Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Common Agricultural Policy (Wine) (Wales) (Amendment) Regulations 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

WELSH STATUTORY INSTRUMENTS

2003 No. 1776 (W.192)

AGRICULTURE, WALES

The Common Agricultural Policy (Wine) (Wales) (Amendment) Regulations 2003

Made - - - -	*15th July 2003*
Coming into force - -	*31st July 2003*

The National Assembly for Wales being designated [F1] for the purposes of section 2(2) of the European Communities Act 1972 [F2] in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by that section, hereby makes the following Regulations—

F1 S.I. 1999/2788.
F2 1972 c. 68.

Title, extent and commencement

1. These Regulations may be cited as the Common Agricultural Policy (Wine) (Wales) (Amendment) Regulations 2003; they apply to Wales and come into force on 31st July 2003.

Interpretation

2. In these Regulations, "the principal Regulations" means the Common Agricultural Policy (Wine) (Wales) Regulations 2001 [F3].

F3 S.I. 2001/2193 (W.155).

Amendment of the principal Regulations

3. The principal Regulations shall be amended —

(a) in regulation 2(1) —

(i) by substituting for the definition of "specified regions", the following definition: " "specified region" ("*rhanbarth penodedig*") means for the purposes of point A of Annex VI to Council Regulation (EC) No. 1493/1999, all that part of Wales situated at an altitude below 220 metres above sea level";

(ii) by inserting, in its appropriate alphabetical place, the following definition —

""wine sector product" ("*cynnyrch sector gwin*") for the purposes of these Regulations, includes any aromatized wine;";

(iii) in the definition of "the Wine Standards Board" by substituting for the words "of The Vintners' Company", the words " a company limited by guarantee with company registration number 1127386 ";

(b) in regulations 5, 6(1), 6(3)(a) and 6(4) and Schedule 3 by substituting for the word "Wales" the words " the specified region ";

(c) in regulations 5, 14 and 16 by substituting for the words "specified regions" the words " specified region ";

(d) by inserting after regulation 6 the following regulations —

"**Harvest, Production, Treatment and Marketing declarations**

6A. Declarations submitted each year for the purposes of Articles 2 and 4 of Commission Regulation (EC) 1282/2001 shall take into account the quantities held at 1st December in that year.

Enrichment

6B. A notification of enrichment as referred to in Annex V(G)(5) to Council Regulation (EC) 1493/1999 shall be submitted to the competent body at least 48 hours prior to the commencement of the enrichment operation.".

(e) by substituting for paragraph (1) of regulation 8 the following paragraph —

"**8.**

(1) Where an authorised officer inspects any wine sector product the authorised officer may prohibit its being moved if he or she has reason to believe

(a) an offence has been committed or is likely to be committed in respect of it by contravention of, or failure to comply with, any relevant Community provision referred to in column 1 or 2 of Part I, II, III, V or IX of Schedule 2;

(b) there is, or is likely to be, a risk to public health in relation to that product; or

(c) there has been, or is likely to be any fraudulent treatment of that product.".

(f) by deleting regulation 13;

(g) by substituting for Schedule 1, the Schedule set out in the Schedule to these Regulations;

(h) in item 1 of Part I of Schedule 2, by substituting for the entry in column 2 the words — " Regulation 884/2001: All articles except 1, 2, 9, 17, 18, 20, 21, 22 and 23 ";

(i) in item 1 of Part IV of Schedule 2, by substituting for the entry in column 2 the words " Regulation 1282/2001: Articles 2, 3, 4, 6 and 11 ";

(j) by substituting for item 1 of Part V of Schedule 2, the following item;

"**1.** Regulation 1493/1999 Title V	Regulation 883/2001: All articles except 6, 7, 13, 16, 19, 29, 34, 35 and 36	Requirements relating to trade with third countries in products in the wine sector"

(k) in column 1 of Schedule 3, by deleting the asterisk before the names of the following varieties “Orion”, “Phoenix”, “Regent” and “Rondo (GM 6494/5)”;

(l) by deleting Schedule 4;

(m) in item 2 of Schedule 5 by substituting

(i) for the words “Total Dry Extract”, the words “ Total Sugar free Dry Extract ”; and

(ii) for “15 g/l”, “ 14 g/l ”; and

(n) in item 4 of Schedule 5, by substituting for “5 g/l”, “ 4g/l ”.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998 [F4].

D.Elis-Thomas

15th July 2003 The Presiding Officer of the National Assembly

SCHEDULE 1

Regulation 3(g)

"**SCHEDULE 1**

Regulation 2(1)

COMMUNITY PROVISIONS

Measures containing Community provision	*Official Journal of the European Communities: Reference*
1. Commission Regulation (EEC) No.1135/70 on the notification of the planting and replanting of vines for the purpose of controlling the development of planting	OJ No. L134, 19.6.70, p.2 (OJ/SE1970(II) p.379
2. Council Regulation (EEC) No.357/79 on statistical surveys of areas under vines, as last amended by Council Regulation (EC) No. 2329/98 (OJ No. L29, 30.10.98, p.2)	OJ No. L54, 5.3.79, p.124
3. Act concerning conditions of accession of the Hellenic Republic and the adjustments to the Treaties amending various Regulations concerning wine as a result of the accession of Greece, signed on 28th May 1979	OJ No. L291, 19.11.79, p.17
4. Commission Regulation (EEC) No.1907/85 on the list of vine varieties and regions providing imported wine for the making of sparkling wines in the Community	OJ No. L179,11.7.85, p.21
5. Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic and the adjustments to the Treaties, signed on 12th June 1985	OJ No. L302,15.11.85, p.23
6. Council Regulation (EEC) No. 3805/85 adapting, on account of the accession of Spain and Portugal, certain Regulations relating to the wine sector	OJ No. L367, 31.12.85, p.39
7. Council Regulations (EEC) No.2392/86 establishing a Community vineyard register, as last amended by Council Regulation (EC) No. L1631/98 (OJ No. L210, 28.7.98, p.14) [F5]	OJ No. L208, 31.7.86, p.1
8. Commission Regulation (EEC) No.649/87 laying down detailed rules for the establishment of a Community vineyard register, as amended	OJ No. L62, 5.3.87, p.10

by Commission Regulation (EEC) No. 1097/89 (OJ No. L116, 28.4.89, p.20)	
9. Commission Regulation (EEC) No.2676/90 determining Community methods for the analysis of wines as last amended by Commission Regulation (EC) No.1622/2000 (OJ No. L194, 31.7.2000, p.1)	OJ No.L272, 3.10.90, p.1
10. Commission Regulation (EEC) No. 3201/90 laying down detailed rules for the description and presentation of wines and grape musts, as last amended by Commission Regulation (EC) No. 2770/98 (OJ No. L346, 22.12.98, p.25)	OJ No. L 309, 8.11.90, p.1
11. Commission Regulation (EEC) No.1061/91 laying down general rules on the definition, description and presentation of wines, aromatised wine-based drinks and aromatised wine-product cocktails, as last amended by Regulation (EC) No. 2061/96 of the European Parliament and the Council (OJ No.L277, 30.10.96, p.1)	OJ No. L149, 14.6.91, p.1
12. Commission Regulation (EEC) No. 3901/91 laying down certain detailed rules on the description and presentation of special wines	OJ No. L368, 31.12.91, p.15
13. Commission Regulation (EEC) No.2009/92 determining Community analysis methods for ethyl alcohol of agricultural origin used in the preparation of spirit drinks, aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails	OJ No. L203, 21.7.92, p.10
14. Council Decision No. 93/722/EC concerning the conclusion of an Agreement between the European Community and the Republic of Bulgaria on the reciprocal protection and control of wine names	OJ No. L337, 31.12.93, p.11
15. Council Decision No. 93/723/EC concerning the conclusion of an Agreement between the European Community and Hungary on the reciprocal establishment of tariff quotas for certain wines	OJ No. L337, 31.12.93, p.83
16. Council Decision No. 93/726/EC concerning the conclusion of an Agreement between the European	OJ No. L337, 31.12.93, p.177