
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 299

FOOD

**Food (Animals and Animal Products
from Belgium) (Emergency Control)
(Amendment) Order (Northern Ireland) 1999**

Made - - - -

30th June 1999

Whereas it appears to the Department of Health and Social Services acting as the Department concerned that the carrying out of commercial operations with respect to animals and animal products originating from Belgium may involve imminent risk of injury to health, now therefore the Department concerned, in exercise of the powers conferred on it by Articles 12(1), 26(3) and 47(2) of the Food Safety (Northern Ireland) Order 1991(1), and of all other powers enabling it in that behalf, hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Food (Animals and Animal Products from Belgium) (Emergency Control) (Amendment) Order (Northern Ireland) 1999.

(2) In this Order “the principal Order” means the Food (Animals and Animal Products from Belgium) (Emergency Control) Order (Northern Ireland) 1999(2).

Amendment of principal Order

2. The principal Order shall be amended in accordance with Articles 3 to 6 of this Order.

3. In Article 1 (title, commencement and interpretation)—

(a) in paragraph (2)—

(i) for the definition of “the Commission Decision” there shall be substituted—

““Commission Decision [1999/363/EC](#)” means the Commission Decision [1999/363/EC](#) on protective measures with regard to contamination by dioxins of certain animal products intended for human or animal consumption(3) as

(1) S.I. 1991/762 (N.I. 7) as amended by S.I. 1996/1633 (N.I. 12). See Article 2(2) for the definition of “the Department concerned”
(2) S.R. 1999 No. 255
(3) O.J. No. L141, 4.6.1999, p. 24

amended by Commission Decision [1999/390/EC](#)(4) and Commission Decision [1999/419/EC](#)(5);

“Commission Decision [1999/389/EC](#)” means the Commission Decision [1999/389/EC](#) on protective measures with regard to contamination by dioxins of products intended for human consumption derived from bovine animals and pigs and revoking Decision [1999/368/EC](#)(6) as amended by Commission Decision [1999/390/EC](#) and [1999/419/EC](#);”;

- (ii) the definition of “dairy products” shall be deleted; and
- (iii) for the definition of “relevant animal or animal product” there shall be substituted—
 - ““relevant animal or animal product” means any animal or product coming within any of the following descriptions—
 - (a) live animals and hatching eggs as referred to in Article 3 of the Commission Decision [1999/363/EC](#);
 - (b) pigs and bovine animals as referred to in Article 3 of Commission Decision [1999/389/EC](#);
 - (c) products of Belgian origin covered by Article 1.2 of Commission Decision [1999/363/EC](#) or Article 1.2 of Commission Decision [1999/389/EC](#); and
 - (d) products which contain any of the products referred to in sub-paragraph (c),
 but only includes food and food sources;”;

- (b) after paragraph (2) there shall be inserted—
 - “(3) Other expressions used both in this Order and in Commission Decision [1999/363/EC](#) or [1999/389/EC](#) have, in so far as the context admits, the same meaning in this Order as they bear in that Decision.”.

4. After Article 1 there shall be inserted—

“Exemptions

1A.—(1) Article 2 shall not apply to—

- (a) the importation of any food or food source if, when imported, that food or food source is accompanied by valid certification relating to it, as specified in paragraph (3);
 - (b) any subsequent commercial operations in relation to the food or food source if it can be proved by the person carrying out the operation that at the time of importation it was so accompanied; or
 - (c) the return to Belgium, under cover of an official certificate in accordance with Article 3a of Commission Decision [1999/363/EC](#) or, as the case may be, Article 3a of Commission Decision [1999/389/EC](#), of any product covered by this Order.
- (2) Article 4 shall not, save for sub-paragraphs (a) and (b) of paragraph (1), apply to any imported food or food source which is accompanied by valid certification relating to it as specified in paragraph (3).
- (3) The certification to which paragraphs (1)(a) and (b) and (2) apply is—

(4) O.J. No. L147, 12.6.1999, p. 29
 (5) O.J. No. L159, 25.6.1999, p. 60
 (6) O.J. No. L147, 12.6.1999, p. 26

- (a) in the case of live domestic fowls or hatching eggs as referred to in Article 2B of Commission Decision [1999/363/EC](#), an official declaration signed by the Belgian competent authority in the form called for by that Article;
 - (b) in the case of bovine animals or pigs as referred to in Article 2B of Commission Decision [1999/389/EC](#), an official declaration signed by the Belgian competent authority in the form called for by that Article;
 - (c) in the case of products referred to in Article 2A of Commission Decision [1999/363/EC](#), an official certificate signed by the Belgian competent authority in the form called for by that Article; and
 - (d) in the case of products referred to in Article 2A of Commission Decision [1999/389/EC](#), an official certificate signed by the Belgian competent authority in the form called for by that Article.”.
5. In Article 3 (enforcement) after paragraph (2) there shall be inserted—
- “(3) for the purposes of the return to Belgium of any product as specified in Article 1A(1) (c), the competent authority for the purposes of the official certificate shall be an authorised officer of a district council.”.
6. In Article 4 (application and modification of various provisions of the 1991 Order) at the end of sub-paragraph (b) of paragraph (1) there shall be inserted “or are to be returned to Belgium as specified in Article 1A(1)(c).”.

Sealed with the Official Seal of the Department of Health and Social Services on

L.S.

30th June 1999.

W. B. Smith
Assistant Secretary

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order made under Article 12 of the Food Safety (Northern Ireland) Order 1991, amends the Food (Animals and Animal Products from Belgium) (Emergency Control) Order (Northern Ireland) 1999 (“the principal Order”) to provide for the implementation in Northern Ireland, in relation to food and food sources, of—

- (a) Commission Decision [1999/363/EC](#) on protective measures with regard to consumption by dioxins of certain animal products intended for human or animal consumption (O.J. No. L141, 4.6.1999, p. 24) in so far as it extends to products containing products of Belgian origin covered by Article 1.2;
- (b) Commission Decision [1999/389/EC](#) on protective measures with regard to contamination by dioxins of products intended for human consumption derived from bovine animals and pigs and revoking Decision [1999/368/EC](#) (O.J. No. L147, 12.6.1999, p. 26) in so far as it extends to pigs and bovine animals and to products of Belgian origin covered by Article 1.2;
- (c) Commission Decision [1999/390/EC](#) on protective measures with regard to contamination by dioxins of certain products of animal origin intended for human or animal consumption and amending Decision [1999/363/EC](#) and Decision [1999/389/EC](#) (O.J. No. L147, 12.6.1999, p. 29); and
- (d) Commission Decision [1999/419/EC](#) amending Decisions [1999/363/EC](#) and [1999/389/EC](#) as regards protective measures with regard to contamination of certain products by dioxins (O.J. No. L159, 25.6.1999, p. 60).

The Order—

- (a) substitutes a new definition of “relevant animal or animal product” (Article 3(a)(iii)); and
- (b) provides for exemptions in respect of imports which are accompanied by appropriate certification or return of products to Belgium under cover of an official certificate signed on behalf of the Department (Articles 4 and 5).