STATUTORY RULES OF NORTHERN IRELAND

1999 No. 284

FOOD

Food Safety (General Food Hygiene) (Amendment) Regulations (Northern Ireland) 1999

Made - - - -	*23rd June 1999*
Coming into operation	*9th August 1999*

The Department of Health and Social Services in exercise of the powers conferred on it by Article 16(1) of the Food Safety (Northern Ireland) Order 1991(**1**) and of all other powers enabling it in that behalf and after consultation in accordance with Article 47(3) of the said Order with such organisations as appear to it to be representative of interests likely to be substantially affected by these Regulations, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Food Safety (General Food Hygiene) (Amendment) Regulations (Northern Ireland) 1999 and shall come into operation on 9th August 1999.

(2) In these Regulations "the principal Regulations" means the Food Safety (General Food Hygiene) Regulations (Northern Ireland) 1995(**2**).

Amendment of regulation 2(1) of the principal Regulations

2. In regulation 2(1) of the principal Regulations (interpretation), for the words which follow the definition of "wholesomeness" there shall be substituted—

"and any other words and expressions used both in these Regulations and in the Directive, Commission Directive 96/3/EC(**3**) or Commission Directive 98/28/EC(**4**) shall have the same meaning in these Regulations as they have in those Directives.".

(**1**) S.I.1991/762 (N.I. 7) as amended by S.I. 1996/1633 (N.I. 12). See Article 2(2) for the definition of "regulations"
(**2**) S.R. 1995 No. 360; the relevant amending Regulations are S.R. 1997 No. 499
(**3**) OJ No. L21, 27.1.96, p. 42
(**4**) OJ No. L140, 12.5.98, p. 10

Amendment of paragraph 2 of Chapter IV of Schedule 1 to the principal Regulations

3. In sub-paragraph (2) of paragraph 2 of Chapter IV of Schedule 1 to the principal Regulations (transportation of certain bulk foodstuffs) after "sub-paragraphs (3) and (4)" there shall be inserted "and paragraph 2B".

Insertion of paragraphs 2B and 2C

4. After paragraph 2A of Chapter IV of Schedule 1 to the principal Regulations there shall be inserted—

"**2B.**—(1) The bulk transport of raw sugar by sea which is not intended for use as food nor as a food ingredient without a full and effective refining process is permitted in receptacles, containers or tankers that are not exclusively used for the transport of foodstuffs.

(2) The receptacles, containers or tankers referred to in sub-paragraph (1) shall be subject to the following conditions—

(a) prior to loading the raw sugar, the receptacle, container or tanker shall be effectively cleaned to remove residues of the previous cargo and other soiling and inspected to establish that such residues have been removed effectively;

(b) the immediate previous cargo prior to the raw sugar shall not have been a bulk liquid.

2C.—(1) A proprietor of a food business which is responsible for the transport of raw sugar by sea under paragraph 2B shall keep documentary evidence, accurately describing in detail the immediate previous cargo carried in the receptacle, container or tanker concerned, and the type and effectiveness of the cleaning process applied prior to the transport of the raw sugar.

(2) The documentary evidence shall accompany the consignment during all stages of transport to the refinery and a copy shall be retained by the refinery. The documentary evidence shall be marked in a clearly visible and indelible fashion, in one or more Community languages, 'This product must be refined before being used for human consumption'.

(3) On request, a proprietor of a food business responsible for the transport of the raw sugar or the refining process shall provide the competent official food control authorities with the documentary evidence referred to in sub-paragraphs (1) and (2).

(4) Raw sugar which has been transported by sea in receptacles, containers or tankers which are not exclusively reserved for the transport of foodstuffs shall be subjected to a full and effective refining process before being considered suitable for use as food or as a food ingredient.

(5) Regulation 4(3) shall apply to the transport of raw sugar by sea under paragraph 2B subject to the following modifications—

(a) the proprietor of any food business which is responsible for the transport or refining of raw sugar shall consider the cleaning process undertaken prior to the loading of the sugar for transport by sea to be a critical step in ensuring the safety and wholesomeness of food within the meaning of paragraph (3) of regulation 4; and

(b) in addition to the requirements of that paragraph, he shall also take into account the nature of the previous cargo which has been transported in any receptacle, container or tanker used for the transport of the sugar.".