STATUTORY RULES OF NORTHERN IRELAND

2014 No. 287

FOOD

The Fish Labelling (Amendment) Regulations (Northern Ireland) 2014

Made - - - -	*19th November 2014*
Coming into operation	*13th December 2014*

The Department of Health, Social Services and Public Safety(**1**) makes the following Regulations in exercise of the powers conferred by Articles 15(1), 16(2), 25(2), 26(3) and 47(2) of the Food Safety (Northern Ireland) Order 1991(**2**), and paragraph 1A of Schedule 2 to the European Communities Act 1972(**3**).

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Department of Health, Social Services and Public Safety that it is expedient for any references to the EU Regulations defined in regulation 2(2) to be construed as references to those EU Regulations as amended from time to time.

In accordance with Article 47(3A) of the Food Safety (Northern Ireland) Order 1991, it has had regard to relevant advice given by the Food Standards Agency.

There has been consultation as required by Article 9 of 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(**4**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Fish Labelling (Amendment) Regulations (Northern Ireland) 2014 and come into operation on 13th December 2014.

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

(**1**) Formerly the Department of Health and Social Services; See S.I. 1999/283 (N.I.1) Article 3(6)
(**2**) S.I. 1991/762 (N.I.7) as amended by S.I. 1996/1663 (N.I.12), paragraphs 26 to 42 of Schedule 5 and Schedule 6 to the Food Standards Act 1999 c.28 and S.R. 2004 Nos. 482 and 505
(**3**) 1972 c.68. Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (2006 c.51)
(**4**) OJ No. L 31, 1.2.2002, p.1, as last amended by Commission Regulation (EC) No 596/2009 of the European Parliament and of the Council (OJ No. L 188, 18.7.2009, p.14
(**5**) 1954 c. 33 (NI)

Amendments to the Fish Labelling Regulations (Northern Ireland) 2013

2.—(1) The Fish Labelling Regulations (Northern Ireland) 2013(**6**) are amended in accordance with paragraphs (2) and (3).

(2) For regulation 2(1) (interpretation) substitute—

"**2.**—(1) In these Regulations—

"the EU Regulations" means Regulation 1224/2009, Regulation 404/2011 and Regulation 1379/2013;

"the Order" means the Food Safety (Northern Ireland) Order 1991;

"Regulation 1224/2009" means Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy;

"Regulation 404/2011" means Commission Implementing Regulation (EU) No 404/2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy; and

"Regulation 1379/2013" means Regulation (EU) No. 1379/2013 of the European Parliament and of the Council on the common organisation of the markets in fishery and aquaculture products.".

(3) In regulation 3 (consumer information and traceability requirements)—

(a) in paragraph (1)(a), for "(4) to (7)" substitute "(6) and (7)";

(b) for paragraph 2(a) substitute—

"(a) a requirement specified in Article 35 Regulation 1379/2013 (provision of consumer information) as read with Article 38 of that Regulation, and a requirement specified in Article 39(3) or (4) of Regulation 1379/2013, as read with paragraph (1) of that Article.";

(c) in paragraph (3), for "and Article 67(1) to (3) and (5) to (13) of Regulation 404/2011" substitute ", Article 67(1) to (3) and (5) to (13) of Regulation 404/2011 and Articles 35(1)(c) and 38 of Regulation 1379/2013.";

(d) omit paragraphs (4) and (5);

(e) for paragraph (6) substitute—

"(6) The requirement referred to in paragraph (2)(a) does not apply in the circumstances described in Article 35(4) of Regulation 1379/2013 as read with Article 58(8) of Regulation 1224/2009.".

(**6**) S.R. 2013 No. 219