

---

STATUTORY RULES OF NORTHERN IRELAND

---

**2010 No. 125**

**The Eggs and Chicks Regulations (Northern Ireland) 2010**

**PART 1**

**General**

**Citation and commencement**

1. These Regulations may be cited as the Eggs and Chicks Regulations (Northern Ireland) 2010 and shall come into operation on 28<sup>th</sup> April 2010.

**Interpretation**

2.—(1) In these Regulations—

“authorised officer” means any person who has written authority from the Department or a district council to act in matters arising under or in relation to the Order or these Regulations;

“breeding establishment” has the meaning given by Article 1(3)(b) of [Commission Regulation \(EC\) No. 617/2008](#);

“chicks” has the meaning given by Article 1(2) of [Commission Regulation \(EC\) No. 617/2008](#);

“[Commission Regulation \(EC\) No. 589/2008](#)” means [Commission Regulation \(EC\) No. 589/2008](#) laying down detailed rules for implementing Regulation (EC) No. 1234/2007 as regards marketing standards for eggs, as amended from time to time;

“[Commission Regulation \(EC\) No. 617/2008](#)” means [Commission Regulation \(EC\) No. 617/2008](#) laying down detailed rules for implementing Regulation (EC) No. 1234/2007 as regards marketing standards for eggs for hatching and farmyard poultry chicks, as amended from time to time;

“Council Directive 1999/74/EC” means Council Directive 1999/74/EC<sup>(1)</sup> laying down minimum standards for the protection of laying hens;

“Directive 2000/13/EC” means Directive [2000/13/EC](#)<sup>(2)</sup> of the European Parliament and of the Council on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs;

“door-to-door selling” means a sale which is made during an unsolicited visit by a producer to the final consumer’s home, or to the home of another person, or to the final consumer’s place of work;

“eggs” has the meaning given by sub-paragraph (k) of the second paragraph of Article 1 of [Commission Regulation \(EC\) No. 589/2008](#);

---

<sup>(1)</sup> O.J. No. L 203, 3.8.1999, p. 53, last amended by Council Regulation [\(EC\) No. 806/2003](#) (O.J. No. L 122, 16.5.2003, p. 1)

<sup>(2)</sup> O.J. No. L 109, 6.5.2000, p. 29, last amended by Regulation [\(EC\) No. 596/2009](#) of the European Parliament and of the Council (O.J. No. L 188, 18.7.2009, p.33)

“eggs for hatching” has the meaning given by Article 1(1) of [Commission Regulation \(EC\) No. 617/2008](#);

“enforcement authority” means an authority exercising a function conferred on it by regulation 16;

“final consumer” has the meaning given by sub-paragraph (r) of the second paragraph of Article 1 of [Commission Regulation \(EC\) No. 589/2008](#);

“hatchery” has the meaning given by Article 1(3)(c) of [Commission Regulation \(EC\) No. 617/2008](#);

“local public market”, in relation to eggs laid at a production site, means a public market in Northern Ireland where eggs are sold directly to the consumer;

“market”, when used as a noun, means—

- (a) a market or fair which the right to hold it was acquired by virtue of a grant (including a presumed grant) or acquired or established by virtue of an enactment or subordinate legislation; and
- (b) a temporary market—
  - (i) comprising of a concourse of buyers and sellers of articles held otherwise than in a building or on a highway, with not less than five stalls, stands, vehicles (whether movable or not) or pitches from which articles are sold; and
  - (ii) operating in accordance with the requirements of bye-laws made by district councils pursuant to the provisions of section 103 of the Public Health (Ireland) Act 1878 and Part VI of the Local Government Act (Northern Ireland) 1972;

“packing centre” has the meaning given by sub-paragraph (q) of the second paragraph of Article 1 of [Commission Regulation \(EC\) No. 589/2008](#);

“pedigree breeding establishment” has the meaning given by Article 1(3)(a) of [Commission Regulation \(EC\) No. 617/2008](#);

“production site” has the meaning given by sub-paragraph (p) of the second paragraph of Article 1 of [Commission Regulation \(EC\) No. 589/2008](#);

“Regulation (EC) No. 2160/2003” means Regulation (EC) No. 2160/2003<sup>(3)</sup> of the European Parliament and of the Council on the control of salmonella and other specified food-borne zoonotic agents;

“Single CMO Regulation” means Council Regulation (EC) No. 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation), as amended from time to time;

“the Department” means the Department of Agriculture and Rural Development; and

“the Order” means the Food Safety (Northern Ireland) Order 1991.

(2) The Interpretation Act (Northern Ireland) 1954<sup>(4)</sup> shall apply to these Regulations as it applies to an Act of the Assembly.

(3) Any expression which is not defined in paragraph (1), but is used in Part 2 of, or Schedule 1 to, these Regulations and in Part C of Annex XIV to the Single CMO Regulation has the same meaning in those provisions of these Regulations as it does in the Single CMO Regulation.

(4) Any expression which is not defined in paragraph (1), but is used in Part 3 or 4 of, or Schedule 2 to, these Regulations and in Part A of Annex XIV to the Single CMO Regulation, or [Commission Regulation \(EC\) No. 589/2008](#), has the same meaning in those provisions of these Regulations as it does in the EC Regulation in which it is used.

<sup>(3)</sup> O.J. No. L 325, 12.12.2003, p. 1, last amended by Regulation (EC) No. 596/2009 (O.J. No. L 188, 18.7.2009, p. 14)

<sup>(4)</sup> 1954 c. 33 (N.I.)

(5) Any expression which is not defined in paragraph (1) but is used in Schedule 3 to these Regulations and in Regulation (EC) No. 2160/2003 has the same meaning in Schedule 3 as it does in Regulation (EC) No. 2160/2003.

(6) Any reference to a contravention of, or failure to comply with, any provision mentioned in Schedule 1 means a contravention of or failure to comply with—

- (a) any provision of the Single CMO Regulation mentioned in column 1 of Part 1 of Schedule 1, as read with any provision mentioned in any corresponding entry in column 2 of that Part; or
- (b) any provision of Commission Regulation (EC) No. 617/2008 mentioned in column 1 of Part 2 of Schedule 1, as read with any provision mentioned in any corresponding entry in column 2 of that Part.

(7) Any reference to a contravention of, or failure to comply with, any provision mentioned in Schedule 2 means a contravention of or failure to comply with—

- (a) any provision of the Single CMO Regulation mentioned in column 1 of Part 1 of Schedule 2, as read with any provision mentioned in any corresponding entry in column 2 of that Part; or
- (b) any provision of Commission Regulation (EC) No. 589/2008 mentioned in column 1 of Part 2 of Schedule 2, as read with any provision mentioned in any corresponding entry in column 2 of that Part.

(8) Any reference to a contravention of, or failure to comply with, any provision mentioned in Schedule 3 means a contravention of, or failure to comply with, any provision of Regulation (EC) No. 2160/2003 mentioned in column 1 of Schedule 3, as read with any provision mentioned in the corresponding entry in column 2 of that Schedule.