
DRAFT STATUTORY RULES OF NORTHERN IRELAND

2021 No.

The Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2021

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2021 and come into operation on 0th Month 2021.

(2) The Interpretation Act (Northern Ireland) 1954(1) applies to these Regulations as it applies to an Act of the Assembly.

Amendment of the Food Hygiene Regulations (Northern Ireland) 2006

2.—(1) The Food Hygiene Regulations (Northern Ireland) 2006(2) are amended as follows.

(2) In regulation 2 (Interpretation)—

(a) in paragraph (1)—

(i) omit the definition that begins “Directive 2004/41”;

(ii) for the definition of “the Regulation 2017/625 package” substitute—

““the Regulation 2017/625 package” means Regulation 2017/625 and the other EU Regulations listed in Schedule 1 under the heading “The Regulation 2017/625 package”.”;

(b) after paragraph (1) insert—

“(1A) Any reference in these Regulations to Directives or Regulations referred to in Schedule 1 have the meanings respectively given to them in that Schedule.”.

(3) In regulation 17 (Offences and penalties)—

(a) in paragraph (1) omit “paragraphs (4) and (5)” and substitute “paragraph (4)”;

(b) omit paragraph (5).

(4) Omit regulation 32.

(5) Omit Schedule 2A.

(6) For Schedule 1 (DEFINITIONS OF COMMUNITY LEGISLATION) substitute the Schedule that is set out in Schedule 1 to these Regulations.

Amendment of the Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007

3.—(1) The Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007(3) are amended as follows.

(1) 1954 c. 33 (N.I.)

(2) S.R. 2006 No.3, last amended by S.R. 2020 No.286

(3) S.R. 2007 No.497, as amended by S.R. 2019 No.220

(2) In regulation 2 (Interpretation), in paragraph (1), in the definition that begins “Directive 2004/41” omit ““Regulation 2019/624””.

(3) In the Schedule (DEFINITIONS OF EU LEGISLATION) omit the definition of “Regulation 2019/624”.

Amendment of the Official Feed and Food Controls Regulations (Northern Ireland) 2009

4.—(1) The Official Feed and Food Controls Regulations (Northern Ireland) 2009(4) are amended as follows.

(2) In regulation 2 (Interpretation)—

(a) in paragraph (1)—

(i) omit the definition that begins “Decision 2007/275”;

(ii) for the definition “the Regulation 2017/625 package” substitute—

““the Regulation 2017/625 package” means Regulation 2017/625 and the EU Regulations listed below the heading “The Regulation 2017/625 package” in Schedule 1;”;

(b) after paragraph (1) insert—

“(1A) Any reference in these Regulations to Decisions, Directives or Regulations referred to in Schedule 1 have the meanings respectively given to them in that Schedule.”.

(3) In regulation 21 (Interpretation of this Part), in the definition of “product”, for the words from “required” to “border control posts” substitute “listed in [Decision 2007/275/EC](#)”.

(4) In regulation 31 (Notices in relation to imports of feed and food from third countries pursuant to the previous regulation), in paragraph (3), for “Article” substitute “Articles”.

(5) In regulation 34 (Costs and fees), in paragraph (2) omit “and (c)”.

(6) In regulation 39(1A) (Offences and penalties), for the wording from “Article 3” to “production of sprouts” substitute “Article 13 of Regulation 2019/625, in so far as it applies to sprouts and seeds intended for the production of sprouts, as read with Article 27 of Regulation 2019/628 and Regulation 2020/2235”.

(7) In Part 4 (RECOVERY OF EXPENSES), at the appropriate place insert—

“Fees or charges arising from unplanned official controls

41A. Fees or charges imposed by a competent authority on an operator pursuant to Article 79(2)(c) of Regulation 2017/625 must be paid by the operator on the written demand of the competent authority.”.

(8) For Schedule 1 (DEFINITIONS OF EU LEGISLATION) substitute the Schedule that is set out in Schedule 2 to these Regulations.

(9) For Schedule 4 (COMPETENT AUTHORITIES FOR THE PURPOSES OF CERTAIN PROVISIONS OF REGULATION 2017/625 IN SO FAR AS THEY APPLY IN RELATION TO RELEVANT FEED LAW) substitute the Schedule that is set out in Schedule 3 to these Regulations.

(10) For Schedule 5 (COMPETENT AUTHORITIES FOR THE PURPOSES OF CERTAIN PROVISIONS OF REGULATION 2017/625 IN SO FAR AS THEY APPLY IN RELATION TO RELEVANT FOOD LAW) substitute the Schedule that is set out in Schedule 4 to these Regulations.

(11) For Schedule 6 (SPECIFIED IMPORT PROVISIONS) substitute the Schedule that is set out in Schedule 5 to these Regulations.

Amendment of the Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016

5. In regulation 19 (Duties to enforce), for “1829/2002” substitute “1829/2003”.

Sealed with the official seal of the Department of Health on 0th Month 2021.



Name
A senior officer of the Department of Health