STATUTORY RULES OF NORTHERN IRELAND

2010 No. 83

FOOD

The Food Hygiene (Amendment) Regulations (Northern Ireland) 2010

Made - - - -	*1st March 2010*
Coming into operation	*13th April 2010*

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**).

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**) 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 (Amendment) Regulations (Northern Ireland) 2010 and come into operation on 13th April 2010.

(2) The Interpretation Act (Northern Ireland) 1954(**5**) shall apply 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(**6**) are amended in accordance with paragraphs (2) and (3).

(**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**) 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)
(**5**) 1954 c.33 (N.I.)
(**6**) S.R. 2006 No. 3, as amended by S.R. 2007 No. 16

(2) In regulation 2(1) (interpretation) for the references to the EU instruments appearing immediately after the definition of "the Community Regulations" there are substituted the following references—

""Decision 2006/766", "Decision 2009/951", "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 2076/2005", "Regulation 1662/2006", "Regulation 1663/2006", "Regulation 1664/2006", "Regulation 1666/2006", "Regulation 1791/2006", "Regulation 479/2007", "Regulation 1243/2007", "Regulation 1244/2007", "Regulation 1245/2007", "Regulation 1246/2007", "Regulation 1441/2007", "Regulation 439/2008", "Regulation 1250/2008", "Regulation 146/2009", "Regulation 219/2009", "Regulation 596/2009", and "Regulation 669/2009" have the meanings respectively given to them in Schedule 1;".

(3) For Schedule 1 (definitions of Community legislation) there is substituted the Schedule (definitions of EU legislation) set out in the Schedule to these Regulations.

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 1st March 2010.

L.S.

Andrew McCormick
A senior officer of the Department of Health,
Social Services and Public Safety

SCHEDULE Regulation 2(3)

SCHEDULE SUBSTITUTED FOR SCHEDULE 1 TO THE FOOD HYGIENE REGULATIONS (NORTHERN IRELAND) 2006

"SCHEDULE 1 Regulation 2(1)

DEFINITIONS OF EU LEGISLATION

"Decision 2006/766" means Commission Decision 2006/766/EC establishing the lists of third countries and territories from which imports of bivalve molluscs, echinoderms, tunicates, marine gastropods and fishery products are permitted(**7**) as last amended by Decision 2009/951;
"Decision 2009/951" means Commission Decision 2009/951/EU amending Annexes I and II to Decision 2006/766/EC establishing the lists of third countries and territories from which imports of bivalve molluscs, echinoderms, tunicates, marine gastropods and fishery products are permitted(**8**);
"Directive 2004/41" means Directive 2004/41/EC of the European Parliament and of the Council repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC(**9**);
"Regulation 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(**10**) as last amended by Regulation 596/2009;
"Regulation 852/2004" means Regulation (EC) No. 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs(**11**) as amended by Regulation 219/2009 and as read with Regulation 2073/2005;
"Regulation 853/2004" means Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin(**12**) as amended by Regulation 2074/2005, Regulation 2076/2005, Regulation 1662/2006, Regulation 1791/2006, Regulation 1243/2007 and Regulation 219/2009 and as read with Directive 2004/41, Regulation 1688/2005, Regulation 2074/2005 and Regulation 2076/2005;
"Regulation 854/2004" means Regulation (EC) No. 854/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption(**13**) as amended by Regulation 882/2004, Regulation 2074/2005, Regulation 2076/2005, Regulation 1663/2006, Regulation 1791/2006 and Regulation 219/2009 and as read with Directive 2004/41, Regulation 2074/2005, Regulation 2075/2005, Regulation 2076/2005 and Decision 2006/766;
"Regulation 882/2004" means Regulation (EC) No. 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and

(**7**) OJ No. L320, 18.11.2006, p.53
(**8**) OJ No. L328, 15.12.2009, p.70
(**9**) OJ No. L157, 30.4.2004, p.33. The revised text of Directive 2004/41/EC is now set out in a Corrigendum (OJ No. L195, 2.6.2004, p.12)
(**10**) OJ No. L31, 1.2.2002, p.1
(**11**) OJ No. L139, 30.4.2004, p.1. The revised text of Regulation (EC) No. 852/2004 is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.3) which should be read with a further Corrigendum (OJ No. L204, 4.8.2007, p.26)
(**12**) OJ No. L139, 30.4.2004, p.55. The revised text of Regulation (EC) No. 853/2004 is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.22) which should be read with a further Corrigendum (OJ No. L204, 4.8.2007, p.26)
(**13**) OJ No. L139, 30.4.2004, p.206. The revised text of Regulation (EC) No. 854/2004 is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.83) which should be read with a further Corrigendum (OJ No. L204, 4.8.2007, p.26)