

# **STATUTORY INSTRUMENTS**

**S.I. No. 874 of 2004**

**European Communities (Fresh Meat) (Amendment) Regulations 2004**

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## S. I. No. 874 of 2004

### European Communities (Fresh Meat) (Amendment) Regulations 2004

I, Mary Coughlan, Minister for Agriculture and Food, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), for the purpose of giving effect to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002<sup>1</sup>, hereby make the following regulations –

1. These Regulations may be cited as the European Communities (Fresh Meat) (Amendment) Regulations 2004.

2. The European Communities (Fresh Meat) Regulations 1996 (S.I. No. 434 of 1997) are amended –

(a) in Regulation 2 (1), by substituting for the definition of “consumer” the following definition:

“ ‘consumer’ means the ultimate consumer of a meat product and other products of animal origin who will not use the product as part of any food business operation or activity;”,

(b) in Regulation 2 (1), by inserting after the definition of “establishment” the following definitions:

“ ‘health board’ means -

(a) a health board established under the Health Act 1970 (No. 1 of 1970),

(b) the Eastern Regional Health Authority established under section 7 of the Health (Eastern Regional Health Authority) Act 1999 (No. 13 of 1999), or

(c) an Area Health Board established under section 14 of the Health (Eastern Regional Health Authority) Act 1999;

‘local authority’ means -

(a) the corporation of a county borough, or

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<sup>1</sup> O.J. No. L 31 of 1.2.2002, p.1

(b) the council of administrative county,

and the functional area of a local authority for the purposes of these Regulations is the county borough, or as the case may be, the administrative county of that authority;”,

(c) in Regulation 2 (1), by inserting, after the definition of “premises” the following definition:

“ ‘retail’ has the same meaning as in Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002;”,

(d) in Regulation 16 by substituting for paragraphs (1) and (2) the following:

“16. (1) (a) The Minister may appoint such and so many persons as he or she thinks fit to be authorised officers for the purposes of these Regulations.

(b) A local authority may appoint such and so many of its officers as it thinks fit to be authorised officers for the purposes of these Regulations.

(c) A health board may appoint such and so many of its officers as it thinks fit to be authorised officers for the purposes of these Regulations.

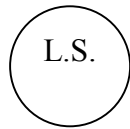
(1A) Every local authority and health board may exercise its functions under these Regulations within its functional area and, where two or more of them have by agreement duly provided pursuant to any other enactment for -

(a) the joint discharge of any of their respective functions under these Regulations or

(b) the exercise by one or more of them on behalf of others of them of any of their functions under these Regulations may also exercise those functions in the functional areas concerned as provided for in that agreement.

(2) An authorised officer shall be furnished with a warrant of his or her appointment as an authorised officer and when

exercising any power conferred on him or her such officer shall, if requested by any person affected, produce the warrant to that person.”.



**GIVEN** under my Official Seal,

22 December 2004

Mary Coughlan  
Minister for Agriculture and Food

#### **EXPLANATORY NOTE**

(This note is not part of the instrument and does not purport to be a legal document)

The purpose of these Regulations is to give effect to Regulation (EC) No. 178/2002 of the European Parliament and of the Council on food safety.