1991 No. 344

FOOD

The Food Safety (Exports) Regulations (Northern Ireland) 1991

Made . . . . . *1st August 1991*

Coming into operation . . *9th September 1991*

The Department of Health and Social Services and the Department of Agriculture, being the Department concerned(**a**), in exercise of the powers conferred by Articles 15(1), (2) and (3), 16(1), 25(1) and (3) and 47(2) of, and paragraph 1 of Schedule 1 to, the Food Safety (Northern Ireland) Order 1991(**b**) and of all other powers enabling them in that behalf and after consultation in accordance with Article 47(3) of that Order with such organisations as appear to them to be representative of interests likely to be substantially affected by these Regulations, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Food Safety (Exports) Regulations (Northern Ireland) 1991 and shall come into operation on 9th September 1991.

Amendment of existing food related Regulations

2.—(1) After the last regulation in each of the Regulations specified in columns 1 and 2 of the Schedule there shall be inserted the following regulation numbered sequentially—

"*Defences in relation to exports*

In any proceedings for an offence under these Regulations it shall be a defence for the person charged to prove that the food in respect of which the offence is alleged to have been committed—

(*a*) was intended for export and complied with the importing country's domestic legislation relevant to the alleged offence; or

(*b*) was intended for export and was prepared and labelled for sale before 9th September 1991.".

(2) The provisions of the Regulations, if any, specified in column 3 of the Schedule shall be revoked.

(**a**) The Department concerned — *see* Article 2(2) of the Order
(**b**) S.I. 1991/762 (N.I. 7)

Amendment of the Materials and Articles in Contact with Food Regulations (Northern Ireland) 1987

3.—(1) After regulation 22 of the Materials and Articles in Contact with Food Regulations (Northern Ireland) 1987(**a**) there shall be inserted the following regulation—

"*Defences in relation to exports*

23. In any proceedings for an offence under these Regulations it shall be a defence for the person charged to prove that the material or article in respect of which the offence is alleged to have been committed—

(*a*) was intended for export and complied with the importing country's domestic legislation relevant to the alleged offence; or

(*b*) was intended for export and was prepared and labelled for sale before 9th September 1991.".

(2) Regulation 3(*c*) of those Regulations shall be revoked.

Sealed with the Official Seal of the Department of Health and Social Services on 31st July 1991.

(L.S.) *J. Scott*
Assistant Secretary

Sealed with the Official Seal of the Department of Agriculture on 1st August 1991.

(L.S.) *P. T. Toal*
Assistant Secretary

(a) S.R. 1987 No. 432; the relevant amending Regulations are S.R. 1991 No. 203

SCHEDULE Regulation 2

Amendments to Regulations

Column 1	Column 2	Column 3
S.R. & O./ S.R. Number	*Title*	*Provisions Revoked*
1961 No. 98	Arsenic in Food Regulations (Northern Ireland) 1961	
1961 No. 190	Skimmed Milk with Non-Milk Fat Regulations (Northern Ireland) 1961	Regulation 9(2)(*b*)
1966 No. 192	Salad Cream Regulations (Northern Ireland) 1966	Regulation 3(*a*)
1966 No. 200	Mineral Hydrocarbons in Food Regulations (Northern Ireland) 1966	Regulation 3(1)(*h*)
1966 No. 205	Butter Regulations (Northern Ireland) 1966	Regulation 3(*a*)
1967 No. 282	Solvents in Food Regulations (Northern Ireland) 1967	Regulation 3
1968 No. 3	Margarine Regulations (Northern Ireland) 1968	Regulation 3(*a*)
1968 No. 13	Ice-Cream and Other Frozen Confections Regulations (Northern Ireland) 1968	Regulation 3(*a*)
1970 No. 14	Cheese Regulations (Northern Ireland) 1970	Regulation 3(*a*)
1970 No. 194	Cream Regulations (Northern Ireland) 1970	Regulation 3(*a*)
1973 No. 466	Colouring Matter in Food Regulations (Northern Ireland) 1973	Regulation 3(*a*)
1976 No. 165	Specified Sugar Products Regulations (Northern Ireland) 1976	Regulation 3(*a*)
1976 No. 183	Cocoa and Chocolate Products Regulations (Northern Ireland) 1976	Regulation 3(*a*)
1976 No. 357	Soft Drinks Regulations (Northern Ireland) 1976	Regulation 4(1)(*a*)
1976 No. 387	Honey Regulations (Northern Ireland) 1976	Regulation 3(*a*)