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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

1. These Regulations restrict the treatment of food with ionising radiation (irradiation) and the importation, storage and transport for the purpose of sale, and sale, of irradiated food.
2. The Regulations revoke and re-enact the rules specified in paragraph 4(k) of this Explanatory Note with modifications which give complete effect to the provisions specified in paragraph 3.
3. The Regulations give effect to the provisions of—
  - (a) Directive [1999/2/EC](#) of the European Parliament and of the Council on the approximation of the laws of the Member States concerning foods and food ingredients treated with ionising radiation (OJ No.L66, 13.3.99, p.16);
  - (b) Directive [1999/3/EC](#) of the European Parliament and of the Council on the establishment of a Community list of foods and food ingredients treated with ionising radiation (OJ No. L66, 13.3.99, p.24);
  - (c) Commission Decision [2002/840/EC](#) adopting the list of approved facilities in third countries for the irradiation of foods (OJ No. L287, 25.10.2002, p.40);
  - (d) Commission List of 3 September 2004 of approved facilities for the treatment of foods and food ingredients with ionising radiation in the Member States<sup>(1)</sup>;
  - (e) Commission Decision [2004/691/EC](#) amending Decision [2002/840/EC](#) adopting the list of approved facilities in third countries for the irradiation of food (OJ No. L314, 13.10.2004, p.14); and
  - (f) Commission Decision [2007/802/EC](#) amending Decision 2002/840 as regards the list of approved facilities in third countries for the irradiation of foods (OJ No. L323, 8.12.87, p.40).
4. As well as making minor and drafting changes, the Regulations—
  - (a) define “properly irradiated food” (regulation 3(2) and Schedule 1);
  - (b) prohibit the irradiation of food unless it is wholesome and is irradiated in accordance with the Regulations and with a licence (regulation 4(1));
  - (c) provide for the issue and contents of licences, the requirements to be observed by a licensee, and the variation, cancellation or suspension of licences (regulation 4(2) and Schedule 2);
  - (d) restrict the importation of irradiated food (regulation 5);
  - (e) restrict its storage or transport (regulation 6);
  - (f) restrict its sale (regulation 7);
  - (g) require the documents which accompany irradiated food to contain certain information (regulation 8);
  - (h) provide for their enforcement (regulation 9);
  - (i) create offences and prescribe penalties (regulation 10);

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(1) Published on the Commission website via [http://ec.europa.eu/food/food/biosafety/irradiation.comm\\_legisl\\_en.pdf](http://ec.europa.eu/food/food/biosafety/irradiation.comm_legisl_en.pdf). A hard copy may be obtained from the European Commission, Directorate General for Health and Consumers, B-1049 Brussels, Belgium

**Changes to legislation:** *There are currently no known outstanding effects for the The Food Irradiation Regulations (Northern Ireland) 2009. (See end of Document for details)*

- (j) apply various provisions of the Food Safety (Northern Ireland) Order 1991 (regulation 11);  
and
- (k) revoke the Food (Control of Irradiation) Regulations (Northern Ireland) 1992 ([S.R. 1992 No. 172](#)) and regulations 2 to 12 of the Food Irradiation Provisions Regulations (Northern Ireland) 2000 ([S.R. 2000 No. 303](#)).

**Changes to legislation:**

There are currently no known outstanding effects for the The Food Irradiation Regulations (Northern Ireland) 2009.