1984 No. 363

AGRICULTURE

The Fertilisers (Amendment) Regulations (Northern Ireland) 1984

Made	*22nd October 1984*
Coming into operation . . .	*18th April 1985*

The Department of Agriculture, being a Department designated(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**), in relation to the regulation and control of classification, packaging and labelling of dangerous substances and preparations, in exercise of the powers conferred by that section and after consultation with such persons or organisations as appear to it to represent the interests concerned, in exercise of the powers conferred on it by sections 66(1), 68(1), (2) and (3), 69(1), (3), (6) and (7), 70(1), 74(1), 74A(1), (2) and (4) (inserted by section 4(1) of, and paragraph 6 of Schedule 4 to the European Communities Act 1972), 84 and 86 of the Agriculture Act 1970(**c**) and of all other powers enabling it in that behalf, hereby makes the following regulations:—

Title and commencement

1. These regulations may be cited as the Fertilisers (Amendment) Regulations (Northern Ireland) 1984 and shall come into operation on 18th April 1985.

Amendment of the Fertilisers Regulations (Northern Ireland) 1977

2. The Fertilisers Regulations (Northern Ireland) 1977(**d**) are hereby amended—

(*a*) by inserting after regulation 2(2) thereof the following paragraph:

"(3) No person shall make available to any other person for the final use by that other person as a fertiliser any ammonium nitrate, as defined in column 3 of Section A of the table in Schedule 1, which is designated as an EEC fertiliser and contains more than 28% by weight of nitrogen unless the material is in a package or container which complies with the provisions of paragraph 3 of Part II of Schedule 2.";

(*b*) by inserting after regulation 11 thereof the following cross-heading and regulation:

"*Enforcement*

11A. In so far as any provision of these regulations is made under section 2(2) of the European Communities Act 1972 that provision shall be enforced as if it were made under those provisions of the Agriculture Act 1970 under which the other provisions of these regulations are made, and the provisions of Part IV of the said Agriculture Act and of section 110 thereof and of any regulations made or to be made under the said Part IV shall apply thereto accordingly.";

(**a**) S.I. 1976/897
(**b**) 1972 c. 68
(**c**) 1970 c. 40; section 74A was inserted by s. 4(1) of, and paragraph 6 of Schedule 4 to the European Communities Act 1972 (c. 68) and the Act was amended by the Agriculture Act 1970 Amendment Regulations 1982 (S.I. 1982/980)
(**d**) S.R. 1977 No. 288, to which there are amendments not relevant to these regulations