STATUTORY RULES OF NORTHERN IRELAND

2014 No. 286

FOOD

The Food Hygiene and Official Feed and Food Controls (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 on it by section 2(2) of and paragraph 1A of Schedule 2 to the European Communities Act 1972(**2**).

The Department of Health, Social Services and Public Safety has been designated for the purposes of that section in relation to measures relating to food (including drink) including the primary production of food and measures relating to feed produced for or fed to food producing animals(**3**), the common agricultural policy of the European Community(**4**) and measures in the veterinary and phytosanitary fields for the protection of public health(**5**).

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 reference to the EU instruments referred to in Regulation 2(4) or Regulation 3(3) to be construed as a reference to those instruments as amended from time to time.

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(**6**) there has been open and transparent public consultation during the preparation of the following Regulations.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Food Hygiene and Official Feed and Food Controls (Amendment) Regulations (Northern Ireland) 2014 and come into operation on 13th December 2014.

(**1**) Formerly the Department of Health and Social Services; see S.I. 1999/283 (N.I.1) Article 3(6)
(**2**) 1972 c.68
(**3**) S.I. 2003/2901
(**4**) S.I. 2000/2812
(**5**) S.I. 1999/2027
(**6**) OJ No. L31, 1.2.2002, p.1, as last amended by Regulation (EC) No. 596/2009 of the European Parliament and of the Council adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC with regard to the regulatory procedure with scrutiny: Adaptation to the regulatory procedure with scrutiny-Part Four (OJ No. L188, 18.7.2009, p.14)

(2) The Interpretation Act (Northern Ireland) 1954(**7**) applies to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendments to the Food Hygiene Regulations (Northern Ireland) 2006

2.—(1) The Food Hygiene Regulations (Northern Ireland) 2006(**8**) are amended in accordance with this Regulation.

(2) In regulation 2(1) (interpretation), in the definition beginning "Decision 2006/766" substitute the following definition—

> ""Decision 2006/766", "Directive 2004/41", "Regulation 178/2002", "Regulation 852/2004", "Regulation 853/2004", "Regulation 854/2004", "Regulation 882/2004", "Regulation 1688/2005", "Regulation 2073/2005", "Regulation 2074/2005", "Regulation 2075/2005", "Regulation 1020/2008", "Regulation 1021/2008", "Regulation 596/2009", "Regulation 669/2009", "Regulation 1169/2011", "Regulation 28/2012", "Regulation 1079/2013" and "Regulation 579/2014" have the meanings respectively given to them in Schedule 1;"(**9**)

(3) Regulation 29A (special health mark) is revoked.

(4) In Schedule 1 (definitions of EU legislation), after the definition of Regulation 1079/2013, insert—

> ""Regulation 579/2014" means Commission Regulation (EU) No. 579/2014 granting derogation from certain provisions of Annex II to Regulation (EC) No. 852/2004 of the European Parliament and the Council as regards the transport of liquid oils and fats by sea."(**10**).

(5) In Schedule 2 (specified Community provisions), in the third entry (referring to Article 4(2) of Regulation 852/2004), at the end of column 2 (subject-matter), omit the full stop and insert "and Regulation 579/2014."(**11**).

(6) In Schedule 3 (bulk transport in sea-going vessels of liquid oils or fats or of raw sugar)—

(a) omit paragraphs 2 to 6;

(b) in paragraph 14(1) omit "Commission Directive 96/3/EC or"; and

(c) omit paragraph 14(2).

(7) Schedule 6A (the special health mark) is revoked.

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

3.—(1) The Official Feed and Food Controls Regulations (Northern Ireland) 2009(**12**) are amended in accordance with this Regulation.

(2) In regulation 2(1) (interpretation)—

(a) for the definition beginning "Directive 2004/41", substitute—

> ""Directive 2004/41", "Regulation 999/2001", "Regulation 178/2002", "Regulation 852/2004", "Regulation 853/2004", "Regulation 882/2004", "Regulation 1688/2005", "Regulation 2073/2005", "Regulation 2074/2005", "Regulation 1020/2008", "Regulation 669/2009"; "Regulation 211/2013; and "Regulation 702/2013" have the meanings respectively given to them in Schedule 1;"; and

(**7**) 1954 c.33 (N.I.)
(**8**) S.R. 2006 No. 3. Relevant amending instruments are S.R. 2012 No.280 and S.R. 2013 No. 291
(**9**) OJ L 160, 29.5.2014, p.14
(**10**) OJ L 160, 29.5.2014, p.14
(**11**) OJ L 160, 29.5.2014, p.14
(**12**) S.R. 2006 No.427. Relevant amending instrument S.R. 2013 No.291