

## SCHEDULE

Regulation 6

### Modification of provisions of the Order

#### PART 1

##### Modification of Article 9(1)

1. For Article 9(1) (improvement notices) substitute—

“(1) If an authorised officer has reasonable grounds for believing that a person is failing to comply with any of Articles 3 to 6 and 8 of Commission Implementing Regulation (EU) No 1337/2013 laying down rules for the application of Regulation (EU) No 1169/2011 of the European Parliament and of the Council as regards the indication of the country of origin or place of provenance for fresh, chilled and frozen meat of swine, sheep, goats and poultry, or regulation 5 of the Country of Origin of Certain Meats Regulations (Northern Ireland) 2015, the authorised officer may, by a notice served on that person (in this Order referred to as an “improvement notice”)—

- (a) state the officer’s grounds for believing that the person is failing to comply with the relevant provision;
- (b) specify the matters which constitute the person’s failure so to comply;
- (c) specify the measures which, in the officer’s opinion, the person must take in order to secure compliance; and
- (d) require the person to take those measures, or measures that are at least equivalent to them, within such period as may be specified in the notice.”.

#### PART 2

##### Modification of Article 33(1)

1. In Article 33(1) (powers of entry)—

- (a) in paragraph (a), for “this Order, or of regulations or orders made under it” substitute “any of Articles 3 to 6 or 8 of Commission Implementing Regulation (EU) No 1337/2013 laying down rules for the application of Regulation (EU) No 1169/2011 of the European Parliament and of the Council as regards the indication of the country of origin or place of provenance for fresh, chilled and frozen meat of swine, sheep, goats and poultry”; and
- (b) omit paragraph (c).

#### PART 3

##### Modification of Article 37 and 38

1. For Article 37(1) (appeals), substitute—

“(1) Any person who is aggrieved by a decision of an authorised officer of an enforcement authority to serve an improvement notice under Article 9(1), as applied and modified by regulation 6(1) of, and Part 1 of the Schedule to, the Country of Origin of Certain Meats Regulations (Northern Ireland) 2015, may appeal to a court of summary jurisdiction.”.

*Status: This is the original version (as it was originally made).*

2. In Article 37(2A)(b) for “(1)(a)” substitute “(1) as applied and modified by regulation 6(1) of, and Part 1 of the Schedule to, the Country of Origin of Certain Meats Regulations (Northern Ireland) 2015”.

3. In both Article 38(1) and (2) (appeals against improvement notices), after “improvement notice” insert “under Article 9(1) as applied and modified by regulation 6(1) of, and Part 1 of the Schedule to, the Certain Meats Regulations (Northern Ireland) 2015”.

## PART 4

### Application and Modification of other provisions of the Order

<i>Provision of the Order</i>	<i>Modifications</i>
Article 2(4) (extended definition of sale)	For “this Order” substitute “the Country of Origin of Certain Meats Regulations (Northern Ireland) 2015”.
Article 3 (application to food offered as prizes, etc)	For “this Order” substitute “the Country of Origin of Certain Meats Regulations (Northern Ireland) 2015”.
Article 4 (presumptions that food intended for human consumption)	For “this Order” substitute “the Country of Origin of Certain Meats Regulations (Northern Ireland) 2015”.
Article 19 (offences due to fault of another person)	For “any of the preceding provisions of this Part” substitute “Article 9(2), as applied by regulation 6(1) of the Country of Origin of Certain Meats Regulations (Northern Ireland) 2015,”.
Article 20(1) (defence of due diligence)	In paragraph (1), for “any of the preceding provisions of this Part” substitute “Article 9(2), as applied by regulation 6(1) of the Country of Origin of Certain Meats Regulations (Northern Ireland) 2015,”.
Article 29 (procurement of samples)	In paragraph (b)(ii), after “under Article 33 below”, insert “including under Article 33 as applied and modified by regulation 6(2) of and Part 2 of the Schedule to, the Country of Origin of Certain Meats Regulations (Northern Ireland) 2015”.
Article 30(8) (evidence of certificates given by a food analyst or examiner)	For “this Order” substitute “the Country of Origin of Certain Meats Regulations (Northern Ireland) 2015”.
Article 34 (obstruction etc. of officers)	In paragraph (1), for “this Order” (in each place occurring) substitute “the Country of Origin of Certain Meats Regulations (Northern Ireland) 2015”.
Article 36(1) and (2) (punishment of offences)	In paragraph (1), after “Article 34(1)”, insert “, as applied and modified by regulation 6(4) of, and Part 4 of the Schedule to the Country of Origin of Certain Meats Regulations (Northern Ireland) 2015,”.
	After paragraph (1), insert—
	“(1A) A person guilty of an offence under Article 9(2), as applied by regulation 6(1) of the Country of Origin of Certain Meat Regulations (Northern Ireland) 2015, shall be liable, on summary conviction, to a fine not exceeding level 5 on the standard scale.”.

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<i>Provision of the Order</i>	<i>Modifications</i>
	In paragraph (2)—
	(a) for “any other offence under this Order” substitute “an offence under Article 34(2), as applied by regulation 6(4) of and Part 4 of the Schedule to the Country of Origin of Certain Meats Regulations (Northern Ireland) 2015,”; and
	(b) in paragraph (b), for “relevant amount” substitute “statutory maximum”.

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