
STATUTORY INSTRUMENTS

2019 No. 1085

The Food and Feed Hygiene and Safety (Amendment No.2) (Northern Ireland) (EU Exit) Regulations 2019

PART 1

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Food and Feed Hygiene and Safety (Amendment No.2) (Northern Ireland) (EU Exit) Regulations 2019 and come into force on exit day.

PART 2

Amendment of subordinate legislation

Amendment of the General Food Regulations (Northern Ireland) 2004

2.—(1) The General Food Regulations (Northern Ireland) 2004⁽¹⁾ are amended as follows.

(2) In Regulation 2(1) (Interpretation), after the definition of “Regulation (EC) No 178/2002” insert ““third country” means a country or state other than the United Kingdom”.

(3) In Regulation 4 (Requirements under Regulation (EC) No. 178/2002: offences), for paragraph (a) (Article 12) substitute—

“(a) Article 12 (food and feed exported from the United Kingdom) in so far as it relates to food;”.

(4) In Regulation 6A—

(a) in paragraph (a), for “country that is not a member State” substitute “third country”;

(b) omit paragraph (b) and the “or” immediately preceding it.

Amendment of the Food Hygiene Regulations (Northern Ireland) 2006

3.—(1) The Food Hygiene Regulations (Northern Ireland) 2006⁽²⁾ are amended as follows.

(2) For Schedule 2, substitute Schedule 1 to these Regulations.

(3) In Schedule 3, in paragraph 10, for “one or more Community languages” substitute “English, or in English and in Welsh”.

(1) S.R. 2004 No. 505.

(2) S.R. 2006 No. 3.

Amendment of the Quick-frozen Foodstuffs (No. 2) Regulations (Northern Ireland) 2007

4.—(1) The Quick-frozen Foodstuffs (No. 2) Regulations (Northern Ireland) 2007⁽³⁾ are amended as follows.

(2) In regulation 2 (Interpretation)—

(a) in paragraph (1), omit the definition of “Directive 89/108”;

(b) in paragraph (2), omit “Directive 89/108,” in both places it occurs.

(3) In regulation 5(1) (Marking or Labelling of quick-frozen foodstuffs), for “any other description listed in Article 8.1(a) of Directive 89/108” substitute “its equivalent in any other language”.

(4) In regulation 5(2), for “any other description listed in Article 8.1(a) of Directive 89/108” substitute “its equivalent in any other language”.

(5) In regulation 5(3), for “any other description listed in Article 8.1(a) of Directive 89/108” substitute “its equivalent in any other language”.

(6) In regulation 5(3)(b), for “European Union” substitute “United Kingdom”.

Amendment of the Meat (Official Controls Charges) Regulations (Northern Ireland) 2009

5.—(1) The Meat (Official Controls Charges) Regulations (Northern Ireland) 2009⁽⁴⁾ are amended as follows.

(2) Omit regulation 2(2) (Interpretation).

(3) For the heading to Schedule 1 substitute, “DEFINITIONS OF RETAINED EU LAW”.

Amendment of the Official Feed and Food Controls Regulations (Northern Ireland) 2009

6.—(1) The Official Feed and Food Controls Regulations (Northern Ireland) 2009⁽⁵⁾ are amended as follows.

(2) In regulation 2(1) (Interpretation), after the definition of “relevant food law” insert ““third country” means a country or state other than the United Kingdom”;

(3) In regulation 4 (Exchanging and providing information)—

(a) in paragraph (1), for “, other OFFC authorities and member States” substitute “and other OFFC authorities”;

(b) in paragraph (4), for “EU legislation”, substitute “retained EU law”.

(4) In regulation 5 (Obtaining information), at paragraph (1), omit “and member States”.

(5) In regulation 10 (Meaning of “enforcement authority” and related expressions), at paragraph (2), omit “but does not include the European Commission”.

(6) Omit regulations 13 (Staff of competent authority of another member state), 14 (Commission experts), and 15 (Prohibition on disclosure of trade secrets).

(7) In regulation 16 (Execution and enforcement)—

(a) omit paragraph (3);

(b) in paragraph (5) omit subparagraphs (a) and (b).

(8) In regulation 18 (Obstruction etc. of officers)—

(a) in subparagraph (1)(a), omit “13, 14 or”;

(3) [S.R. 2007 No. 110.](#)

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

(5) [S.R. 2009 No. 427.](#)

- (b) in subparagraph (1)(b), omit “13, 14 or”;
- (9) In regulation 19(2) (Penalties), omit “or regulation 15”.
- (10) In regulation 21 (Interpretation of this Part), omit ““the relevant territories” means the territories referred to in Annex I to Regulation 882/2004”.
- (11) In regulation 27(1) (Prohibition on introduction of certain feed and food), omit (b) and (d).
- (12) Omit regulation 42 (Expenses arising in respect of co-ordinated assistance and follow-up by the Commission).
- (13) In Schedule 4—
 - (a) in the first entry in Column 2 of the Table, omit the references to Articles 19(3), 34, 35(3) and (4), 36, 37(1), 38, 39, 40(2) and (4), and 52(1) of Regulation 882/2004.
 - (b) in the second entry in Column 2 of the Table, omit the references to Articles 34, 35(3), 36, 37(1), 38, 39, 40(2) and (4) of Regulation 882/2004.
- (14) In Schedule 5—
 - (a) in the first entry in Column 2 of the Table, omit the references to Articles 19(3), 34, 35(3) and (4), 36, 37(1), 38, 39, 40(2) and (4), and 52(1) of Regulation 882/2004.
 - (b) in the second entry in Column 2 of the Table, omit the references to Articles 34, 35(3), 36, 37(1), 38, 39, 40(2) and (4) Regulation 882/2004.
- (15) In Schedule 6 for the first entry in Column 2 of the Table, substitute—

“Requirement that feed and food business operators or their representatives give adequate prior notification of the estimated date and time of physical arrival of the consignment at the designated point of entry and of the nature of the consignment in the manner indicated in that Article (common entry document to be completed and transmitted at least one working day in advance) and Article 7 (common entry document to be drawn up in English, or in English and Welsh).”.

Amendment of the Plastic Kitchenware (Conditions on Imports from China) Regulations (Northern Ireland) 2011

7.—(1) The Plastic Kitchenware (Conditions on Imports from China) Regulations (Northern Ireland) 2011(6) are amended as follows.

(2) In regulation 3(1) (Breach of conditions on import of plastic kitchenware from China), for “European Union”, substitute “United Kingdom”.

(3) In regulation 8(3)(a)(i) (Notices and actions in the case of non-compliance), for “European Union” substitute “United Kingdom”.

Amendment of the Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016

8.—(1) The Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016(7) are amended as follows.

(2) In regulation 7 (Offence of failing to comply with any specified provision of Regulation 1829/2003)—

- (a) in paragraph (2)(a), omit “(requirement that products in relation to which the Commission has adopted a measure under this Article must be withdrawn from the market)”;

(6) S.R. 2011 No.236.

(7) S.R. 2016 No.4.

- (b) in paragraph (2)(c), omit “(requirement that an authorisation holder inform the Commission of any new scientific or technical information about a product which might affect the evaluation of the safety of its use in feed, or of any prohibition or restriction on the feed in a third country)”.
- (3) In regulation 10(2)(d) (Offence of failing to comply with any specified provision of Regulation 1831/2003) for “Commission”, substitute “Food Safety Authority”
- (4) In regulation 13(2)—
 - (a) omit sub-paragraph (a);
 - (b) in sub-paragraph (b), for “Commission” substitute “appropriate authority”.
- (5) For Schedule 1, substitute Schedule 2 to these Regulations.

Revocations

9. The Food and Feed Hygiene and Safety (Amendment) (Northern Ireland) (EU Exit) Regulations 2019⁽⁸⁾ are hereby revoked.

Signed by the authority of the Secretary of State for the Department of Health and Social Care

3th July 2019

Seema Kennedy
Parliamentary Under-Secretary of State,
Department of Health and Social Care