



STATUTORY INSTRUMENTS.

S.I. No. 472 of 2012

EUROPEAN UNION (SPECIAL CONDITIONS GOVERNING THE
IMPORT OF CERTAIN FOODSTUFFS FROM CERTAIN THIRD
COUNTRIES DUE TO CONTAMINATION RISK BY AFLATOXINS)
(AMENDMENT) REGULATIONS 2012

EUROPEAN UNION (SPECIAL CONDITIONS GOVERNING THE
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COUNTRIES DUE TO CONTAMINATION RISK BY AFLATOXINS)
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I, JAMES REILLY, Minister for Health, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving effect to Commission Implementing Regulation (EU) No. 274/2012 of 27 March 2012¹, hereby make the following regulations:

1. These Regulations may be cited as the European Union (Special Conditions Governing the Import of Certain Foodstuffs from Certain Third Countries Due to Contamination Risk by Aflatoxins) (Amendment) Regulations 2012.

2. In these Regulations, “Principal Regulations” means the European Union (Special Conditions Governing the Import of Certain Foodstuffs from Certain Third Countries Due to Contamination Risk by Aflatoxins) Regulations 2011 (S.I. No. 650 of 2011).

3. Regulation 2(1) of the Principal Regulations is amended by substituting for the definition of “EC Regulation 1152/2009” the following:

“‘EC Regulation 1152/2009’ means Commission Regulation (EC) No. 1152/2009 of 27 November 2009², as amended by Commission Implementing Regulation (EU) No. 274/2012 of 27 March 2012¹.”.

4. Regulation 7 of the Principal Regulations is amended—

(a) in paragraph (1), by substituting “Subject to paragraphs (2) and (3), in the case of foodstuffs” for “In the case of foodstuffs”,

(b) in paragraph (1)(j), by deleting “save where the foodstuffs are those referred to in Article 1(1)(g) of EC Regulation 1152/2009”,

(c) in paragraph (2), by substituting “Article 1(1)(b) to (f)” for “Article 1(1)(b) to (g)”, and

(d) by inserting after paragraph (2) the following paragraph:

“(3) Notwithstanding paragraph (1)(j) and (k) and Article 7(2) of EC Regulation 1152/2009, foodstuffs referred to in Article 1(1)(f) of EC Regulation 1152/2009 which have left the United States of America

¹OJ No. L 90, 28.3.2012, p. 14.

²OJ No. L 313, 28.11.2009, p. 40.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 4th December, 2012.*

before 18 April 2012 and which are not accompanied by the Voluntary Aflatoxin Sampling Plan certificate, shall be subject to a physical check, including sampling and analysis.”



GIVEN under my Official Seal,
29 November 2012.

JAMES REILLY,
Minister for Health.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation).

These Regulations give effect to Commission Implementing Regulation (EU) No. 274/2012 of 27 March 2012.

These Regulations amend the European Union (Special Conditions Governing the Import of Certain Foodstuffs from Certain Third Countries Due to Contamination Risk by Aflatoxins) Regulations 2011 (S.I. No. 650 of 2011) in the manner specified in these Regulations.

These Regulations may be cited as the European Union (Special Conditions Governing the Import of Certain Foodstuffs from Certain Third Countries Due to Contamination Risk by Aflatoxins) (Amendment) Regulations 2012.

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