1989 No. 460

FOOD

Composition and Labelling

Preservatives in Food (Amendment) Regulations (Northern Ireland) 1989

Made	*30th November 1989*
Coming into operation . .	*30th December 1989*

The Department of Health and Social Services in exercise of the powers conferred on it by Articles 6, 72 and 73 of the Food (Northern Ireland) Order 1989(**a**) and of every other power enabling it in that behalf and after consultation in accordance with Article 72(2) of that Order with such organisations as appear to it to be representative of interests substantially affected by these Regulations, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Preservatives in Food (Amendment) Regulations (Northern Ireland) 1989 and shall come into operation on 30th December 1989.

Amendment of the Preservatives in Food Regulations (Northern Ireland) 1989

2. The Preservatives in Food Regulations (Northern Ireland) 1989(**b**) shall be amended by substituting for regulation 11(3) the following paragraph—

> "(3) In any proceedings in respect of the sale before 31st December 1990 of food having in it or on it ethylene oxide contrary to regulation 4, it shall be a defence for the defendant to prove that the presence of that substance in or on that food is solely due to its use for pathogen reduction of that food in accordance with the second column of entry C in the Annex to Council Directive 79/117/EEC(**c**), as amended, prohibiting the placing on the market and use of plant protection products containing certain active substances.".

Sealed with the Official Seal of the Department of Health and Social Services on 30th November 1989.

(L.S.) *R. McMurray*
Assistant Secretary

(**a**) S.I. 1989/846 (N.I. 6)
(**b**) S.R. 1989 No. 152
(**c**) O.J. No. L33, 8.2.1979, p. 36; the relevant amending Council Directives are 86/355/EEC (O.J. No. L212, 2.8.86, p. 33), and 89/365/EEC (O.J. No. L159, 10.6.89, p. 58)