
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations replace provisions formerly contained in the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) Regulations (Northern Ireland) 1998 and Amending Regulations. In addition regulations 9, 10, 15, 20, 21 22 and 29 have been amended to include unlicensed substances in order to correct a previous omission.

The Regulations implement as respects Northern Ireland Council [Directive 96/22/EC](#) (O.J. No. L125, 23.5.96, p. 3) concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of beta-agonists, and repealing Directives [81/602/EEC](#), [88/146/EEC](#) and [88/299/EEC](#). The Regulations also implement as respects Northern Ireland Council [Directive 96/23/EC](#) (O.J. No. L125, 23.5.96, p. 10) on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives [85/358/EEC](#) and [86/469/EEC](#) and Decisions [89/187/EEC](#) and [91/664/EEC](#) and provide for the enforcement of Regulation (EC) No. 470/2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin (O.J.No. L 152, 16.6.2009, p. 11) and [Commission Regulation \(EU\) No. 37/2010](#) on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin (O.J. No. L 15, 20.1.2010, p.1).

The Regulations—

- (a) prohibit the sale, possession or administration to animals of specified substances (regulations 3, 4, 5, 6 and 7);
- (b) prohibit the possession, slaughter or processing the meat of, animals intended for human consumption which contain, or which have been administered with, specified substances (regulation 8);
- (c) prohibit the sale or supply for slaughter of animals if the appropriate withdrawal period has not expired and prohibit supply for slaughter or, subject to exceptions, the sale, of animals or the sale of animal products which contain unauthorised substances or an excess of authorised substances or unlicensed substances (regulations 9 and 10);
- (d) prohibit, subject to an exception, the disposal for human or animal consumption of slaughtered animals containing specified substances (regulations 11 and 12);
- (e) empower authorised officers to inspect and examine animals and to take samples and provide for the analysis of official samples (regulations 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22);
- (f) provide for offences and penalties and for enforcement by each enforcement authority as defined in regulation 2(1) (regulation 23);
- (g) provide specific defences and exceptions (regulations 24, 25, 26, 27 and 28);
- (h) specify responsibilities of processors (regulation 29);
- (i) deny to processors a due diligence defence in specified circumstances (regulations 30);
- (j) specify requirements relating to the keeping of records (regulation 31);
- (k) apply, with some modifications, provisions of the Food Safety (Northern Ireland) Order 1991 including the defence of due diligence (regulation 32); and
- (l) revoke other legislation (regulation 33 and the Schedule).