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WELSH STATUTORY INSTRUMENTS

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**2011 No. 2486 (W.270)**

**HORTICULTURE, WALES**

**The Marketing of Fresh Horticultural Produce  
(Wales) (Amendment) Regulations 2011**

<i>Made</i>	- - - -	<i>18 October 2011</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>18 October 2011</i>
<i>Coming into force</i>	- -	<i>8 November 2011</i>

The Welsh Ministers are designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to the common agricultural policy of the European Union.

These Regulations make provision for a purpose mentioned in that section of that Act and it appears to the Welsh Ministers that it is expedient for references to provisions of Commission Implementing Regulation (EU) No 543/2011<sup>(3)</sup> in the instrument which these Regulations amend to be construed as references to those provisions as amended from time to time.

The Welsh Ministers make these Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2<sup>(4)</sup> to, the European Communities Act 1972.

**Title, application, and commencement**

1.—(1) The title of these Regulations is the Marketing of Fresh Horticultural Produce (Wales) (Amendment) Regulations 2011.

(2) These Regulations apply in relation to Wales.

(3) These Regulations come into force on 8 November 2011.

**Amendments to the Marketing of Fresh Horticultural Produce (Wales) Regulations 2009**

2. The Marketing of Fresh Horticultural Produce Regulations (Wales) 2009<sup>(5)</sup> are amended as follows.

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(1) By virtue of article 3 of the European Communities (Designation) (No. 5) Order 2010, S.I. [2010/2690](#).

(2) [1972, c. 68](#).

(3) OJ No L 157, 15.6.2011, p.1.

(4) Paragraph 1A was inserted into Schedule 2 by section 28 of the Legislative and Regulatory Reform Act 2006 ([c. 51](#)).

(5) S.I. [2009/1551 \(W. 151\)](#).

### Amendment of references to “Community marketing rules”

3. For “Community marketing rules”, in each place (including the heading of regulation 4) it occurs, substitute “EU marketing rules”.

### Amendments to regulation 2

#### 4. In regulation 2—

- (a) in paragraph (1), for the definition of “Commission Regulation 1580/2007”, substitute—  
 ““Commission Implementing Regulation 543/2011” (*“Rheoliad Gweithredu'r Comisiwn 543/2011”*) means Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors(6), as amended from time to time.”;
- (b) in paragraph (2)—
  - (i) for the definition of “EU marketing rules” (as amended by regulation 3), substitute—  
 ““EU marketing rules” (*“rheolau marchnata'r UE”*) means the general marketing standard and the specific marketing standards covering fresh fruit and vegetables listed in Part IX of Annex I to Council Regulation 1234/2007, and includes the rules relating to those standards contained in Articles 113 and 113a of Council Regulation 1234/2007 and Title II of Commission Implementing Regulation 543/2011”;
  - (ii) for the definition of “general marketing standard”, substitute—  
 ““general marketing standard” (*“safon farchnata gyffredinol”*) means the requirements of Article 113a(1) of Regulation 1234/2007 as detailed in Article 3(1) and Part A of Annex I to Commission Implementing Regulation 543/2011”;
  - (iii) in the definition of “specific marketing standards”, for “Article 2a(2) and Part B of Annex I to Commission Regulation 1580/2007” substitute “Article 3(2) and Part B of Annex I to Commission Implementing Regulation 543/2011”;
- (c) in paragraph (3), for “Commission Regulation 1580/2007”, substitute “Commission Implementing Regulation 543/2011”.

### Amendment to regulation 3

5. In regulation 3(1), for “Article 8(1)(b) of Commission Regulation 1580/2007”, substitute “Article 9(1)(b) of Commission Implementing Regulation 543/2011”.

### Amendment to regulation 4

6. In regulation 4(3), for “Commission Regulation 1580/2007”, substitute “Commission Implementing Regulation 543/2011”.

### Amendment to regulation 8

7. In regulation 8(2), for “Annex VI to Commission Regulation 1580/2007”, substitute “Annex V to Commission Implementing Regulation 543/2011”.

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(6) OJ No L 350, 31.12.2007, p.1.