Vol 19)
30 Commission Regulation (EEC) No 2417/76 amending Regulation (EEC) No 2115/76 laying down detailed rules for the import of wines, grape juice and grape must	OJ No L273, 6.10.76, p 8 (1976 Vol 19)
31 Council Regulation (EEC) No 2426/76 amending Regulation (EEC) No 2893/74 on sparkling wines produced in the Community and specified in item 12 of Annex II to Regulation (EEC) No 816/70 and Regulation (EEC) No 817/70 laying down special provisions relating to quality wines produced in specified regions	OJ No L276, 7.10.76, p 1 (1976 Vol 19)
32 Council Regulation (EEC) No 2829/76 amending Regulation (EEC) No 816/70 laying down additional provisions for the common organisation of the market in wine, and Regulation (EEC) No 1160/76 amending that Regulation, as well as Regulation (EEC) No 1164/76 amending Regulation (EEC) No 865/68 on the common organisation of the market in products processed from fruit and vegetables, and Regulation (EEC) No 950/68 on the Common Customs Tariff	OJ No L326, 25.11.76, p 1 (1976 Vol 19)
33 Commission Regulation (EEC) No 2951/76 amending for the second time Regulation (EEC) No 2115/76 laying down general rules for the import of wines, grape juice and grape must	OJ No L335, 4.12.76, p 25 (1976 Vol 19)

SCHEDULE 1—*continued*

Regulations containing Community provisions	Official Journal of the European Communities: References
34 Council Regulation (EEC) No 3140/76 amending Regulation (EEC) No 1162/76 on measures designed to adjust wine-growing potential to market requirements	OJ No L354, 24.12.76, p 4 (1976 Vol 19)
35 Council Regulation (EEC) No 3168/76 laying down the conditions for coupage and wine-making in the free zones on Community territory for wine products originating in third countries	OJ No L357, 29.12.76, p 16 (1976 Vol 19)
36 Council Regulation (EEC) No 528/77 amending Regulation (EEC) No 816/70 as regards the rules on maximum sulphur dioxide content of wine	OJ No L69, 16.3.77, p 1 (1977 Vol 20)
37 Commission Regulation (EEC) No 643/77 laying down rules for coupage and wine-making in free zones on the geographical territory of the Community in respect of wine products originating in third countries	OJ No L81, 30.3.77, p 7 (1977 Vol 20)
38 Commission Regulation (EEC) No 966/77 amending for the fourth time Regulation (EEC) No. 2805/73 as regards the maximum sulphur dioxide content of certain white quality wines	OJ No L115, 6.5.77, p 7 (1977 Vol 20)
39 Commission Regulation (EEC) No 1054/77 amending Regulation (EEC) No 1608/76 laying down detailed rules for the description and presentation of wines and grape musts	OJ No L130, 25.5.77, p 1 (1977 Vol 20)
40 Council Regulation (EEC) No 1475/77 amending for the third time Regulation (EEC) No 2133/74 laying down general rules for the description and presentation of wines and grape musts	OJ No L164, 2.7.77, p 1 (1977 Vol 20)
41 Council Regulation (EEC) No 1678/77 supplementing Regulation (EEC) No 816/70 by introducing new provisions relating to oenological practices and processes	OJ No L187, 27.7.77, p 10 (1977 Vol 20)
42 Council Regulation (EEC) No 1679/77 amending Regulation (EEC) No 816/70, (EEC) No 2893/74 and (EEC) No 817/70 as regards the maximum total sulphur dioxide content of wines other than liqueur wines	OJ No L187, 27.7.77, p 15 (1977 Vol 20)
43 Commission Regulation (EEC) No 1802/77 amending for the second time Regulation (EEC) No 1608/76 laying down detailed rules for the description and presentation of wines and grape musts	OJ No L198, 5.8.77, p 12 (1977 Vol 20)

SCHEDULE 1—*continued*

Regulations containing Community provisions	Official Journal of the European Communities: References
44 Council Regulation (EEC) No 2211/77 amending Regulation (EEC) No 816/70 laying down additional provisions for the common organisation of the market in wine and Regulation (EEC) No 817/70 laying down special provisions relating to quality wines produced in specified regions	OJ No L 256, 7.10.77, p 1 (1977 Vol 20)
45 Commission Regulation (EEC) No 2617/77 amending Regulation (EEC) No 1153/75 prescribing the form of the accompanying documents for wine products and specifying the obligations of wine producers and traders other than retailers	OJ No L 304, 29.11.77, p 33 (1977 Vol 20)
46 Commission Regulation (EEC) No 793/78, amending for the third time Regulation (EEC) No 1608/76 laying down detailed rules for the description and presentation of wines and grape musts	OJ No L 109, 22.4.78, p 1 (1978 Vol 21)

SCHEDULE 2 *Regulation* 2(1)

RELEVANT COMMUNITY PROVISIONS

PART I

PRODUCTION AND CONTROL OF PLANTING

Column 1 Relevant Community provisions	Column 2 Supplementing provisions	Column 3 Subject matter
1 Regulation 24 of 1962: article 2	Regulation 134 of 1962: articles 2, 5 and 6, as amended by regulation 1136/70: articles 2 and 3	Stock declarations
2 Regulation 1162/76: article 3, as amended by regulation 3140/76: article 1(2)		Restriction on replanting

PART II

OENOLOGICAL PROCESSES AND CONDITIONS FOR RELEASE TO THE MARKET

Column 1 Relevant Community provisions	Column 2 Supplementing provisions	Column 3 Subject matter
1 Regulation 816/70: articles 18(1) and (2) and 19(1) to (7), as amended by regulation 1160/76: article 16	Regulation 1594/70: article 3(2) and (3), as amended by annex I to the act annexed to the treaty relating to the accession of the United Kingdom to the European Economic Community and the European Atomic Energy Community, signed at Brussels on the 22nd January 1972	Conditions for increasing alcoholic strength
2 Regulation 816/70: article 20(1), as amended by regulation 2211/77: article 3	Regulation 1594/70: article 4	Conditions for deacidification of wine
3 Regulation 816/70: article 21(1) and (2), as amended by regulation 1160/76: article 19		Conditions for sweetening table wines and imported wines

SCHEDULE 2, PART II—*continued*

Column 1 Relevant Community provisions	Column 2 Supplementing provisions	Column 3 Subject matter
4 Regulation 1618/70: articles 1, 2, 3 and 4		Notifications and keeping of turnover records in relation to sweetening operations
5 Regulation 816/70: article 22(1) and (2), as amended by regulation 2211/77: article 4	Regulation 1594/70: articles 5, 6, 7 and 8	Conditions for carrying out authorised processes (including notification and keeping of register)
6 Regulation 816/70: article 23		Restriction on mixing certain products with products suitable for yielding table wine
7 Regulation 816/70: article 24(1), as amended by regulation 1160/76: article 20		Prohibition on the overpressing of grapes and the pressing of wine lees
8 Regulation 816/70: article 25(1)	Regulation 1876/74: articles 1, 2 and 3, as amended by regulation 680/75: articles 1 and 2	Addition of alcohol
9 Regulation 816/70: article 26, as amended by regulation 1160/76: article 23	Regulation 959/70: article 1	Permitted methods for the production of table wine by coupage
10 Regulation 3168/76: article 4	Regulation 643/77: article 3	Description of wine produced in free zones of the Community
11 Regulation 816/70: article 26a(1) and (2), added by regulation 2592/73: article 1 and amended by regulation 1532/74: article 1 and by regulation 528/77: article 1 and replaced from 1.9.78 by regulation 1679/77: article 1	Regulation 2805/73: article 1, as amended by regulation 2160/75: article 1 and by regulation 1455/76: article 1 and by regulation 966/77: article 1	Maximum permissible sulphur dioxide content of wine

SCHEDULE 2, PART II—*continued*

Column 1 Relevant Community provisions	Column 2 Supplementing provisions	Column 3 Subject matter
12 Regulation 816/70: articles 26b, 26c and 26d, added by regulation 1678/77: articles 1, 2 and 3		Permitted oenological practices and processes
13 Regulation 816/70: article 27(2), as amended by regulation 1160/76: article 25		Products in CCT Heading No 22.05 that may be offered for direct consumption
14 Regulation 816/70: article 27(3) and (4), as amended by regulation 1160/76: article 25		Restrictions relating to certain wines and other products originating in the Community
15 Regulation 816/70: article 28(2), as amended by regulation 1160/76: article 27 and by regulation 2829/76: article 1		Restrictions on the uses of products originating in third countries
16 Regulation 2115/76: article 7		Conditions for release for human consumption of products originating in third countries
17 Regulation 816/70: article 28a(1), as amended by regulation 1160/76: article 28		General rules relating to release of wine products for human consumption

PART III

ACCOMPANYING DOCUMENTS

Column 1 Relevant Community provisions	Column 2 Supplementing provisions	Column 3 Subject matter
1 Regulation 816/70: article 29(1) and (2), as amended by regulation 2312/71: article 1	Regulation 1153/75: all articles except 2, 4, 18, 22, 23, 25, 26, 27 and 28, as amended by regulation 2617/77: articles 1 and 2	Requirements relating to accompanying documents and turnover records

SCHEDULE 2, PART III—*continued*

Column 1	Column 2	Column 3
Relevant Community provisions	Supplementing provisions	Subject matter
2 Regulation 816/70: article 28(1), as amended by regulation 1160/76: article 27	Regulation 1848/76: article 1 and regulation 2115/76: articles 1, 2, 3, 4 and 6 as amended by regulation 2417/76: article 1 and by regulation 2951/76: article 1	Accompanying documents required for the importation of wines and other products

PART IV

QUALITY WINES PRODUCED IN SPECIFIED REGIONS

Column 1	Column 2	Column 3
Relevant Community provisions	Supplementing provisions	Subject matter
1 Regulation 817/70: article 12(1) to (4), as amended by regulation 1161/76: article 6	Regulation 2247/73: article 2	General provisions relating to the use of the expression "quality wine psr" and other expressions traditionally used in Member States to designate particular quality wines
2 Regulation 817/70: article 12(5) and regulation 1697/70: articles 3 and 4		Provisions relating to downgraded quality wine psr

PART V

DESCRIPTION AND PRESENTATION

Column 1	Column 2	Column 3
Relevant Community provisions	Supplementing provisions	Subject matter
1 Regulation 816/70: article 27(1), as amended by regulation 1160/76: article 25		Use of the term "table wine"

SCHEDULE 2, PART V—*continued*

Column 1 Relevant Community provisions	Column 2 Supplementing provisions	Column 3 Subject matter
2 Regulation 2133/74: article 44,	Regulation 1608/76: article 20, as amended by regulation 1054/77: article 1(16)	Use of the term "wine"
3 Regulation 2133/74: all articles except 1, 2(1)(b), 12(1)(c), 22(1)(c), 27(1)(b), 28(1)(b), 29(1)(c), 39, 46 and 47 as amended by regulation 1168/76 and by regulation 1475/77	Regulation 1608/76: all articles except 3(1), 3(2), 20 and 22, as amended by regulation 1054/77 and by regulation 1802/77: articles 1, 2 and 3 and by regulation 793/78: article 1	General rules and particular requirements relating to the description and presentation of wines and other products (except those relating to the indication of nominal volume)

PART VI

SPARKLING WINES

Column 1 Relevant Community provisions	Column 2 Supplementing provisions	Column 3 Subject matter
1 Regulation 2893/74: articles 2, 4, 5(1), 5(2), 5(3), 5(4), 6(1), 6(2), 7(2), 8(1), 8(2), 10, 11, 12(1), 13, 14, 15, 16(1), 17(1), 17(2) and 18, as amended by regulation 2426/76: article 3 and by regulation 1679/77: articles 2 and 3	Regulation 2152/75: article 1	Rules for preparation and marketing of sparkling wines
2 Regulation 817/70: article 12(2a), as amended by regulation 1161/76: article 6		Restrictions on use of term "quality sparkling wine psr" and other traditionally equivalent specific terms

Regulation 2(4) SCHEDULE 3

Regulation revoked	References
The Common Agricultural Policy (Wine) Regulations 1973	S.I. 1973/1341.
The Common Agricultural Policy (Wine) (Amendment) Regulations 1974	S.I. 1974/1175.
The Common Agricultural Policy (Wine) (Amendment) Regulations 1975	S.I. 1975/292.
The Common Agricultural Policy (Wine) (Amendment No. 2) Regulations 1975	S.I. 1975/1265.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, which apply throughout the United Kingdom and come into operation on 24 July 1978, provide for the enforcement of EEC Regulations (as specified in Schedules 1 and 2) concerned with the production and marketing of wine and related products.

The Regulations, which re-enact with further amendments the Common Agricultural Policy (Wine) Regulations 1973, as amended —

(*a*) designate enforcement authorities (Regulation 3);

(*b*) prescribe offences and a penalty (Regulation 4) and

(*c*) provide for specified defences (Regulation 5).

The Regulations differ from the Common Agricultural Policy (Wine) Regulations 1973, as amended in that—

(i) the definition of "Community provision" has been amended so that the regulations provide for the enforcement of Community Regulations existing at the date of these regulations, but not the provisions of any subsequent directly applicable Community instrument whereby any of such Community Regulations are replaced or amended (Regulation 2(1));

(ii) the definition of "the Minister" is amended so that the functions of the Minister in relation to Wales are exercised by the Secretary of State (Regulation 2(1));

(iii) local authorities (as defined in Regulation 2(1)), the Minister (or the Secretary of State) and the Wine Standards Board of the Vintners' Company are expressly designated as competent authorities for the purposes of the Community provisions (Regulation 3(1));

(iv) the list of Community Regulations is brought up to date (Schedule 1);

(v) the particular provisions in those Regulations which can give rise to offences are identified (Schedule 2).

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