STATUTORY RULES OF NORTHERN IRELAND

# 2013 No. 291

# FOOD

## The Food Safety, Food Hygiene and Official Controls (Sprouting Seeds and Miscellaneous Amendments) Regulations (Northern Ireland) 2013

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| *Made - - - -* | *9th December 2013* |
| *Coming into operation* | *31st December 2013* |

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 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(**3**) and measures in the veterinary and phytosanitary fields for the protection of public health(**4**).

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(**5**) 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 Safety, Food Hygiene and Official Controls (Sprouting Seeds and Miscellaneous Amendments) Regulations (Northern Ireland) 2013 and come into operation on 31st December 2013.

(2) The Interpretation Act (Northern Ireland) 1954(**6**) applies to these Regulations as it applies to an Act of the Northern Ireland Assembly.

(**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. 1999/2027
(**5**) 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)
(**6**) 1954 c.33 (N.I.)

### Amendments to the General Food Regulations (Northern Ireland) 2004

**2.**—(1) The General Food Regulations (Northern Ireland) 2004(**7**) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 2(1) (interpretation) for the definition of "Regulation (EC) No 178/2002" substitute—

> ""Regulation (EC) No 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 read with Commission Implementing Regulation (EU) No 931/2011 on the traceability requirements set by Regulation (EC) No 178/2002 of the European Parliament and of the Council for food of animal origin, and with Commission Implementing Regulation (EU) No 208/2013 on traceability requirements for sprouts and seeds intended for the production of sprouts"(**8**).

(3) In regulation 6(2) (enforcement) after "Article 14" insert ", Article 18 in so far as it relates to food business operators".

### Amendment to the Food Hygiene Regulations (Northern Ireland) 2006

**3.**—(1) The Food Hygiene Regulations (Northern Ireland) 2006(**9**) are amended in accordance with paragraphs (2) and (3).

(2) In Article 2(1)(interpretation) in the definition of "the Community Regulations" omit "Regulation 1162/2009" and for "and Regulation 28/2012"" substitute ", Regulation 28/2012", "Regulation 702/2013" and Regulation 1079/2013"".

(3) In Schedule 1 (Definitions of EU Legislation)—

(a) omit the definition of "Regulation 1162/2009";

(b) in the definition of "Regulation 852/2004" for "and as read with Regulation 2073/2005" substitute ", as read with Regulation 2073/2005 and with Commission Regulation (EU) No 210/2013 on the approval of establishments producing sprouts pursuant to Regulation (EC) No 852/2004 of the European Parliament and of the Council"(**10**);

(c) in the definition of "Regulation 853/2004" for "Regulation 1162/2009" substitute "Regulation 1079/2013";

(d) in the definition of "Regulation 854/2004" for "Regulation 1162/2009" substitute "Regulation 1079/2013";

(e) in the definition of "Regulation 882/2004" for "Regulation 1162/2009" substitute "Regulation 702/2013"; and

(f) at the end of the schedule, insert—

> ""Regulation 702/2013" means Commission Implementing Regulation (EU) No. 702/2013 on transitional measures for the application of Regulation (EC) No.882/2004 of the European Parliament and of the Council as regards the accreditation of official laboratories carrying out official testing for trichinella;(**11**);
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> "Regulation 1079/2013" means Commission Regulation (EU) No 1079/2013 laying down transitional measures for the application of Regulations (EC)

(**7**) S.R. 2004 No. 505, amended by S.R. 2005 No. 574
(**8**) OJ No. L68, 12.3.2013, p.16
(**9**) S.R. 2006 No. 3, amended by S.R. 2007 No. 16, S.R. 2010 No. 83, S.R. 2012 No. 130, S.R. 2012 No. 280 and S.R. 2013 No. 66
(**10**) OJ No. L68, 12.3.2013, p.24
(**11**) OJ No. L199, 24.7.2013, p.3