1972. No. 351 **[C]**

EUROPEAN COMMUNITIES

Agriculture

ORDER, DATED 13TH DECEMBER 1972, MADE BY THE SECRETARY OF STATE UNDER SECTION 4(3)(*a*) OF THE EUROPEAN COMMUNITIES ACT 1972.

The Secretary of State in exercise of the powers conferred on him by section 4(3)(*a*) of the European Communities Act 1972(**a**) and by section 1(1)(*a*) of the Northern Ireland (Temporary Provisions) Act 1972(**b**) and of all other powers enabling him in that behalf hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the European Communities (Agriculture) Order (Northern Ireland) 1972 and shall not come into operation until the date on which the United Kingdom becomes a member of the European Communities except to authorise the making with effect from that date of regulations made by virtue of Schedules 1 to 4.

Interpretation and construction

2. The Interpretation Act (Northern Ireland) 1954(**c**) shall apply for the interpretation of this Order as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

Amendments to existing Acts

3. The enactments set out in the Schedules to this Order shall be amended in the manner referred to therein.

Furnishing of information to Communities

4. An individual return or part of a return made under section 1 of the Agricultural Returns Act (Northern Ireland) 1939(**d**) may be disclosed without the authority of the person making it or of the occupier on whose behalf it is made to a Community institution in pursuance of a Community obligation.

Dated this 13th day of December 1972.

W. S. I. Whitelaw,
One of Her Majesty's Principal Secretaries of State

(a) 1972. c. 68.
(b) 1972. c. 22.
(c) 1954. c. 33.
(d) 2 & 3 Geo. 6. c. 35 (N.I.).

SCHEDULE 1

Amendments to the Horticulture Act (Northern Ireland) 1966(e)

In the above Act there shall be made, with effect from the date on which the United Kingdom becomes a member of the European Communities, the following amendments:—

1. In section 1 (power to prescribe grades of produce) there shall be added at the end as a new subsection (3):—

"(3) Regulations under subsection (1) above shall not apply to produce of any description for the time being subject to Community grading rules; but in relation to any such produce the Ministry may by regulations—

(*a*) make additional provision as to the form of any label required for the purpose of those rules or as to the inclusion in any such label of additional particulars (not affecting the grading of the produce);

(*b*) provide for the application, subject to any modification specified in the regulations, of all or any of the following provisions of this Part of this Act as if the produce were regulated fresh produce and as if the standards of quality established by those rules were prescribed grades."

2. In section 35 (interpretation) there shall be inserted after the definition of "authorised officer" the following definition:—

"Community grading rules" means any directly applicable Community provisions establishing standards of quality for fresh horticultural produce.

Amendment to the Trade Descriptions Act 1968(f)

3. In section 2(4) of the Trade Descriptions Act 1968 (which provides that certain statutory descriptions and markings are to be deemed not to be trade descriptions) after the words "the Horticulture Act (Northern Ireland) 1966" there shall be inserted the words "or any Community grading rules within the meaning of that Act".

(e) 1966. c. 15 (N.I.). (f) 1968. c. 29.