STATUTORY INSTRUMENTS

2020 No. 639

AGRICULTURE

The Wine (Amendment) Regulations 2020

Made - - - -	*24th June 2020*
Laid before Parliament	*25th June 2020*
Coming into force - -	*16th July 2020*

The Secretary of State makes these Regulations in accordance with the powers conferred by section 2(2) of the European Communities Act 1972(**a**), being a Minister designated(**b**) for the purposes of section 2(2) of that Act in relation to the common agricultural policy.

The Secretary of State has consulted as required by Article 9 of Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(**c**).

Citation and commencement

1. These Regulations may be cited as the Wine (Amendment) Regulations 2020 and come into force on 16th July 2020.

Amendment of the Wine Regulations 2011

2. In regulation 2(2) of the Wine Regulations 2011(**d**), in the definition of "the European Regulations"—

(a) omit sub-paragraph (a) (reference to Commission Regulation (EC) No 606/2009);

(b) after sub-paragraph (h) insert—

"(i) Commission Delegated Regulation (EU) 2019/934 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards wine-

(**a**) 1972 c. 68 ("the ECA 1972"). Section 2 was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and section 3 of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c. 7). The ECA 1972 was repealed on exit day by the European Union (Withdrawal) Act 2018 (c. 16, "the 2018 Act"), but continues to have effect until IP completion day pursuant to section 1A of the 2018 Act, inserted by section 1 of the European Union (Withdrawal Agreement) Act 2020 (c. 1). See Part 3 of Schedule 8 to the 2018 Act as regards savings and transitional provisions in respect of the ECA 1972. Under section 57(1) of the Scotland Act 1998 (c. 46), despite the transfer to Scottish Ministers of functions in relation to implementing obligations under EU law in relation to devolved matters, the Secretary of State retains power to exercise such functions as regards Scotland. Under paragraph 5, Part 2 of Schedule 3 to the Government of Wales Act 2006 (c. 32), despite the transfer to the Welsh Ministers of functions in relation to implementing obligations under EU law in relation to devolved matters, the Secretary of State retains power to exercise such functions as regards Wales. The Secretary of State's power, as a Minister so designated, to make regulations which extend to Northern Ireland is confirmed by article 3(2) of S.I. 2000/2812.

(**b**) S.I. 1972/1811.

(**c**) OJ L 31, 1.2.2002, p. 1, to which there are amendments not relevant to these Regulations.

(**d**) S.I. 2011/2936, amended by S.I. 2019/524; there are other amendments not relevant to these Regulations.

growing areas where the alcoholic strength may be increased, authorised oenological practices and restrictions applicable to the production and conservation of grapevine products, the minimum percentage of alcohol for by-products and their disposal, and publication of OIV files(**a**);

(j) Commission Implementing Regulation (EU) 2019/935 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards analysis methods for determining the physical, chemical and organoleptic characteristics of grapevine products and notifications of Member States decisions concerning increases in natural alcoholic strength(**b**);".

Victoria Prentis
Parliamentary Under Secretary of State
24th June 2020 Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

This instrument amends the Wine Regulations 2011 (S.I. 2011/2936) in order to reflect the repeal of Commission Regulation (EC) No 606/2009 by Commission Delegated Regulation (EU) 2019/934 and its replacement with both that Regulation and Commission Implementing Regulation (EU) 2019/935.

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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(**a**) OJ L 149, 7.6.2019, p. 1.
(**b**) OJ L 149, 7.6.2019, p. 53.

£4.90

UK202006241012 07/2020 19585

http://www.legislation.gov.uk/id/uksi/2020/639

ISBN 978-0-34-820892-4

