

WELSH STATUTORY INSTRUMENTS

**2009 No. 1551**

**The Marketing of Fresh Horticultural  
Produce (Wales) Regulations 2009**

**PART 6**

Revocations and disapplications

**Revocations**

- 21.** The following statutory instruments are revoked so far as they apply to Wales—
- (a) the Grading of Horticultural Produce (Amendment) Regulations 1973 <sup>M1</sup>;
  - (b) the Grading of Horticultural Produce (Forms of Labels) Regulations 1982 <sup>M2</sup>;
  - (c) the Grading of Horticultural Produce (Amendment) Regulations 1983 <sup>M3</sup>.

**Marginal Citations**

- M1** S.I. 1973/22.  
**M2** S.I. 1982/387.  
**M3** S.I. 1983/1053.

**Disapplication**

- 22.** The following Acts do not apply in Wales to horticultural produce—
- (a) the Agriculture and Horticulture Act 1964 <sup>M4</sup> and the Horticultural Produce Act 1986 <sup>M5</sup> which modifies it;
  - (b) the Agricultural Produce (Grading and Marking) Acts 1928 <sup>M6</sup> and 1931 <sup>M7</sup>;
  - (c) the Agricultural Marketing Act 1958 <sup>M8</sup>.

**Marginal Citations**

- M4** 1964 c. 28.  
**M5** 1986 c. 20.  
**M6** 1928 c. 19.  
**M7** 1931 c. 40. This Act amended the Agricultural Produce (Grading and Marking) Act 1928 and the two Acts may be cited together as the Agricultural Produce (Grading and Marking) Acts 1928 and 1931.  
**M8** 1958 c. 47.

**[<sup>F1</sup>Transitional provisions: withdrawal from the EU**

**23.**—(1) Regulation 4 does not apply in relation to a failure to comply with Article 7 of Commission Implementing Regulation 543/2011 if the matter constituting the alleged contravention—

- (a) relates to a product that was placed on the market before [<sup>F2</sup>1 January 2024], and
- (b) would not have constituted a contravention of that Regulation as it applied immediately before IP completion day.

(2) An authorised officer must not exercise the powers under regulation 11(1) in relation to a failure to comply with Article 7 of Commission Implementing Regulation 543/2011 if the matter constituting the alleged contravention—

- (a) relates to a product that was placed on the market before [<sup>F3</sup>1 January 2024], and
- (b) would not have constituted a contravention of that Regulation as it applied immediately before IP completion day.]

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| <b>F1</b> | Reg. 23 inserted (31.12.2020) by <a href="#">The Rural Affairs (Miscellaneous Amendments) (Wales) (EU Exit) (No. 3) Regulations 2019 (S.I. 2019/1376)</a> , regs. 1(2), <b>2</b> (as amended by S.I. 2020/1308, regs. 1(2), <b>5(2)</b> ); 2020 c. 1, <b>Sch. 5 para. 1(1)</b> |
| <b>F2</b> | Words in reg. 23(1)(a) substituted (30.9.2022) by <a href="#">The Food Information (Amendment of Transitional Provisions) (Wales) Regulations 2022 (S.I. 2022/939)</a> , regs. 1(2), <b>4(2)(a)</b>  |
| <b>F3</b> | Words in reg. 23(2)(a) substituted (30.9.2022) by <a href="#">The Food Information (Amendment of Transitional Provisions) (Wales) Regulations 2022 (S.I. 2022/939)</a> , regs. 1(2), <b>4(2)(b)</b>  |

**Changes to legislation:**

There are currently no known outstanding effects for the The Marketing of Fresh Horticultural Produce (Wales) Regulations 2009, PART 6 .