

2004 No. 1727

FOOD, ENGLAND

**The Food Safety (General Food Hygiene) (Amendment)
(England) Regulations 2004**

<i>Made</i>	- - - -	<i>7th July 2004</i>
<i>Laid before Parliament</i>		<i>9th July 2004</i>
<i>Coming into force</i>		<i>30th July 2004</i>

The Secretary of State, being a Minister designated^(a) for the purposes of section 2(2) of the European Communities Act 1972^(b) in relation to measures relating to food, in exercise of the powers conferred on him by that section, makes the following Regulations:

Title, application and commencement

1. These Regulations may be cited as the Food Safety (General Food Hygiene) (Amendment) (England) Regulations 2004, shall apply in relation to England only and shall come into force on 30th July 2004.

Amendment to the Food Safety (General Food Hygiene) Regulations 1995

2.—(1) The Food Safety (General Food Hygiene) Regulations 1995^(c) shall be amended in accordance with paragraph (2) in so far as they apply in relation to England.

(2) In paragraph (1) of regulation 2 (interpretation), for the definition of “list of acceptable previous cargoes for liquid oils or fats” there shall be substituted the following definition —

““list of acceptable previous cargoes for liquid oils or fats” means the list set out in the Annex to Commission Directive 96/3/EC granting a derogation from certain provisions of Council Directive 93/43/EEC on the hygiene of foodstuffs as regards the transport of bulk liquid oils and fats by sea^(d) as amended by Commission Directive 2004/4/EC amending Directive 96/3/EC granting a derogation from certain provisions of Council Directive 93/43/EEC on the hygiene of foodstuffs as regards the transport of bulk liquid oils and fats by sea^(e)”.

(a) S.I. 2003/2901.

(b) 1972 c. 68.

(c) S.I. 1995/1763, amended by S.I. 1997/2537; there are other amending instruments but none is relevant.

(d) OJ No. L21, 27.1.96, p.42.

(e) OJ No. L15, 22.1.2004, p.25.

Signed by authority of the Secretary of State for Health

7th July 2004

Melanie Johnson
Parliamentary Under Secretary of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations, which apply in relation to England only, further amend the Food Safety (General Food Hygiene) Regulations 1995 (S.I. 1995/1763 as already amended) which extend to the whole of Great Britain.

2. These Regulations implement Commission Directive 2004/4/EC amending Directive 96/3/EC granting a derogation from certain provisions of Council Directive 93/43/EEC on the hygiene of foodstuffs as regards the transport of bulk liquid oils and fats by sea (OJ No. L15, 22.1.2004, p.25) by substituting a revised definition of the phrase “list of acceptable previous cargoes for liquid oils or fats” for the existing definition of that phrase in regulation 2(1) of the Food Safety (General Food Hygiene) Regulations 1995 (*regulation 2(2)*). The revised definition now refers to the list set out in the Annex to Commission Directive 96/3/EC (OJ No. L21, 27.1.96, p.42) as replaced by Commission Directive 2004/4/EC.

3. Chapter IV of Schedule 1 to the Food Safety (General Food Hygiene) Regulations 1995 provides that the bulk transport in sea-going vessels of liquid oils or fats which are to be processed and which are intended for or are likely to be used for human consumption is permitted in tanks that are not exclusively reserved for the transport of foodstuffs if a certain number of previous cargoes transported in the tanks were from the “list of acceptable previous cargoes for liquid oils or fats” as defined in regulation 2(1) of those Regulations.

4. No regulatory impact assessment has been prepared in relation to these Regulations.

STATUTORY INSTRUMENTS

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