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## STATUTORY RULES OF NORTHERN IRELAND

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# 2017 No. 233

## The Novel Foods Regulations (Northern Ireland) 2017

### Citation and commencement

1. These Regulations may be cited as the Novel Foods Regulations (Northern Ireland) 2017 and come into operation on 1st January 2018.

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#### Commencement Information

**I1** Reg. 1 in operation at 1.1.2018, see [reg. 1](#)

### Interpretation

2.—(1) In these Regulations—

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

“Regulation (EU) 2015/2283” means Regulation (EU) 2015/2283 of the European Parliament and of the Council of 25 November 2015 on novel foods, amending Regulation (EU) No 1169/2011 of the European Parliament and of the Council and repealing Regulation (EC) No 258/97 of the European Parliament and of the Council and Commission Regulation (EC) No 1852/2001<sup>(1)</sup>; and

“specified EU provision” means a provision of Regulation (EU) 2015/2283 specified in column 1 and described in column 2 of the table in Schedule 1.

(2) An expression used both in these Regulations and Regulation (EU) 2015/2283 has the meaning that it bears in Regulation (EU) 2015/2283 and any reference to a numbered article is a reference to the article so numbered in Regulation (EU) 2015/2283.

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#### Commencement Information

**I2** Reg. 2 in operation at 1.1.2018, see [reg. 1](#)

### Enforcement

3. It is the duty of each district council within its district to enforce Regulation (EU) 2015/2283 and these Regulations.

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#### Commencement Information

**I3** Reg. 3 in operation at 1.1.2018, see [reg. 1](#)

## Offence and penalty

4. A person who fails to comply with Article 6(2) (Union list of authorised novel foods) as read with Articles 24 and 35(2) of Regulation (EU) 2015/2283 is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

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### Commencement Information

**I4** Reg. 4 in operation at 1.1.2018, see [reg. 1](#)

## Application and modification of provisions of the Order

5.—(1) Articles 9(1) and (2) of the Order (improvement notices) apply for the purposes of these Regulations with the modification (in the case of Article 9(1)) set out in Schedule 2, Part 1 for the purposes of—

- (a) enabling an improvement notice to be served on a person requiring the person to comply with a specified EU provision; and
- (b) making the failure to comply with a notice referred to in subparagraph (a) an offence.

(2) Article 8 of the Order (inspection and seizure of suspected food) applies for the purposes of these Regulations with the modifications set out in Part 2 of Schedule 2 for the purposes of enabling an authorised officer of a district council, if it appears to that officer that Article 6(2) of Regulation (EU) 2015/2283 is being, or has been, contravened in relation to any food which has been placed on the market, to either—

- (a) give notice to the person in charge of the food that it is not to be used for human consumption, and is not to be removed or is not to be removed except to some place specified in the notice, or
- (b) seize the food and remove it in order to have it dealt with by a justice of the peace.

(3) The provisions of the Order specified in column 1 of the table in Part 3 of Schedule 2 apply, with the modifications (if any) specified in column 2 of that table for the purpose of these Regulations.

(4) Paragraphs (1) to (3) are without prejudice to the application of the Order to these Regulations for purposes other than those specified in paragraphs (1) and (2).

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### Commencement Information

**I5** Reg. 5 in operation at 1.1.2018, see [reg. 1](#)

## Revocations

6. The following regulations are revoked—

- (a) The Novel Foods and Novel Food Ingredients Regulations (Northern Ireland) 2004(2); and
- (b) The Food Enzymes Regulations (Northern Ireland) 2009(3).

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(2) [S.R. 2004 No.33](#)  
(3) [S.R. 2009 No.415](#)

**Commencement Information**

**I6** Reg. 6 in operation at 1.1.2018, see [reg. 1](#)

Sealed with the official seal of the Department of Health on 6th December 2017.



*Richard Pengelly*  
A senior officer of the Department of Health

**Changes to legislation:**

There are currently no known outstanding effects for the The Novel Foods Regulations (Northern Ireland) 2017.