
STATUTORY RULES OF NORTHERN IRELAND

2019 No. 227

The Official Controls (Animals, Feed and Food) Regulations (Northern Ireland) 2019

PART 1

General

Citation and commencement

1. These Regulations may be cited as the Official Controls (Animals, Feed and Food) Regulations (Northern Ireland) 2019 and come into operation on 14th December 2019.

Interpretation

2.—(1) In these Regulations—

“audit” means an audit of a competent authority carried out for the purposes of Article 6 in relation to relevant legislation;

“auditor” means a person carrying out an audit on behalf of the competent authority;

“the Department” means the Department of Agriculture, Environment and Rural Affairs;

“the EU Official Controls Regulations” means the EU Regulation and the Implementing and Delegated Regulations made under it;

“the EU Regulation” means Regulation (EU) 2017/625 of the European Parliament and of the Council of 15th March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products⁽¹⁾;

“the Feed and Food Regulations” means the Official Feed and Food Controls Regulations (Northern Ireland) 2009⁽²⁾;

“inspector” means a person appointed to be an inspector for the purposes of these Regulations by the Department and includes a veterinary inspector, and in relation to relevant legislation means a person appointed as an inspector by the Department to act under that relevant legislation;

“official controls” means activities referred to in Article 2(1) other than those listed in Article 1(4);

“other official activities” has the meaning given by Article 2(2);

“premises” includes any place, vehicle, trailer, container, stall, moveable structure, ship or aircraft;

(1) OJ No. L 95, 7.04.2017, p. 1

(2) S.R. 2009 No. 427, as last amended by S.R. 2019 No. 218.

“relevant legislation” means European and domestic legislation governing the areas listed in sub-paragraphs (a), (c), (d), (e) and (f) of Article 1(2), with the exception of food and food safety, feed and feed safety legislation in so far as—

- (a) such legislation is defined as “relevant feed law” or “relevant food law” in the Feed and Food Regulations;
 - (b) such legislation involves substances the use or presence of which on crops to produce or process feed or food may result in residues of those substances in feed or food; or
 - (c) it relates to feed additives or medicated feedingstuffs.
- (2) In the definition of “relevant legislation”, in paragraph (1)—
- (a) “medicated feedingstuffs” means any mixture of feed with a veterinary medicinal product having properties for treating or preventing disease, restoring, correcting or modifying physiological functions in animals, or products and feed or feeds which are ready prepared for marketing and intended to be fed to animals without further processing; and
 - (b) “zootechnical additives” means feed additives in the categories mentioned in Article 6.1(d) and (e) of Regulation (EC) No 1831/2003 of the European Parliament and of the Council on additives for use in animal nutrition⁽³⁾, with the exception of those belonging to the functional group listed in paragraph 4(a), (b) and (c) of Annex I to that Regulation.

(3) Unless otherwise provided in this regulation, terms used in these Regulations have the same meaning as they have in the EU Regulation.

(4) Unless the context otherwise requires, any reference in these Regulations to an “Article” or “Title” is to an Article or Title of the EU Regulation.

(5) The Interpretation Act (Northern Ireland) 1954⁽⁴⁾ shall apply to these Regulations as it applies to an Act of the Assembly.

Designation for the purposes of Article 4

3.—(1) The Department is designated the competent authority for the purposes of Article 4 in relation to relevant legislation.

(2) The competent authority must draw up written records (on paper or in electronic form) of official controls and other activities that they perform, and such records must contain—

- (a) a description of the purpose of the relevant official controls and other official activities;
- (b) the control methods applied;
- (c) the outcome; and
- (d) where appropriate, any action required by the competent authority.

(3) Where non-compliance has been identified by the competent authority through the application of official controls, it must promptly inform the business operator of the non-compliance.

Exchange of information

4. The Department may disclose information to other competent authorities in the United Kingdom and other member States for the purposes of applying these Regulations and the EU Official Controls Regulations.

⁽³⁾ O.J. L 268, 18.10.2003, p. 29, last amended by Regulation (EU) 2019/1381 (OJ No. L231, 6.9.2019, p.1).

⁽⁴⁾ 1954 c. 33 (N.I.)