

**L.N. 250 of 2022**

**SUPPLIES AND SERVICES ACT  
(CAP. 117)**

**Fruit and Vegetables Marketing Standards (Amendment)  
Regulations, 2022**

IN EXERCISE of the powers conferred by article 3 of the Supplies and Services Act, the Minister responsible for trade, has made the following regulations:-

1. The title of these regulations is the Fruit and Vegetables Marketing Standards (Amendment) Regulations, 2022 and these regulations shall be read and construed as one with the Fruit and Vegetable Marketing Standards Regulations, hereinafter referred to as "the principal regulations". Citation.  
S.L. 117.36.
2. In the principal regulations, the words "the Director" wherever they occur, shall be substituted by the words "the Malta Food Agency". General amendments to the principal regulations.
3. Sub-regulation (2) of regulation 1 of the principal regulations, shall be substituted by the following new sub-regulation: Amends regulation 1 of the principal regulations.

"(2) The scope of these regulations is to implement the relevant provisions of Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, including Regulation (EU) No 1310/2013 of the European Parliament and of the Council of 17 December 2013, Regulation (EU) 2016/791 of the European Parliament and the Council of 11 May 2016, Commission Delegated Regulation (EU) 2016/1166 of 17 May 2016, Commission Delegated Regulation (EU) 2016/1226 of 4 May 2016, Regulation (EU) 2017/2393 of the European Parliament and of the Council of 13 December 2017, Regulation (EU) 2020/2220 of the European Parliament and of the Council of 23 December 2020, Regulation (EU) 2021/2117 of the European Parliament and of the Council of 2 December 2021, and Commission Regulation (EC) 543/2011 of 7 June 2011 laying down the detailed rules for the application of Council Regulation (EC) No. 1234/2007, as they may be amended from time to time, in respect of the fruit and vegetables sectors."

Amends  
regulation 2 of  
the principal  
regulations.

**4.** Regulation 2 of the principal regulations shall be amended as follows:

(a) the definition "competent authority" shall be substituted by the following new definition:

" "competent authority" means the Malta Food Agency;"

(b) the definition "Director" shall be deleted;

(c) the definition "Inspectorate Unit" shall be substituted by the following new definition:

" "Inspectorate Unit" means the Surveillance Unit within the Malta Food Agency or any other Unit, body or competent office, entrusted by the Malta Food Agency to carry out inspections;"

(d) immediately after the definition "Malta" there shall be added the following new definition:

S.L. 595.39. "Malta Food Agency" shall have the same meaning as that assigned to it by article 2 of the Malta Food Agency (Establishment) Order;"

(e) the definition "product" shall be substituted by the following new definition:

" "product" means fruit and vegetables listed in Part IX of Annex I of "Regulation (EU) No. 1308/2013".

Amends  
regulation 3 of  
the principal  
regulations.

**5.** In sub-regulation (5) of regulation 3 of the principal regulations, the words "Article 113a(3) of Regulation (EC) No. 1234/2007" shall be substituted by the words "Article 76(3) of Regulation (EU) No. 1308/2013".

Amends  
regulation 4 of  
the principal  
regulations.

**6.** Regulation 4 of the principal regulations shall be amended as follows:

(a) sub-regulation (1) thereof shall be amended as follows:

(i) the words "Article 113a(3) of Regulation (EC) No. 1234/2007," shall be substituted by the words "Article 76(3) of Regulation (EU) No. 1308/2013,";

(ii) in paragraph (c) thereof, the words "Article 195(2) of Regulation (EC) No. 1234/2007" shall be

substituted by the words "Article 229 of Regulation (EU) No. 1308/2013";

(iii) in paragraph (e) thereof, the words "Article 1(1)(i) and Part IX of Annex 1 to Regulation (EC) No. 1234/2007" shall be substituted by the words "Article 1(2)(i) and Part IX of Annex 1 to Regulation (EU) No. 1308/2013.";

(b) in sub-regulation (2) thereof, the words "Article 113a(3) of Regulation (EC) No. 1234/2007," shall be substituted by the words "Article 76(3) of Regulation (EC) No. 1308/2013,";

(c) in sub-regulation (3) thereof, the words "Article 113a(3) of Regulation (EC) No. 1234/2007," shall be substituted by the words "Article 76(3) of Regulation (EU) No. 1308/2013,";

(d) in sub-regulation (4) thereof, the words "Article 113a(3) of Regulation (EC) No. 1234/2007," shall be substituted by the words "Article 76(3) of Regulation (EU) No. 1308/2013,";

(e) in sub-regulation (5) thereof, the words "Article 113a(3) of Regulation (EC) No. 1234/2007" shall be substituted by the words "Article 76(3) of Regulation (EU) No. 1308/2013";

(f) in sub-regulation (6) thereof, the words "Article 113a(3) of Regulation (EC) No. 1234/2007," shall be substituted by the words "Article 76(3) of Regulation (EU) No. 1308/2013,"; and

(g) in sub-regulation (11) thereof, the words "Article 195(2) of Regulation (EC) No. 1234/2007" shall be substituted by the words "Article 229 of Regulation (EU) No. 1308/2013".

**7.** In sub-regulation (3) of regulation 5 of the principal regulations, the words "Article 2(1) of Directive 97/7/EC" shall be substituted by the words "Article 2(7) of Directive 2011/83/EU". Amends regulation 5 of the principal regulations.

**8.** In sub-regulation (3) of regulation 6 of the principal regulations, the words "Directive 2000/13/EC" shall be substituted by the words "Regulation (EU) No. 1169/2011". Amends regulation 6 of the principal regulations.

**9.** In sub-regulation (2) of regulation 7 of the principal regulations, the words "Article 1(1)(i) of Regulation (EC) No. 1234/2007." shall be substituted by the words "Article 1(2)(i) of Regulation (EU) No. 1308/2013.". Amends regulation 7 of the principal regulations.

Amends  
regulation 9 of  
the principal  
regulations.

**10.** In sub-regulation (1) of regulation 9 of the principal regulations, the words "Article 113 of Regulation (EC) No 1234/2007." shall be substituted by the words "Articles 74, 75 of Regulation (EU) No. 1308/2013.".

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