STATUTORY INSTRUMENTS

2021 No. 652

AGRICULTURE

FOOD

The Common Organisation of the Markets in Agricultural Products (Transitional Arrangements) (Amendment) Regulations 2021

Sift requirements satisfied	*26th May 2021*
Made - - - -	*31st May 2021*
Laid before Parliament	*1st June 2021*
Coming into force - -	*1st July 2021*

The Secretary of State, in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018(**a**), makes the following Regulations.

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

PART 1

Introductory

Citation and commencement

1.—(1) These Regulations may be cited as the Common Organisation of the Markets in Agricultural Products (Transitional Arrangements) (Amendment) Regulations 2021.

(2) These Regulations come into force on 1st July 2021.

(3) Regulation 7 extends to Great Britain only.

(**a**) 2018 c. 16; section 8 was amended by section 27 of the European Union (Withdrawal Agreement) Act 2020 (c. 1) and paragraph 21 of Schedule 7 was amended by paragraph 53(2) of Schedule 5 to that Act.

PART 2

Amendments to retained direct EU legislation

Amendments to Council Regulation (EC) No 834/2007

2.—(1) Council Regulation (EC) No 834/2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91(**a**) is amended as follows.

(2) In Article 33—

(a) in paragraph 1, for "1st July 2021" substitute "1st January 2022";

(b) in paragraph 2, for "1st July 2021" substitute "1st January 2022".

Amendments to Commission Regulation (EC) No 1235/2008

3.—(1) Commission Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries(**b**) is amended as follows.

(2) In Article 13(1), for "1st July 2021" substitute "1st January 2022".

(3) In Article 13b, for "1st July 2021" substitute "1st January 2022".

(4) In Article 14(1), for "1st July 2021" substitute "1st January 2022".

Amendments to Commission Regulation (EC) No 1295/2008

4.—(1) Commission Regulation (EC) No 1295/2008 on the importation of hops from third countries(**c**) is amended as follows.

(2) In Article 1(2)(b), for "1 July 2021" substitute "1 January 2022".

(3) In Article 3, for "1 July 2021" substitute "1 January 2022".

(4) In Article 4—

(a) in paragraph 1A, for "1 July 2021" substitute "1 January 2022";

(b) in paragraph 1B, for "1 July 2021" substitute "1 January 2022".

(5) In Article 6—

(a) in paragraph 1A, for "1 July 2021" substitute "1 January 2022";

(b) in paragraph 1B, for "1 July 2021" substitute "1 January 2022".

Amendments to Commission Implementing Regulation (EU) No 543/2011

5.—(1) Commission Implementing Regulation (EU) No 543/2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of fruit and vegetables and processed fruit and vegetables sectors(**d**) is amended as follows.

(2) In Article 14—

(a) in paragraph 7, for "the end of the period of two years beginning on the day after that on which IP completion day falls" substitute "1 March 2022";

(b) in paragraph 8, for "the end of the period of two years beginning on the day after that on which IP completion day falls" substitute "1 March 2022".

(**a**) EUR 2007/834, amended by S.I. 2019/692; there are other amending instruments but none is relevant. S.I. 2019/692 was amended by S.I. 2020/1661 in relation to the relevant date.

(**b**) EUR 2008/1235, amended by S.I. 2019/692; there are other amending instruments but none is relevant. S.I. 2019/692 was amended by S.I. 2020/1661 in relation to the relevant date.

(**c**) EUR 2008/1295, amended by S.I. 2019/822, 828, 2020/1452. S.I. 2019/828 was amended by S.I. 2020/1452 in relation to the relevant date.

(**d**) EUR 2011/543, amended by S.I. 2019/828; there are other amending instruments but none is relevant. S.I. 2019/828 was amended by S.I. 2020/1452 in relation to the relevant date.

Amendments to Regulation (EU) No 1308/2013 of the European Parliament and Council

6.—(1) Regulation (EU) No 1308/2013 of the European Parliament and Council 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(**a**) is amended as follows.

(2) In Article 77(4), for "1 July 2021", in both places it occurs, substitute "1 January 2022".

(3) In Article 90(4), for "the end of the period of 6 months beginning on the day after that on which IP completion day falls" substitute "1 January 2022".

(4) In Article 190(2), for "1 July 2021" substitute "1 January 2022".

PART 3

Amendments to subordinate legislation

Amendments to the Hops Certification Regulations 1979 in respect of Great Britain

7.—(1) The Hops Certification Regulations 1979(**b**) are amended as follows in respect of Great Britain.

(2) In regulation 3(1)—

(a) in sub-paragraph (c)(ii), for "1 July 2021" substitute "1 January 2022";

(b) in sub-paragraph (d)(ii), for "1 July 2021" substitute "1 January 2022";

(c) in sub-paragraph (e)(ii), for "1 July 2021" substitute "1 January 2022".

Victoria Prentis
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

31st May 2021

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, 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)(d) and (9)) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to transitional arrangements in the area of agricultural market measures and organics to align the new import requirements following the UK's withdrawal from the EU with the Government's revised timetable for introducing import border control checks on imports from the EU (the Border Operating Model). Part 2 amends retained EU legislation to amend the transitional arrangements relating to the import of organic products, hops, fruit and vegetables and wine. Part 3 amends subordinate legislation relating to the certification of hops.

(**a**) EUR 2013/1308, amended by S.I. 2019/821, 828, 1402, 2020/1661; there are other amending instruments but none is relevant. S.I. 2019/828 was amended by S.I. 2020/1452 in relation to the relevant date.

(**b**) S.I. 1979/1095, amended by S.I. 1991/2198, 2018/942, 2019/824, 2020/1453, there are other amending instruments but none is relevant. S.I. 2019/824 was amended by S.I. 2020/1453 in relation to the relevant date.

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

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