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STATUTORY INSTRUMENTS

2019 No.

AGRICULTURE, ENGLAND

RURAL DEVELOPMENT

ANIMALS

ANIMAL HEALTH

COUNTRYSIDE, ENGLAND

ENVIRONMENTAL PROTECTION

FISH FARMING

FOOD, ENGLAND

PLANT HEALTH, ENGLAND

PUBLIC HEALTH, ENGLAND

PUBLIC SECTOR INFORMATION

SEA FISHERIES

CONSERVATION OF SEA FISH

SEA FISH INDUSTRY

WATER, ENGLAND AND WALES

WATER RESOURCES, ENGLAND AND WALES

The Environment, Food and Rural Affairs (Miscellaneous Amendments etc.) Regulations 2019

Made - - - - - ***
Laid before Parliament ***
Coming into force - - - 29th March 2019

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The Secretary of State makes these Regulations in exercise of the powers conferred by—

- (a) except so far as relating to regulations 7 and 14, section 2(2) of the European Communities Act 1972(a) (“the 1972 Act”);
- (b) so far as relating to regulation 7, section 2(2) of, and paragraph 1A of Schedule 2 to, the 1972 Act(b);
- (c) so far as relating to regulation 14, sections 1 and 8(1) of the Animal Health Act 1981(c).

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- (a) 1972 c. 68; section 2(2) was amended by the Legislative and Regulatory Reform Act 2006 (c. 51), section 27(1)(a) and Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7). It is prospectively repealed by the European Union (Withdrawal) Act 2018 (c. 16), section 1 from exit day (see section 20 of that Act). The function of the former Minister of Agriculture, Fisheries and Food of making regulations under section 2(2) was transferred to the Secretary of State by S.I. 2002/794. 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 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.
- (b) Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c. 51), and amended by Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7).
- (c) 1981 c. 22. Functions of “the Ministers” are now exercisable by the Secretary of State in relation to England. Such functions were transferred, so far as exercisable by the Secretaries of State for Scotland and Wales, to the Minister of Agriculture, Fisheries and Food by S.I. 1999/3141. The function of the former Minister of Agriculture, Fisheries and Food of making regulations under the Act was then transferred to the Secretary of State by S.I. 2002/794. The powers in sections 1 and 8(1) to make orders by statutory instrument are exercisable as powers to make regulations by statutory instrument, by virtue of section 105(1) of the Deregulation Act 2015 (c. 20).

The Secretary of State is a Minister designated for the purposes of section 2(2) of the 1972 Act in relation to—

- (a) the environment(a);
- (b) measures relating to the common agricultural policy of the Economic Community(b);
- (c) measures relating to the prevention reduction and elimination of pollution caused by waste(c);
- (d) measures relating to promotion of rural development(d);
- (e) measures in the veterinary and phytosanitary fields for the protection of public health(e);
- (f) measures relating to the operation of the Structural Funds(f);
- (g) measures relating to food (including drink) including the primary production of food(g);
- (h) food and drink intended for sale for human consumption, including the presentation, packaging, labelling, marketing and advertising of such food and drink(h).

PART 1

Introduction

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Environment, Food and Rural Affairs (Miscellaneous Amendments etc.) Regulations 2019.

(2) These Regulations come into force on 29th March 2019.

(3) Subject to paragraph (4), an amendment or revocation made by these Regulations has the same extent as the provision being amended or revoked.

(4) Regulation 2 extends to England and Wales.

PART 2

Amendment of primary legislation

Environment Act 1995

2. In the Environment Act 1995(i), in section 56(1) as it has effect in England and Wales, in paragraph (h) of the definition of “environmental licence” in the application of Part 1 of that Act in relation to an appropriate agency, at the end insert “as last amended by Council Regulation (EU) 2017/997(j).”

(a) S.I. 2008/301.

(b) S.I. 1972/1811. The designation in relation to the common agricultural policy extends to the common fisheries policy under Article 38(1) of the Treaty on the Functioning of the European Union (OJ C 326, 26.10.2012, p.62.)

(c) S.I. 1992/2870.

(d) S.I. 1994/1887.

(e) S.I. 1999/2027.

(f) S.I. 1999/2788.

(g) S.I. 2003/2901.

(h) S.I. 2005/2766.

(i) 1995 c. 25; relevant amending instruments are S.I. 2011/988 and S.I. 2013/755.

(j) OJ L 150, 14.6.2017, p 1.

PART 3

Amendment of secondary legislation

CHAPTER 1

Legislation concerning the environment

INSPIRE Regulations 2009

3. In the INSPIRE Regulations 2009(a), in regulation 8(3)(b), after “Network Services” insert “, as last amended by Commission Regulation (EU) No 1311/2014 of 10 December 2014(b)”.

Bathing Water Regulations 2013

- 4.—(1) The Bathing Water Regulations 2013(c) are amended as follows.
- (2) In regulation 2(1), in the definition of “a bathing water”, omit “and listed at Schedule 2”.
- (3) In regulation 3—
- (a) in paragraph (1), for the words from “Part 1 of” to “identified” substitute “The Secretary of State must identify, and maintain a list of, the surface waters”;
 - (b) in paragraph (2), for the words from “Part 2 of” to “identified” substitute “The Welsh Ministers must identify, and maintain a list of, the surface waters”.
- (4) Omit Schedule 2.

Nitrate Pollution Prevention Regulations 2015

- 5.—(1) The Nitrate Pollution Prevention Regulations 2015(d) are amended as follows.
- (2) In regulation 2(1), for the definition of “new holding” substitute—
- ““new holding” means—
- (a) in the case of the designation of nitrate vulnerable zones which took place on 31st December 2016, land and its associated buildings which became a holding on that date (and which were not a holding immediately before that date); and
 - (b) following any subsequent review under regulation 4(5), land and its associated buildings which become a holding as the result of the Secretary of State revising or adding to the designation of nitrate vulnerable zones and which were not a holding immediately before the date of that revision or addition;”.
- (3) In regulation 3—
- (a) for paragraph (2) substitute—
- “(2) For the purposes of this regulation—
- (a) for the period beginning with 1st December 2016 and ending with the day on which the Secretary of State next revises or adds to the designation of nitrate vulnerable zones under regulation 4(5), “relevant map” means a map marked “Nitrate Vulnerable Zones (England) 2017 to 2020” and published on 1st December 2016 on the Agency’s website;
 - (b) following any subsequent review under regulation 4(5), “relevant map” means a map which is published on the Agency’s website and which—

(a) S.I. 2009/3157, amended by S.I. 2012/1672 and 2018/1338.

(b) OJ L 354, 11.12.2014, p. 6.

(c) S.I. 2013/1675, amended by S.I. 2018/575; there are other amending instruments but none is relevant.

(d) S.I. 2015/668, amended by S.I. 2016/1190; there are other amending instruments but none is relevant.

- (i) is marked “This map identifies those areas of England designated by the Secretary of State as a Nitrate Vulnerable Zone for the purposes of the Nitrate Pollution Prevention Regulations 2015 (England).”; and
 - (ii) specifies the period to which it relates.”;
- (b) after paragraph (2) insert—
- “(3) The Agency must make provision for a relevant map to be obtainable by persons without access to the internet.”.
- (4) In regulation 4(2), for “at least every four years subsequently” substitute “before 1st January of every fourth year thereafter”.
- (5) In regulation 5(1), for “at least every four years subsequently” substitute “before 10th August of every fourth year thereafter”.
- (6) In Schedule 4—
- (a) in paragraph 1, for “1st January 2018” substitute “the beginning of the second calendar year after the year in which the Secretary of State revises or adds to the designation of nitrate vulnerable zones under regulation 4(5) so as to include the new holding”;
 - (b) in paragraph 2, for “31st July 2019” substitute “31st July in the third calendar year after the year in which the Secretary of State revises or adds to the designation of nitrate vulnerable zones under regulation 4(5) so as to include the new holding”.

Water Supply (Water Quality) Regulations 2016

- 6.**—(1) The Water Supply (Water Quality) Regulations 2016(a) are amended as follows.
- (2) In regulation 8(1), for “items 1 to 11” substitute “items 1 to 12”.
 - (3) In Schedule 3 (monitoring)—
 - (a) in Part 1, in Table 3—
 - (i) in the table heading, for “supply points” substitute “in water supply zones (or supply points)”;
 - (ii) in item 5, for the entry in column 2 substitute—

“*Clostridium perfringens* (including spores) ⁽¹⁾”;
 - (iii) in item 11, for the entry in column 2 substitute—

“Indicative dose ⁽¹⁾”;
 - (iv) in item 17, for the entry in column 2 substitute—

“Tetrachloroethene/Trichloroethene ⁽¹⁾”;
 - (v) omit the row that relates to item 20;
 - (b) in Part 3, in column 2 of Table 11, for “12” substitute “52”.

CHAPTER 2

Legislation concerning agriculture

Common Agricultural Policy (Control and Enforcement, Cross-Compliance, Scrutiny of Transactions and Appeals) Regulations 2014

7. In the Common Agricultural Policy (Control and Enforcement, Cross-Compliance, Scrutiny of Transactions and Appeals) Regulations 2014(b), in Schedule 1, before the paragraph beginning “Commission Delegated Regulation (EU) 2017/1182” insert—

“Commission Delegated Regulation (EU) 2017/891 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the fruit and

(a) S.I. 2016/614, amended by S.I. 2017/506, 2018/706; there are other amending instruments but none is relevant.
 (b) S.I. 2014/3263; relevant amending instruments are S.I. 2015/1997, 2017/599, 2017/734 and 2018/1164.

vegetables and processed fruit and vegetables sectors and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to penalties to be applied in those sectors and amending Commission Implementing Regulation (EU) No 543/2011(a)

Commission Implementing Regulation (EU) 2017/892 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the fruit and vegetables and processed fruit and vegetables sectors(b)".

CHAPTER 3

Legislation concerning animals and plants

Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974

8.—(1) The Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974(c) is amended as follows.

(2) In article 2—

- (a) in paragraph (1), in the definition of “Pets Regulation quarantine end date”, in subparagraph (a), in paragraphs (iii), (iv) and (v), for “7” substitute “6”;
- (b) in paragraph 1B, for “1152/2011” to the end, substitute “2018/772 supplementing Regulation (EU) No 576/2013 of the European Parliament and of the Council with regard to preventive health measures for the control of *Echinococcus multilocularis* infection in dogs”.

Animals (Post-Import Control) Order 1995

9.—(1) The Animals (Post-Import Control) Order 1995(d) is amended as follows.

(2) In article 2(3), omit the words “without prejudice to regulation 7(2) of the Animals and Animal Products (Import and Export) Regulations 1995.”.

(3) In article 3(1) for “Article 2, 3 or 4 of Commission Decision 93/24/EEC (concerning additional guarantees relating to Aujeszky’s disease for pigs destined to member States or Regions free of the disease)” substitute “Commission Decision 2008/185/EC(e) on additional guarantees in intra-Community trade of pigs relating to Aujeszky’s disease and criteria to provide information on this disease”.

(4) In article 4(1), for “Commission Decision 83/494/EEC (concerning animal health conditions and veterinary certification for the importation of domestic animals of the bovine and porcine species from Canada)” substitute “Regulation (EU) 206/2010(f) (laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements)”.

Sheep Scab Order 1997

10. In article 4(2)(a) of the Sheep Scab Order 1997(g), for “Marketing Authorisations for Veterinary Medicinal Products Regulations 1994” substitute “Veterinary Medicines Regulations 2013(h)”.

(a) OJ L 138, 25.5.2017, p. 4.

(b) OJ L 138, 25.5.2017, p. 57.

(c) S.I. 1974/2211, amended by 2014/3158; there are other amending instruments but none is relevant.

(d) S.I. 1995/2439, to which there are amendments not relevant to these Regulations.

(e) OJ L 59, 4.3.2008, p.19, as last amended by Commission Implementing Decision (EU) 2018/187 (OJ L.34, 8.2.2018, p. 36).

(f) OJ L 73, 20.3.2010, p.1, as last amended by Commission Implementing Regulation (EU) 2017/73 (OJ L108, 26.4.2017, p. 7).

(g) S.I. 1997/968. The Order has been revoked in relation to Scotland by S.S.I. 2010/419.

(h) S.I. 2013/2033, as amended by S.I. 2014/599 and 2018/761.

Foot-and-Mouth Disease (England) Order 2006

- 11.** In the Foot-and-Mouth Disease (England) Order 2006(a), in article 2—
- (a) in the definition of “the Directive”, at the end insert “, as last amended by Commission Implementing Decision (EU) 2018/1099(b)”;
 - (b) in the definition of “Regulation EC No. 1069/2009”, at the end insert “, as last amended by Council Regulation (EU) 1385/2013(c)”;
 - (c) in the definition of “Regulation (EU) No. 142/2011”, at the end insert “, as last amended by Commission Regulation (EU) 2017/1262(d)”.

Avian Influenza and Influenza of Avian Origin in Mammals (England) (No 2) Order 2006

12. In the Avian Influenza and Influenza of Avian Origin in Mammals (England) (No 2) Order 2006(e), in article 2(2), after “Directive 92/40/EEC” insert “, as last amended by Council Directive 2008/73/EC(f),”.

Trade in Animals and Related Products Regulations 2011

13.—(1) The Trade in Animals and Related Products Regulations 2011(g) are amended as follows.

(2) In regulation 28, for the words from “in a free zone” to the end, substitute “in contravention of Section 2 (customs warehousing) or Section 3 (free zones) of Chapter 3 of Title 7 of Regulation (EU) No 2013/952 of the European Parliament and of the Council laying down the Union Customs Code(h)”.

Pigs (Records, Identification and Movement) Order 2011

14.—(1) The Pigs (Records, Identification and Movement) Order 2011(i) is amended as follows.

(2) In article 7(2), for “Disease Control Order (England) 2003” substitute “Disease Control (England) Order 2003”.

(3) In article 27(2), for “Disease Control Order 2003” substitute “Disease Control (England) Order 2003”.

Non-Commercial Movement of Pet Animals Order 2011

15.—(1) The Non-Commercial Movement of Pet Animals Order 2011(j) is amended as follows.

(2) In article 2(1), in the definition of “the supplementary Regulation”, for “1152/2011” to the end, substitute “2018/772 supplementing Regulation (EU) No 576/2013 of the European Parliament and of the Council with regard to preventive health measures for the control of *Echinococcus multilocularis* infection in dogs”.

(3) In article 9—

- (a) for “7” substitute “6”;
- (b) for “2(2)” substitute “7(1)(b)”.

(a) S.I. 2006/182, to which there are amendments not relevant to these Regulations.
(b) OJ L 219, 14.8.2008, p. 40.
(c) OJ L 354 28.12.2013 p. 86.
(d) OJ L 182 13.7. 2017 p. 34.
(e) S.I. 2006/2702, to which there are amendments not relevant to these Regulations.
(f) OJ L 219 14.8.2008 p. 40.
(g) S.I. 2011/1197, to which there are amendments not relevant to these Regulations.
(h) OJ L 269, 10.10.2013, p. 1.
(i) S.I. 2011/2154, to which there are amendments not relevant to these Regulations.
(j) S.I. 2011/2883, to which there are amendments not relevant to these Regulations.

Animal By-Products (Enforcement) (England) Regulations 2013

16.—(1) The Animal By-Products (Enforcement) (England) Regulations 2013(a) are amended as follows.

(2) In Schedule 1, in the table, in entry 17 (placing on the market and use of organic fertilisers and soil improvers), in the third column, omit “and 36(1)”.

Plant Health (England) Order 2015

17.—(1) The Plant Health (England) Order 2015(b) is amended as follows.

(2) In the table in Part A of Schedule 4, in item 89A, in the third column—

- (a) in the words before paragraph (a), omit “they” in the second place it occurs;
- (b) in paragraphs (a) and (c), at the beginning insert “they”.

(3) In the table in Part B of Schedule 4, in item 43A, in the third column—

- (a) in the words before paragraph (a), omit “they” in the second place it occurs;
- (b) in paragraphs (a) and (c), at the beginning insert “they”.

(4) In Part A of Schedule 9, in paragraph 8, for sub-paragraph (b) substitute—

“(b) Article 5(2) of Commission Implementing Directive 2014/96/EU on the requirements for the labelling, sealing and packaging of fruit plant propagating material and fruit plants intended for fruit production, falling within the scope of Council Directive 2008/90/EC(c);”.

Transmissible Spongiform Encephalopathies (England) Regulations 2018

18. In the Transmissible Spongiform Encephalopathies (England) Regulations 2018(d), in paragraph 4(3)(a) of Schedule 7, for “after” substitute “, and in any event before”.

CHAPTER 4

Legislation concerning fisheries

Sea Fish (Specified Sea Area) (Regulation of Nets and Prohibition of Fishing Methods) Order 1989

19. In article 2(2) of the Sea Fish (Specified Sea Area) (Regulation of Nets and Prohibition of Fishing Methods) Order 1989(e), for the words from “determined by” to the end, substitute “measured in accordance with the provisions of Commission Regulation (EC) No 517/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 850/98 as regards the determination of the mesh size and assessing the thickness of twine of fishing nets(f)”.

Sea Fish (Specified Sea Areas) (Regulation of Nets and Other Fishing Gear) Order 2001

20. In the Sea Fish (Specified Sea Areas) (Regulation of Nets and Other Fishing Gear) Order 2001(g), for article 5 substitute—

-
- (a) S.I. 2013/2952, amended by S.I. 2015/1980; there are other amending instruments but none is relevant.
 - (b) S.I. 2015/610, as amended by S.I. 2018/1051; there are other amending instruments, but none is relevant.
 - (c) OJ No L 298, 16.10.2014, p.12.
 - (d) S.I. 2018/731, as amended by S.I. 2018/1120; there is another amending instrument which is not relevant.
 - (e) S.I. 1989/1284, to which there are amendments not relevant to these Regulations.
 - (f) OJ L 151, 11.6.2008, p.5.
 - (g) S.I. 2001/649, as amended by S.I. 2018/942; there is another amending instrument but it is not relevant.

“Measurement of mesh size of nets

5. For the purposes of this Order, the mesh size of nets shall be measured in accordance with the provisions of Regulation 517/2008.”

Scallop Fishing (England) Order 2012

21. In article 5(3) of the Scallop Fishing (England) Order 2012(a), at the end insert “, as last amended by Regulation (EU) 2015/812 of the European Parliament and of the Council(b)”.

Sea Fishing (Enforcement) Regulations 2018

22. In the Schedule to the Sea Fishing (Enforcement) Regulations 2018(c), in the first column—
- (a) for “Council Regulation (EU) 2018/120 fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters” substitute “Council Regulation (EU) 2019/124 fixing for 2019 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters(d)”;
 - (b) in the entries relating to that Regulation—
 - (i) for “Article 9(1), (2) and (3)” substitute “Article 10(1), (2) and (3)”;
 - (ii) for “Article 9(4)” substitute “Article 10(4)”.

CHAPTER 5

Legislation concerning food

Coffee Extracts and Chicory Extracts (England) Regulations 2000

23. In regulation 2(1) of the Coffee Extracts and Chicory Extracts (England) Regulations 2000(e), in the definition of “Regulation (EU) No 1169/2011(f)”, at the end insert “, as last amended by Regulation (EU) 2015/2283 of the European Parliament and of the Council on novel foods(g)”.

Specified Sugar Products (England) Regulations 2003

- 24.—(1) The Specified Sugar Products (England) Regulations 2003(h) are amended as follows.
- (2) In regulation 5, in the words before sub-paragraph (a), after “consumers” insert “as last amended by Regulation (EU) 2015/2283 of the European Parliament and of the Council on novel foods,”.
- (3) In Schedule 1, for note 7 substitute—
- “7. Specified sugar products may contain—
- (a) a permitted extraction solvent, as defined in regulation 11 of the Food Additives, Flavourings, Enzymes and Extraction Solvents (England) Regulations 2013(i);

(a) S.I. 2012/2283.
(b) OJ L133, 29.5.2015, p.1, as corrected by a corrigendum (OJ L319, 4.12.2015, p.21).
(c) S.I. 2018/849.
(d) OJ L 29, 31.1.2019, p.1.
(e) S.I. 2000/3323, amended by S.I. 2014/1855; there are other amending instruments but none is relevant.
(f) OJ L 304, 22.11.2011, p.18, last amended by Regulation (EU) 2015/2283 of the European Parliament and of the Council (OJ L 327, 11.12.2015, p. 1).
(g) OJ L 327, 11.12.2015, p. 1.
(h) S.I. 2003/1563; relevant amending instruments are S.I. 2009/3238, 2014/1855.
(i) S.I. 2013/2210, to which there are amendments not relevant to these Regulations.

- (b) any substance permitted under Regulation (EC) No 1333/2008 of the European Parliament and of the Council on food additives^(a).”.

Cocoa and Chocolate Products (England) Regulations 2003

25.—(1) The Cocoa and Chocolate Products (England) Regulations 2003^(b) are amended as follows.

(2) In regulation 2(1), in the definition of “Regulation (EU) No 1169/2011”, at the end insert “, as last amended by Regulation (EU) 2015/2283 of the European Parliament and of the Council on novel foods”.

(3) In regulation 7(2)(a), for “the 1996 Regulations” substitute “Article 18 of Regulation (EU) No 1169/2011”.

(4) In Schedule 1, in note 3, for “covered by” substitute “defined in Part A of the Annex to”.

Jam and Similar Products (England) Regulations 2003

26.—(1) The Jam and Similar Products (England) Regulations 2003^(c) are amended as follows.

(2) In regulation 2(1), in the definition of “Regulation (EU) No 1169/2011”, at the end insert “, as last amended by Regulation (EU) 2015/2283 of the European Parliament and of the Council on novel foods”.

(3) In Schedule 2—

(a) in paragraph 1(m), at the end insert “, as last amended by Commission Regulation (EU) 2018/1497^(d)”;

(b) in paragraph 2(d), after “food additives” insert “, as last amended by Commission Regulation (EU) 2018/1497,”.

Natural Mineral Water, Spring Water and Bottled Drinking Water (England) Regulations 2007

27.—(1) The Natural Mineral Water, Spring Water and Bottled Drinking Water (England) Regulations 2007^(e) are amended as follows.

(2) In Schedule 12—

(a) in Part 2, in paragraph 5(1), in the words before sub-paragraph (a), for “paragraph 4(2)(a)” substitute “paragraph 4(2)(a),”;

(b) in Part 7, in paragraph 32(3)(c), after “samples are” insert “taken”;

(c) in Part 10, in Section 2, in the table, in the second column for “for which for”, in each place it occurs, substitute “for which”.

Fruit Juices and Fruit Nectars (England) Regulations 2013

28. In Schedule 3 of the Fruit Juice and Fruit Nectars (England) Regulations 2013^(f), in paragraph 1, for the words from “meets the” to the end, substitute “complies with the requirements of regulation 4(2) of the Water Supply (Water Quality) Regulations 2016^(g)”.

(a) OJ L 354, 31.12.2008, p. 16, last amended by Commission Regulation (EU) 2018/1497 (OJ L 253, 9.10.2018, p. 36).

(b) S.I. 2003/1659, amended by S.I. 2014/1855; there are other amending instruments but none is relevant.

(c) S.I. 2003/3120, amended by S.I. 2009/3238, 2018/575; there are other amending instruments but none is relevant.

(d) OJ L 253, 9.10.2018, p.36.

(e) S.I. 2007/2785, amended by S.I. 2018/352; there are other amending instruments but none is relevant.

(f) S.I. 2013/2775, to which there are amendments not relevant to these Regulations.

(g) S.I. 2016/614, to which there are amendments not relevant to these Regulations.

Products Containing Meat etc. (England) Regulations 2014

29. In Schedule 1 to the Products Containing Meat etc. (England) Regulations 2014(a), in paragraph (c) of the definition of “curing salt”, after “food additives,” insert “as last amended by Commission Regulation (EU) 2018/1497”.

Condensed Milk and Dried Milk (England) Regulations 2015

30. In Schedule 1 to the Condensed Milk and Dried Milk (England) Regulations 2015(b), in paragraph 3 of the Notes, after “the Council,” insert “as last amended by Commission Regulation (EU) 2017/1981(c)”.

PART 4

Revocations

Revocations

31. The instruments listed in the Schedule are revoked.

| | |
|------|--|
| | <i>Name</i> |
| | Parliamentary Under Secretary of State |
| Date | Department for Environment, Food and Rural Affairs |

SCHEDULE

Regulation 31

Revocations

1. The Sea Fish (Specified Sea Areas) (Regulation of Nets and Other Fishing Gear) Order 1991(d).

2. The Fish Producers’ Organisations (Formation Grants) Regulations 1999(e).

3. The Rural Development Grants (Agriculture and Forestry) Regulations 2000(f).

4. The Countryside Stewardship Regulations 2000(g).

5. The Rural Development Grants (Agriculture and Forestry) (Amendment) Regulations 2001(h).

6. The Rural Development Grants (Local Communities) Regulations 2001(i).

(a) S.I. 2014/3001.

(b) S.I. 2015/675.

(c) OJ L 285, 1.11.2017, p. 10.

(d) S.I. 1991/1380, amended by S.I. 1992/1344 and 2001/649.

(e) S.I. 1999/1110.

(f) S.I. 2000/2907.

(g) S.I. 2000/3048.

(h) S.I. 2001/3897.

(i) S.I. 2001/3899.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to various legislation within the remit of the Department for Environment, Food and Rural Affairs.

Regulation 2 amends the definition of “environmental licence” in section 56(1) of the Environment Act 1995, as it applies in England and Wales in relation to the Environment Agency and the Natural Resources Body for Wales, to amend a reference to the EU Waste Framework Directive in consequence of amendments to that Directive.

Regulations 3, 7 to 13, 15, 16, 17(4), 21 to 26 and 28 to 30 amend provisions of subordinate legislation which refer to other domestic or EU legislation in consequence of the amendment, replacement or revocation of that legislation.

Regulation 4 amends provisions of the Bathing Water Regulations 2013 to amend the process for designating bathing waters.

Regulation 5 amends provisions of the Nitrate Pollution Prevention Regulations 2015 relating to monitoring of nitrate pollution and designation of nitrate vulnerable zones.

Regulations 6, 14, 17(2) and (3), 18 and 27 correct minor errors in the Water Supply (Water Quality) Regulations 2016, the Pigs (Records, Identification and Movement) Order 2011, the Plant Health (England) Order 2015, the Transmissible Spongiform Encephalopathies (England) Regulations 2018 and the Natural Mineral Water, Spring Water and Bottled Drinking Water (England) Regulations 2007.

Regulations 19 and 20 amend provisions in the Sea Fish (Specified Sea Area) (Regulation of Nets and Prohibition of Fishing Methods) Order 1989 and the Sea Fish (Specified Sea Areas) (Regulation of Nets and Other Fishing Gear) Order 2001 relating to the measurement of mesh size of nets to apply the provisions of Commission Regulation (EC) No 517/2008.

Regulation 31 and the Schedule revoke regulations relating to fisheries, agriculture and rural development which are spent or otherwise redundant.

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