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STATUTORY RULES OF NORTHERN IRELAND

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**2019 No. 5**

**The Food (Miscellaneous Amendments and Revocations) Regulations (Northern Ireland) 2019**

**Part 1**

Introductory

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Food (Miscellaneous Amendments and Revocations) Regulations (Northern Ireland) 2019 and come into operation on 11th February 2019.

(2) The Interpretation Act (Northern Ireland) 1954(1) shall apply to these Regulations as it applies to an Act of the Assembly.

**PART 2**

Amendments to Food and Feed legislation

**The Preserved Sardines (Marketing Standards) Regulations (Northern Ireland) 1990**

2.—(1) The Preserved Sardines (Marketing Standards) Regulations (Northern Ireland) 1990(2) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 2(1), in the definition of “the Council Regulation”, at the end insert “and trade descriptions for preserved sardines and sardine-type products, as last amended by [Commission Regulation \(EC\) No 1345/2008\(3\)](#)”.

(3) In the Schedule, after item 7 in the table insert—

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“8. Article 7a

Requirements relating to the marketing of preserved sardine-type products”

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**The Food (Lot Marking) Regulations (Northern Ireland) 1996**

3.—(1) The Food (Lot Marking) Regulations (Northern Ireland) 1996(4) are amended in accordance with paragraphs (2) and (3).

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(1) 1954 c.33 (NI)

(2) S.R. 1990 No. 194, to which there are amendments not relevant to these Regulations

(3) OJ No. L 348, 24.12.2008, p 76

(4) S.R. 1996 No. 384, as last amended by S.R. 2014 No. 223

(2) In regulation 2 (Interpretation), in the definition of “Regulation (EU) No 1169/2011” after “No 608/2004” insert “as last amended by Regulation (EU) 2015/2283 of the European Parliament and of the Council”(5).

(3) In regulation 4 (Exceptions for particular types of sale and sales units) omit paragraph (f).

#### **The Bread and Flour Regulations (Northern Ireland) 1998**

4. In regulation 2 of the Bread and Flour Regulations (Northern Ireland) 1998(6) (Interpretation)

- (a) omit the definition of “flour treatment agent” and “flour additive”;
- (b) insert the definition of “food additive” in the correct alphabetical place:
 

““food additive” has the meaning assigned to it by Article 3(2)(a) of Regulation (EC) No 1333/2008 of the European Parliament and of the Council on food additives as last amended by Commission Regulation (EU) 2018/1497”(7); and
- (c) in the definition of “Regulation (EU) No 1169/2011” after “No 608/2004” insert “as last amended by Regulation (EU) 2015/2283 of the European Parliament and of the Council.”

#### **The Medical Food Regulations (Northern Ireland) 2000**

5.—(1) The Medical Food Regulations (Northern Ireland) 2000(8) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 2 (Interpretation) in the definition of “the Directive”—

- (a) after “Romania;” omit “and”; and
- (b) after [Directive 1991/21/EC](#) insert

“; and

Commission Directive No. 2013/26/EU adapting certain directives in the field of food safety, veterinary and phytosanitary policy, by reason of the accession of Croatia, as amended by Regulation (EU) No 609/2013 of the European Parliament and of the Council on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control and repealing Council [Directive 92/52/EEC](#), Commission Directives [96/8/EC](#), [1999/21/EC](#), [2006/125/EC](#) and [2006/141/EC](#), [Directive 2009/39/EC](#) of the European Parliament and of the Council and Commission Regulations (EC) No 41/2009 and (EC) No 953/2009; and, Commission Delegated Regulation (EU) 2016/128 supplementing Regulation (EU) No 609/2013 of the European Parliament and of the Council as regards the specific compositional and information requirements for food for special medical purposes.”(9).

(3) Omit regulation 8 (Transitional arrangements).

#### **The Coffee Extracts and Chicory Extracts Regulations (Northern Ireland) 2001**

6.—(1) The Coffee Extracts and Chicory Extracts Regulations (Northern Ireland) 2001(10) are amended in accordance with paragraphs (2) to (4).

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(5) OJ L 327, 11.12.2015, p. 1

(6) [S.R. 1998 No. 24](#), as last amended by [S.R. 2014 No. 223](#)

(7) OJ No. L 354, 31.12.2008, p. 16, as last amended by Regulation (EU) 2018/1497 (OJ No. L 253, 9.10.2018, p. 36)

(8) [S.R. 2000 No. 187](#), as last amended by [S.R. 2008 No. 405](#)

(9) OJ No. L 158, 10.6.2013, p. 376, as amended by Regulation (EU) No 609/2013 (OJ L 181, 29.6.2013, p. 35) and Regulation (EU) 2016/128 (OJ L 25, 2.2.2016, p. 30)

(10) [S.R. 2001 No. 45](#), to which there are amendments not relevant to these Regulations

(2) In regulation 2 (Interpretation) in the definition of “Regulation (EU) No 1169/2011” after “No 608/2004” insert “as last amended by Regulation (EU) 2015/2283 of the European Parliament and of the Council.”.

(3) In regulation 7(3) (Penalties and enforcement) from “paragraphs 1 and 2” to “human consumption” substitute “Annex 3 to Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules as last amended by Commission Regulation (EU) 2018/445.”(11).

(4) Omit regulation 8 (Transitional provisions).

### **The Specified Sugar Products Regulations (Northern Ireland) 2003**

7.—(1) The Specified Sugar Products Regulations (Northern Ireland) 2003(12) are amended in accordance with paragraphs (2) to (6).

(2) In regulation 2 (Interpretation) omit the definitions of “EEA Agreement” and “EEA State”.

(3) In regulation 5(1) (Labelling and description of designated products) after “consumers” insert “as last amended by Regulation (EU) 2015/2283 of the European Parliament and of the Council.”.

(4) Omit regulation 11 (Transitional Provisions).

(5) In Schedule 1 (Specified sugar products and their reserved descriptions),

(a) in the table—

(i) in entry 5, in column 2, in sub-paragraph (c), for “paragraph 4” substitute “paragraph 3”;

(ii) in entry 11, in column 1 for “1. Fructose” substitute “11. Fructose”

(iii) in entry 11, in column 2, for “paragraph (2)” substitute “paragraph 3”;

(b) in note 7

(i) for “Directive 2009/32/EC of the European Parliament and of the Council on the approximation of laws of the Member states on extraction solvents used in the production of foodstuffs and food ingredients (Recast)” substitute “Directive 2009/32/EC of the European Parliament and of the Council on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients (Recast)(13), as last amended by Commission Directive (EU) 2016/1855(14), except for Annex I which is to be construed as amended from time to time”;

(ii) for “Regulation (EC) No. 1333/2008 of the European Parliament and of the Council on food additives” substitute “Regulation (EC) No. 1333/2008 of the European Parliament and of the Council on food additives the Annexes to which are amended from time to time.(15)”.

(6) In Schedule 2, paragraph 2 (Method of Analysis) for “the Commission Regulations (EEC) No. 1265/69” substitute “Regulation (EEC) No. 1265/69 as last amended by Commission Regulation (EC) No 187/1999.”(16).

(11) OJ No. L 165, 30.4.2004, p. 1, as last amended by Commission Regulation (EU) 2018/455, (OJ No L 77, 20.3.2018, p. 4)

(12) S.R. 2003 No. 301, to which there are amendments not relevant to these Regulations

(13) OJ No. L 141, 6.6.2009, p. 3

(14) OJ No. L 284, 20.10.2016, p. 19

(15) OJ No. L 354, 31.12.2008, p 16, as last amended by Commission Regulation (EU) 2018/682 (OJ No L 116, 7.5.2018, p. 5)

(16) OJ No. L 21, 28.1.1999, p. 9

### **The Cocoa and Chocolate Products Regulations (Northern Ireland) 2003**

**8.**—(1) The Cocoa and Chocolate Products Regulations (Northern Ireland) 2003<sup>(17)</sup> are amended in accordance with paragraphs (2) to (4).

(2) In regulation 2(1) (Interpretation) –

- (a) omit the definitions of “EEA Agreement” and “EEA State”;
- (b) in the definition of “Regulation (EU) No 1169/2011” after “No 608/2004” insert “as last amended by Regulation (EU) 2015/2283 of the European Parliament and of the Council.”.

(3) In regulation 7(2)(a) (Manner for marking or labelling) for “the 1996 Regulations” substitute “Article 9(1)(b) of Regulation (EU) No 1169/2011.”<sup>(18)</sup>

(4) Omit regulation 12 (Transitional provisions).

### **Processed Cereal-based Foods and Baby Foods for Infants and Young Children Regulations (Northern Ireland) 2003**

**9.** In regulation 2(1) (Interpretation) of the Processed Cereal Based foods and Baby foods for infants and Young Children Regulations (NI) 2003<sup>(19)</sup> omit the definitions of “EEA Agreement” and “EEA State”.

### **The Food Supplements Regulations (Northern Ireland) 2003**

**10.** In regulation 2(1) (Interpretation) of the Food Supplements Regulations (Northern Ireland) 2003<sup>(20)</sup> in the definition of —

- (a) “Directive 2001/83” for “[Directive 2009/53/EC](#) of the European Parliament and of the Council amending [Directive 2001/82/EC](#) and [Directive 2001/83/EC](#), as regards variations to the terms of marketing authorisations for medicinal products;” substitute “Regulation (EU) 2017/745 of the European Parliament and of the Council of 5 April 2017 on medical devices, amending [Directive 2001/83/EC](#), Regulation (EC) No 178/2002 and Regulation (EC) No 1223/2009 and repealing Council Directives 90/385/EEC and 93/42/EEC;”<sup>(21)</sup>;
- (b) “Directive 2002/46” substitute ““Directive 2002/46” means, subject to regulation 2(4), [Directive 2002/46/EC](#) of the European Parliament and of the Council on the approximation of the laws of the Member States relating to food supplements as last amended by Commission Regulation (EU) 2017/1203”<sup>(22)</sup>; and
- (c) “Regulation (EU) 1169/2011” after “No. 608/2004” insert “as last amended by Regulation (EU) 2015/2283 of the European Parliament and of the Council”.

### **The General Food Regulations (Northern Ireland) 2004**

**11.** In regulation 2(1) (Interpretation) of the General Food Regulations (Northern Ireland) 2004<sup>(23)</sup> for the definition of “Regulation (EC) 178/2002” substitute:

““Regulation (EC) 178/2002” means Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures

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(17) [S.R. 2003 No. 313](#), as amended by [S.R. 2014 No. 223](#)

(18) OJ No. L 304, 22.11.2011, p 18

(19) [S.R. 2003 No. 530](#), as last amended by [S.R. 2005 No. 574](#)

(20) [S.R. 2003 No. 273](#), as last amended by [S.R. 2014 No. 223](#)

(21) OJ No. L 117, 5.5.2017, p. 1

(22) OJ No. L 173, 6.7.2017, p. 9

(23) [S.R. 2004 No. 505](#)

in matters of food safety, as last amended by Regulation (EU) 2017/745 of the European Parliament and of the Council.”(24).

#### **The Genetically Modified Food Regulations (Northern Ireland) 2004**

**12.**—(1) The Genetically Modified Food Regulations (Northern Ireland) 2004(25) are amended in accordance with paragraphs (2) and (3).

- (2) In regulation 2(1) (Interpretation) for the definition of “Regulation 1829/2003” substitute—  
““Regulation 1829/2003” means Regulation 1829/2003 of the European Parliament and of the Council on genetically modified food and feed(26); as last amended by Regulation (EC) 298/2008 of the European Parliament and of the Council.”(27).
- (3) Omit regulation 9 (Consequential amendments).

#### **The Food Hygiene Regulations (Northern Ireland) 2006**

**13.**—(1) The Food Hygiene Regulations (Northern Ireland) 2006(28) are amended in accordance with paragraphs (2) to (5).

- (2) In regulation 2(1) omit ““Regulation 596/2009”,” and ““Regulation 1079/2013””.
- (3) Omit regulation 30 (Consequential amendments).
- (4) Substitute Schedule 1 (Definitions of EU legislation) with Schedule 1 to these Regulations.
- (5) In Schedule 4 (Temperature control requirements) —
- (a) in paragraph 3—
- (i) in sub-paragraph (f), for “Council Regulation 1906/90 applies”, substitute “Commission Regulation 543/2008 and Regulation 1308/2013 apply”;
- (ii) in sub-paragraph (g), for “Council Regulation 1907/90 applies”, substitute “Commission Regulation 589/2008 and Regulation 1308/2013 apply”;
- (b) in paragraph 8 for the definitions of “Regulation 1906/90” and “Regulation 1907/90” substitute—
- ““Commission Regulation 543/2008” means [Commission Regulation \(EC\) No 543/2008](#) laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the marketing standards for poultrymeat(29);
- “Commission Regulation 589/2008” means [Commission Regulation \(EC\) No 589/2008](#) laying down detailed rules for implementing Council Regulation (EC) No 1234/2007 as regards marketing standards for eggs(30);
- “Regulation 1308/2013” means Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007(31);”.
- (6) Omit Schedule 7 (Consequential amendments).

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(24) OJ No. L 117, 5.5.2017, p. 1

(25) [S.R. 2004 No. 385](#)

(26) OJ L 268, 18.10.2003, p. 1

(27) OJ L 97, 9.4.2008, p. 64

(28) [S.R. 2006 No. 3](#) as last amended by [S.R. 2018 No. 77](#)

(29) OJ L 157, 17.6.2008, p. 46 as last amended by Regulation (EU) No. 1308/2013 (OJ L 347, 20.12.2013, p. 67)

(30) OJ L 163, 24.6.2008, p. 6 as last amended by Commission Delegated Regulation (EU) 2017/2168 (OJ L 306, 22.11.2017, p. 6)

(31) OJ L 347, 20.12.2013, p. 671 as last amended by Regulation (EU) 2017/2393 (OJ L 350, 29.12.2017, p. 15)

### **The Fishery Products (Official Charges) Regulations (Northern Ireland) 2007**

14.—(1) The Fishery Products (Official Charges) Regulations (Northern Ireland) 2007(32) are amended in accordance with paragraphs (2) to (3).

(2) In regulation 2(1) (Interpretation) —

(a) for the definition commencing “Directive 2004/41” to “Schedule” substitute-

““Directive 2004/41”, “Regulation 2406/96”, “Regulation 178/2002” “Regulation 852/2004”, “Regulation 853/2004”, “Regulation 854/2004”, “Regulation 882/2004”, “Regulation 1688/2005”, “Regulation 2073/2005”, “Regulation 2074/2005” and “Regulation 2015/1375” have the meanings respectively given to them in the Schedule;” and

(b) in the definition of “third country import” for “a charge is payable under regulation 54 of the Products of Animal Origin (Third Country Imports) Regulations (Northern Ireland) 2007” substitute “third country import means an import in respect of which a charge is payable under Part 3 of the Trade in Animals and Related Products Regulations (Northern Ireland) 2011.”.

(3) For the Schedule (Definitions of community legislation) substitute Schedule 2 to these regulations.

### **The Addition of Vitamins, Minerals and Other Substances Regulations (Northern Ireland) 2007**

15. In regulation 2(1) of the Addition of Vitamins, Minerals and Other Substances Regulations (Northern Ireland) 2007(33) (Interpretation) for the definition of “the EC Regulation” substitute

““the EC Regulation” means Regulation (EC) No. 1925/2006 of the European Parliament and of the Council on the addition of vitamins and minerals and of certain other substances to foods(34), as last amended by Commission Regulation (EU) 2017/1203(35), except for Annex I or II to Regulation (EC) No. 1925/2006 which shall be construed as amended from time to time.”.

### **The Nutrition and Health Claims Regulations (Northern Ireland) 2007**

16. In regulation 2(1) of the Nutrition and Health Claims Regulations (Northern Ireland) 2007(36) (Interpretation) for the definition of “the Regulation” substitute -

““the Regulation” means Regulation (EC) No. 1924/2006 of the European Parliament and of the Council on nutrition and health claims made on foods, as last amended by Commission Regulation (EU) No. 1047/2012(37), except for the Annex to Regulation (EC) No.1924/2006 which shall be construed as amended from time to time.”

### **The Quick-frozen Foodstuffs (No. 2) Regulations (Northern Ireland) 2007**

17. In regulation 2(1) (Interpretation) of the Quick-frozen Foodstuffs (No.2) Regulations (Northern Ireland) 2007(38) in the definition of “Directive 89/108” after “consumption” insert “as last amended by Council Directive 2013/20 EU;”(39).

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(32) S.R. 2007 No. 497

(33) S.R. 2007 No. 301

(34) OJ No. L 404, 30.12.2006, p. 26

(35) OJ L 173, 6.7.2017, p. 9

(36) S.R. 2007 No. 349 as last amended by S.R. 2014 No. 223

(37) OJ L 310, 9.11.2012, p. 36

(38) S.R. 2007 No. 110 as last amended by S.R. 2014 No. 223

(39) OJ No. L 158, 10.6.2013, p. 234

### **The Drinking Milk Regulations (Northern Ireland) 2008**

18. In regulation 2 (Interpretation) of the Drinking Milk Regulations (Northern Ireland) 2008(40) in the definition of “the Council Regulation” after “(Single CMO Regulation)” insert “as last amended by Council Regulation (EU) No 517/2013(41) and subject to repeal, savings and transitional arrangements given effect by Regulation (EU) No 1308/2013 of the European Parliament and of the Council;(42)”.

### **The Specified Products from China (Restriction on First Placing on the Market) Regulations (Northern Ireland) 2008**

19.—(1) The Specified Products from China (Restriction on First Placing on the Market) Regulations (Northern Ireland) 2008(43) are amended in accordance with paragraphs and .

(2) In regulation 2(1) (Interpretation) for the definition of “Regulation 178/2002” substitute ““Regulation 178/2002” means Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, as last amended by Regulation (EU) 2017/745 of the European Parliament and of the Council.”(44).

(3) Omit regulation 8 (Transitional provisions).

### **The Spreadable Fats (Marketing Standards) and the Milk and Milk Products (Protection of Designations) Regulations (Northern Ireland) 2008**

20. In regulation 2(1) (Interpretation) of the Spreadable Fats (Marketing Standards) and the Milk and Milk Products (Protection of Designations) Regulations (Northern Ireland) 2008(45), in the definition of “the Council Regulation” after “(Single CMO Regulation)” insert “as last amended by Council Regulation (EU) No 517/2013(46) and subject to repeal, savings and transitional arrangements given effect by Regulation (EU) No 1308/2013 of the European Parliament and of the Council(47)”.

### **The Official Feed and Food Controls Regulations (Northern Ireland) 2009**

21.—(1) The Official Feed and Food Controls Regulations (Northern Ireland) 2009(48) are amended in accordance with paragraphs (2) to (4).

(2) In regulation 2(1) (Interpretation), omit “and “Regulation 702/2013””.

(3) For Schedule 1 (Definitions of legislation) substitute Schedule 3 to these regulations.

(4) In Schedule 3 (Definition of relevant food law) for sub-paragraph (a)(vi) substitute—

“(vi) the regulation of beef and veal labelling under the Beef and Veal Labelling Regulations (Northern Ireland) 2010(49),”.

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(40) S.R. 2008 No. 237, as last amended by S.R. 2014 No. 223

(41) OJ L 141, 5.6.2015, p. 19

(42) OJ No. L 158, 10.6.2013, p 1

(43) S.R. 2008 No. 171, as last amended by S.R. 2013 No. 180

(44) OJ No. L117, 5.5.2017, p.1

(45) S.R. 2008 No. 239, as amended by S.R. 2014 No. 92

(46) OJ L 158, 10.6.2013, p. 1

(47) OJ L 347, 20.12.2013, p. 671

(48) S.R. 2009 No. 427, as last amended by S.R. 2018 No. 16

(49) S.R. 2010 No. 155, to which there are amendments not relevant to these Regulations

### **The Food Irradiation Regulations (Northern Ireland) 2009**

**22.**—(1) The Food Irradiation Regulations (Northern Ireland) 2009(**50**) are amended in accordance with paragraphs (2) and (3).

(2) For Schedule 3 (List of approved facilities in Member states) substitute Schedule 4 to these regulations.

(3) For Schedule 4 (List of facilities in countries outside the European Community) substitute Schedule 5 to these regulations.

### **The Meat (Official Controls Charges) Regulations (Northern Ireland) 2009**

**23.**—(1) The Meat (Official Controls Charges) Regulations (Northern Ireland) 2009(**51**) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 2(1) (Interpretation) in the definition beginning “Directive 2004/41” for ““Regulation 2075//2005” and “Regulation 2076/2005”” substitute “and “Regulation 2015/1375””.

(3) For Schedule 1 (Definitions of EU legislation) substitute Schedule 6 to these regulations.

### **The Plastic Kitchenware (Conditions on Imports from China) Regulations (Northern Ireland) 2011**

**24.** For regulation 8(2)(d)(ii) of the Plastic Kitchenware (Conditions on Imports from China) Regulations (Northern Ireland) 2011(**52**) (Notices and actions in the case of non-compliance), substitute “(ii) does not meet the requirements of [Commission Regulation \(EU\) No. 10/2011](#) on plastic materials and articles intended to come into contact with food(**53**), as last amended by Commission Regulation (EU) 2018/831(**54**), except for Annex 1 to [Commission Regulation \(EU\) No. 10/2011](#) which shall be construed as amended from time to time.”.

### **The Materials and Articles in Contact with Food Regulations (Northern Ireland) 2012**

**25.**—(1) The Materials and Articles in Contact with Food Regulations (Northern Ireland) 2012(**55**) are amended in accordance with paragraph (2).

(2) In regulation 2 (Interpretation)—

(a) in paragraph (1)—

(i) in the definition of “Regulation 2023/2006” omit “as last amended by [Commission Regulation \(EC\) No 282/2008](#)”;

(ii) in the definition of “Regulation 10/2011” after the word “means” insert “, subject to paragraph 3,”.

### **The Contaminants in Food Regulations (Northern Ireland) 2013**

**26.**—(1) The Contaminants in Food Regulations (Northern Ireland) 2013(**56**) are amended in accordance with paragraphs (2) to (6).

(2) In regulation 2 (Interpretation)-

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(50) [S.R. 2009 No. 258](#)

(51) [S.R. 2009 No. 247](#)

(52) [S.R. 2011 No. 236](#)

(53) OJ No. L 12, 15.1.2011, p. 1

(54) OJ L 140, 6.6.2018, p. 35

(55) [S.R. 2012 No. 384](#)

(56) [S.R. 2013 No. 229](#)



- (a) in paragraph (1) omit the definitions of “Directive 76/621”, “Directive 80/891”, “Regulation 629/2008” and “Regulation 165/2010”;
- (b) in paragraph (2)—
  - (i) omit “Directive 76/621, Directive 80/891,”;
  - (ii) omit “the Directive or”;
- (c) in paragraph (4) omit “Directive 76/621, Directive 80/891,”.
- (3) Omit regulations 3 (Scope) and 4 (Controls on erucic acid).
- (4) In regulation 5 (Controls on contaminants in food)
  - (a) for paragraph (1) substitute—

“(1) A person who contravenes or fails to comply with any of the EU provisions specified in paragraph (2) is guilty of an offence.”
  - (b) after paragraph (2) insert—

“(3) The level of erucic acid in a food must be determined according to sampling methods, and methods of analysis that meet the performance criteria, set out in the Annex to Commission Regulation (EU) 2015/705 laying down methods of sampling and performance criteria for the methods of analysis for the official control of the levels of erucic acid in foodstuffs and repealing Commission [Directive 80/891/EEC](#)(**57**).”
- (5) In regulation 6 (Penalties), omit “regulation 4(3) or”.
- (6) In regulation 8 (Application of various Articles of the Food Safety (Northern Ireland) Order 1991)—
  - (a) in paragraph (1)(c)(i), omit “4(3) or”;
  - (b) in paragraph (2), in the application and modification of Article 8(1) of the Food Safety (Northern Ireland) Order 1991, omit “4(1) or”.

### **The Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Northern Ireland) 2013**

- 27.**—(1) The Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Northern Ireland) 2013(**58**) are amended in accordance with paragraph (2).
- (2) In regulation 2(1) (Interpretation) in the definition of “Regulation 1333/2008”—
    - (a) in paragraph (a) after “additives” insert “as last amended by Commission Regulation 1152/2013;”(59); and
    - (b) in paragraph (c) after “Council” insert “as last amended by Commission Regulation 2018/1481”(60).

### **The Fruit Juices and Fruit Nectars Regulations (Northern Ireland) 2013**

- 28.**—(1) The Fruit Juices and Fruit Nectars Regulations (Northern Ireland) 2013(**61**) are amended in accordance with paragraphs (2) to (4).
- (2) Omit regulation 22 (Transitional provisions).
  - (3) In Schedule 7 (Specification for fruit nectar)—

(57) OJ No. L 113, 1.5.2015, p 29

(58) [S.R. 2013 No. 220](#)

(59) OJ L 311, 20.11.2013, p. 1

(60) OJ L 251, 5.10.2018, p. 13

(61) [S.R. 2013 No. 253](#), to which there are amendments not relevant to these Regulations

- (a) in paragraph 1, for “juice” substitute “product”;
- (b) in paragraph 2, for “juices” substitute “products”.
- (4) In Schedule 9 (Authorised additional substances), after paragraph 9 insert—
  - “10. Plant proteins for clarification from—
    - (a) wheat,
    - (b) peas,
    - (c) potatoes, or
    - (d) any combination of them.”.

### **The Food Information Regulations (Northern Ireland) 2014**

29.—(1) The Food Information Regulations (Northern Ireland) 2014<sup>(62)</sup> are amended in accordance with paragraphs (2) to (5).

- (2) In regulation 2(1) (Interpretation) —
  - (a) in the definition of “Directive 1999/2/EC” after “radiation” insert “as last amended by Regulation (EC) No 1137/2008 of the European Parliament and of the Council”<sup>(63)</sup>;
  - (b) for the definition of “FIC” substitute ““FIC” means, subject to regulation 2(3) and Schedule 1, Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 as last amended by Regulation (EU) 2015/2283 of the European Parliament and of the Council”<sup>(64)</sup>;
  - (c) in both the definition of “final consumer” and “food business operator” after “food safety” insert “as last amended by Regulation (EU) 2017/745 of the European Parliament and of the Council”<sup>(65)</sup>;
  - (d) for the definition of “Regulation 828/2014” substitute ““Regulation 828/2014” means, subject to regulation 2(3) and Schedule 1, Commission Implementing Regulation (EU) No. 828/2014 on the requirements for the provision of information to consumers on the absence or reduced presence of gluten in food.”
- (3) In regulation 7(7) (Foods that are not prepacked etc. containing meat and other ingredients), in the definition of “mechanically separated meat” after “animal origin” insert “as last amended by Commission Regulation (EU) 2017/1981”<sup>(66)</sup>.
- (4) In Schedule 3 (Foods to which regulation 7 does not apply) in paragraph 3 after “poultrymeat” insert, “as last amended by Commission Regulation (EU) No 519/2013”<sup>(67)</sup>.
- (5) In Schedule 5 (Improvement notices – specified provisions) part 2—
  - (a) in paragraph 26 after “honey” insert “as last amended by Directive 2014/63/EU of the European Parliament and of the Council”<sup>(68)</sup>; and

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<sup>(62)</sup> S.R. 2014 No. 223

<sup>(63)</sup> OJ No. L 311, 21.11.2008, p. 1

<sup>(64)</sup> OJ No. L 327, 11.12.2015, p. 1

<sup>(65)</sup> OJ No. L 117, 5.5.2017, p. 1

<sup>(66)</sup> OJ No. L 285, 1.11.2017, p. 10

<sup>(67)</sup> OJ No. L 158, 10.6.2013, p. 74

<sup>(68)</sup> OJ No. L 164, 3.6.2014, p. 1

- (b) in paragraph 37 after “consumption” insert “as last amended by Commission Delegated Regulation (EU) No 1040/2014<sup>(69)</sup>”.

#### **The Products Containing Meat etc. Regulations (Northern Ireland) 2014**

**30.**—(1) The Products Containing Meat etc. Regulations (Northern Ireland) 2014<sup>(70)</sup> are amended in accordance with paragraphs (2) and (3).

(2) In regulation 2 (Interpretation)—

- (a) in the definition of “FIC” after “No.608/2004”, insert “as last amended by Regulation (EU) 2015/2283 of the European Parliament and of the Council”; and
- (b) in the definition of “regulated product” sub-paragraph (b) “mechanically separated meat” after “Council” insert “as last amended by Commission Regulation (EU) 2017/1981”.

(3) In Schedule 1 (Reserved Descriptions), in the definition of “curing salt”, subparagraph (c) after “food additives” insert “as last amended by Commission Regulation (EU) 2018/1497”<sup>(71)</sup>.

#### **The Honey Regulations (Northern Ireland) 2015**

**31.**—(1) The Honey Regulations (Northern Ireland) 2015<sup>(72)</sup> are amended in accordance with paragraph (2).

(2) In regulation 3 (General interpretation)—

- (a) in the definition of “FIC” after “No. 608/2004”, insert “as last amended by Regulation (EU) 2015/2283 of the European Parliament and of the Council”; and
- (b) in the definition of “the Honey Directive” after “relating to honey” insert “as last amended by [Directive 2014/63/EU](#) of the European Parliament and of the Council”<sup>(73)</sup>.

#### **The Country of Origin of Certain Meats Regulations (Northern Ireland) 2015**

**32.** In regulation 2(1) of the Country of Origin of Certain Meats Regulations (Northern Ireland) 2015<sup>(74)</sup> (Interpretation) omit the definitions of “batch”, “batch code”, “mass caterer” and “trimmings.”.

#### **The Food Safety (Information and Compositional Requirements) Regulations (Northern Ireland) 2016**

**33.** In regulation 2(1) of the Food Safety (Information and Compositional Requirements) Regulations (Northern Ireland) 2016<sup>(75)</sup> (Interpretation) for the definition of “the EU Regulation” substitute ““the EU Regulation” means, subject to regulation 2(2), Regulation (EU) No 609/2013 of the European Parliament and of the Council, on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control<sup>(76)</sup> and repealing Council [Directive 92/52/EEC](#), Commission Directives [96/8/EC](#), [1999/21/EC](#), [2006/125/EC](#) and [2006/141/EC](#), [Directive 2009/39/EC](#) of the European Parliament and of the Council and Commission Regulations (EC) No 41/2009 and (EC) No 953/2009 as last amended by Commission Delegated Regulation 2017/1091<sup>(77)</sup>”.

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<sup>(69)</sup> OJ No. L 288, 2.10.2014, p. 1

<sup>(70)</sup> S.R. 2014 No. 285

<sup>(71)</sup> OJ L 253, 9.10.2018, p. 36

<sup>(72)</sup> S.R. 2015 No. 261

<sup>(73)</sup> OJ No. L 164, 3.6.2014, p. 1

<sup>(74)</sup> S.R. 2015 No. 321

<sup>(75)</sup> S.R. 2016 No. 251

<sup>(76)</sup> OJ L 181, 29.6.2013, p. 35

<sup>(77)</sup> OJ No. L158, 21.6.2017, p. 5

### The Caseins and Caseinates Regulations (Northern Ireland) 2016

34. In regulation 2 of the Caseins and Caseinates Regulations (Northern Ireland) 2016(78) (Interpretation)—

- (a) in the definition of “FIC” after “No. 608/2004”, insert “as last amended by Regulation (EU) 2015/2283 of the European Parliament and of the Council”; and
- (b) in the definition of “Regulation (EC) No 1332/2008” after ‘Regulation (EC) No 258/97’ insert “as last amended by Commission Regulation (EU) No 1056/2012(79)”.

### The Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016

35.—(1) The Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016(80) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 2(1) (Interpretation) for the definitions of “Directive 82/475”, “Directive 2002/32”, “Regulation 178/2002” “Regulation 1829/2003”, “Regulation 1831/2003”, “Directive 2008/38” and “Regulation 767/2009”, substitute:

““Directive 82/475” means, subject to regulation 2(3), Commission Directive 82/475/EEC laying down the categories of feed materials which may be used for the purposes of labelling compound feeding stuffs for pet animals as last amended by Commission Directive 98/67/EEC;(81)

“Directive 2002/32” means, subject to regulation 2(3), Directive 2002/32 of the European Parliament of the Council on undesirable substances in animal feed as last amended by Commission Regulation (EU) 2017/2229;(82)

“Regulation 178/2002” means Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, as last amended by Regulation (EU) 2017/745 of the European Parliament and of the Council;(83)

“Regulation 1829/2003” means Regulation (EC) No. 1829/2003 of the European Parliament and of the Council on genetically modified food and feed as last amended by Regulation (EC) No. 298/2008;(84)

“Regulation 1831/2003” means, subject to regulation 3(1), Regulation (EC) No 1831/2003 of the European Parliament and of the Council on additives for use in animal nutrition as last amended by Commission Regulation (EU) No. 2015/2294;(85)

“Directive 2008/38” means, subject to regulation 2(3), Commission Directive 2008/38/EC establishing a list of intended uses of animal feedingstuffs for particular nutritional purposes as last amended by Commission Regulation (EU) No 1123/2014;(86)

“Regulation 767/2009” means, subject to regulation 2(3), Regulation (EC) No 767/2009 of the European Parliament and of the Council of 13 July 2009 on the placing on the market and use of feed, amending European Parliament and Council Regulation (EC) No 1831/2003 and repealing Council Directive 79/373/EEC, Commission Directive 80/511/EEC, Council

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(78) S.R. 2016 No. 415

(79) OJ No. L 313, 13.11.2012, p. 9

(80) S.R. 2016 No. 4

(81) OJ L 213, 21.7.1982, p. 27, as last amended by OJ L 261, 24.9.1998, p. 10

(82) OJ L 140, 30.5.2002, p. 10, as last amended by OJ L 319, 5.12.2017, p. 6

(83) OJ L 31, 1.2.2002, p. 1, as last amended by OJ L 117, 5.5.2017, p. 1

(84) OJ L 268, 18.10.2003, p. 1, as last amended by OJ L 97, 9.4.2008, p. 64

(85) OJ L 268, 18.10.2003, p. 29, as last amended by OJ L 324, 10.12.2015, p. 3

(86) OJ L 62, 6.3.2008, p. 9, as last amended by OJ L 304, 23.10.2014, p. 81

Directives [82/471/EEC](#), [83/228/EEC](#), [93/74/EEC](#), [93/113/EC](#) and [96/25/EC](#) and Commission Decision [2004/217/EC](#) as last amended by Commission Regulation (EU) 2017/2279;(87)

(3) In regulation 12(1) (Offence of failing to comply with any specified provision of Regulation 767/200) for “Subject to the transitional provisions contained in Article 32, a” substitute “A”.

### **The Animal Feed (Hygiene, Sampling etc. and Enforcement) Regulations (Northern Ireland) 2016**

**36.**—(1) The Animal Feed (Hygiene, Sampling etc. and Enforcement) Regulations (Northern Ireland) 2016(88) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 2(1) (Interpretation) for the definitions of “Regulation 882/2004”, “Regulation 183/2005”, “Regulation 152/2009” and “Regulation 767/2009” substitute:

““Regulation 882/2004” means Regulation (EC) No. [882/2004](#) of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules as last amended by Commission Regulation (EU) 2018/445;(89)

“Regulation 183/2005” means subject to regulation 2(5) Regulation (EC) No. [183/2005](#) of the European Parliament and of the Council laying down requirements for feed hygiene as last amended by Commission Regulation (EU) 2015/1905;(90)

“Regulation 152/2009” means subject to regulation 2(5) Regulation (EC) No. [152/2009](#) laying down the methods of sampling and analysis for the official control of feed as last amended by Commission Regulation (EU) 2017/771;(91)

“Regulation 767/2009” means Regulation (EC) [767/2009](#) of the European Parliament and of the Council on the placing on the market and use of feed, amending European Parliament and Council Regulation (EC) No [1831/2003](#) and repealing Council Directive [79/373/EEC](#), Commission Directive [80/511/EEC](#), Council Directives [82/471/EEC](#), [83/228/EEC](#), [93/74/EEC](#), [93/113/EC](#) and [96/25/EC](#) and Commission Decision [2004/217/EC](#) as last amended by Commission Regulation (EU) 2017/2279;(92)

(3) In regulation 4(2)(a) (Competent authorities) for “2(e)” substitute “2(f)”.

## **PART 3**

### **Revocations**

#### **Revocations**

**37.** The Regulations listed in the table in Schedule 7 are revoked.

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(87) OJ L 229, 1.9.2009, p. 1, as last amended by OJ L 328, 12.12.2017, p. 3

(88) [S.R. 2016 No. 5](#)

(89) OJ L 165, 30.4.2004, p. 1, as last amended by OJ L 77, 20.3.2018, p. 4

(90) OJ L 35, 8.2.2005, p. 1, as last amended by OJ L 278, 23.10.2015, p. 5

(91) OJ L 54, 26.2.2009, p. 1, as last amended by OJ L 115, 4.5.2017, p. 22

(92) OJ L 229, 1.9.2009, p. 1, as last amended by OJ L 328, 12.12.2017, p. 3

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Sealed with the official seal of the Department of Health on 15th January 2019.



*Elizabeth Redmond*  
A senior officer of the Department of Health