
STATUTORY INSTRUMENTS

1996 No. 1633 (N.I. 12)

The Food Safety (Amendment) (Northern Ireland) Order 1996

- - - - - 26th June 1996

Title and commencement

- 1.—(1) This Order may be cited as the Food Safety (Amendment) (Northern Ireland) Order 1996.
(2) This Order shall come into operation on the expiration of 2 months from the day on which it is made.

Interpretation

- 2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.
(2) In this Order “the principal Order” means the Food Safety (Northern Ireland) Order 1991.

Department of Agriculture

- 3.—(1) In Article 2(2) of the principal Order (interpretation)—
Sub#para. (a) rep. by 1999 c. 28
(b) the definitions of “dairy farm”, “liquid milk plant” and “novel” shall cease to have effect.
(2) For Article 26(1) of the principal Order (enforcement of the Order) there shall be substituted—
 “(1) Subject to paragraph (1A), the provisions of this Order shall be enforced and executed by each district council within its district.
 (1A) The Department of Agriculture shall enforce and execute such provisions of this Order as may be specified by order.” .

Regulations with respect to importation of particular foods

- 4.—(1) In Article 17 of the principal Order (special provisions for particular foods)—
(a) in paragraph (1)—
 (i) at the end of sub-paragraph (a) the word “or” shall be omitted;
 (ii) after sub-paragraph (b) there shall be inserted—
 “or
 (c) for prohibiting the importation of any food of a class so specified,” ;
 (iii) for the words “in either case” there shall be substituted “ (in each case) ”;

- (iv) at the end there shall be inserted “ and in the case of a prohibition on importation, is imported at an authorised place of entry ”;
- (b) after paragraph (2) there shall be inserted—
 - “(2A) In this Article—
 - “authorised place of entry” means any port, aerodrome or other place of entry authorised by or under the regulations and, in relation to food in a particular consignment, includes any place of entry so authorised for the importation of that consignment;
 - “novel food” means any food which has not previously been used for human consumption in Northern Ireland, or has been so used to a very limited extent.” .
- (2) Article 46 of the principal Order shall cease to have effect.

Registration of food premises

5. In Article 18(1)(a) of the principal Order (registration and licensing of food premises) after “councils” there shall be inserted “ or, as the case may be, the Department of Agriculture ”.

Food hygiene training

- 6. In Article 22 of the principal Order (provision of food hygiene training)—
 - (a) in paragraph (1) for the words from the beginning to “district” in the second place where it occurs there shall be substituted “ The Department of Agriculture or, as the case may be, a district council (whether within or outside its district) may provide ”;
 - (b) paragraph (2) shall cease to have effect;
 - (c) in paragraph (3) the words “or (2)” shall cease to have effect.

Enforcement of the Order, analysts and appeals

7.—(1) In Article 2(2) of the principal Order (interpretation), in the definition of “authorised officer”, after sub-paragraph (b), there shall be inserted—

- “(c) in the case of duties imposed on the Department concerned by virtue of a direction under Article 26(2), a person who is generally or specially authorised in writing by the Department concerned for the purposes of that direction;” .
- (2) In Article 26 of the principal Order (enforcement of the Order)—
 - (a) in paragraph (2) for “The Department” there shall be substituted “ The Department concerned ” and for “the Department” there shall be substituted “ that Department or any person who is generally or specially authorised in writing by that Department ”;
 - (b) in paragraph (4)—
 - Head (i) rep. by 1999 c. 28*
 - (ii) the word “such” shall cease to have effect;
 - (iii) at the end there shall be added “ under any provisions of this Order or any regulations or orders made under it ”;
 - (c) paragraph (5) shall cease to have effect.
- (3) In Article 27(6) of the principal Order (appointment of analysts by the Department of Agriculture) for “conferred on that Department by” there shall be substituted “ of that Department under ”.
- (4) After Article 37(2) of the principal Order there shall be inserted—