

S.I. No. 580/2002 — Food Safety Authority of Ireland Act, 1998 (Amendment of First and Second Schedules) Order, 2002

Statutory Instrument

S.I. No. 580 of 2002 .

Food Safety Authority of Ireland Act, 1998 (Amendment of First and Second Schedules) Order, 2002.

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I, Tim O'Malley, Minister of State at the Department of Health and Children, in exercise of the powers conferred on me by Section 5 of the Food Safety Authority of Ireland Act, 1998 (No. 29 of 1998), after consultation with the Minister for Communications, Marine and Natural Resources, the Minister For Agriculture and Food, and the Minister for Enterprise Trade and Employment hereby order as follows:

1. This Order may be cited as the Food Safety Authority of Ireland Act, 1998 (Amendment of First and Second Schedules) Order, 2002.
2. Part I of the First Schedule to the Food Safety Authority of Ireland Act, 1998 (No.29 of 1998) , is amended by

The addition of “Irish Whiskey Act, 1980 (No. 33 of 1980)”;

The addition of “Animal Remedies Act, 1993 (No. 23 of 1993)” (other than Sections 4 and 5).

3. Part II of the First Schedule to the Food Safety Authority of Ireland Act, 1998 (No.29 of 1998) , is amended by

The deletion of “Health (Arsenic and Lead in Food), 1972 (S.I. No. 44 of 1972)”;

The deletion of “European Communities (Suspension of Imports of Pistachios and Certain Products Derived from Pistachios Originating in or Consigned from Iran) Regulations, 1997 (S.I. No. 432 of 1997)”;

The deletion of “European Communities (General Provisions on the Control of Additives, and in particular Colours and Sweeteners for use in Foodstuffs) Regulations, 1995 (S.I. No. 344 of 1995)”

The substitution for “European Communities (Egg Products) Regulations, 1991 (S.I. No. 293 of 1991)” of “European Communities (Egg Products) Regulations 1991 and 1992”;

The substitution for “European Communities (Labelling, Presentation and Advertising of Foodstuffs) Regulations, 2000 (S.I. No. 92 of 2000)” of “European Communities (Labelling, Presentation and Advertising of Foodstuffs) Regulations, 2002 (S.I. No. 483 of 2002)”;

The addition of “European Communities (Importation of Animals and Animal Products from Third Countries) Regulations, 1994 (S.I. No. 255 of 1994)”;

The addition of “European Communities (Trade in Animals and Animal Products) Regulations, 1994 (S.I. No.289 of 1994) (other than Regulation 5)”;

The addition of “European Communities (Zoonoses) Regulations, 1996 (S.I. No.2 of 1996)”;

The addition of “European Communities (Trade in Certain Animal Products) Regulations, 1996 (S.I. No. 102 of 1996) (Other than Regulation 4, 6, 8-9, 12-13, 15-19)”;

The addition of “Control of Animal Remedies and their Residues Regulations, 1998 (S.I. No. 507 of 1998) (other than Regulations 3-5, 10-14, 20-21, 24)”;

The addition of “European Communities (Veterinary Checks on Products Imported from Third Countries) Regulations, 2000 (S.I. No. 292 of 2000)”;

The addition of “European Communities (Specified Risk Material) Regulations, 2000 (S.I. No. 332 of 2000)”;

The addition of “European Communities (Labelling of Beef and Beef Products) Regulations, 2000 (S.I. No.435 of 2000)”;

The addition of “European Communities (Specified Risk Material) Regulations, 2001 (S.I. No. 24 of 2001)”;

The addition of “European Communities (Gelatine) Regulations, 2002 (S.I. No. 4 of 2002)”;

The addition of “European Communities (Control on Imports of Animal Products from China) Regulations 2002 (S.I. No. 141 of 2002)”;

The addition of “European Communities (Suspending the Placing on the Market, the Importation and the Use in Manufacture of Jelly Confectionary Containing the Food Additive E425 Konjac) Regulations, S.I. No. 442 of 2002 ”;

4. Part III of the First Schedule to the Food Safety Authority of Ireland Act, 1998 (No. 29 of 1998) , is amended by

The deletion of “Commission Regulation (EC) No. 194/97¹ of 31 January 1997 setting maximum levels for certain contaminants in foodstuffs”;

The addition of “Council Regulation (EC) No. 1139/98² of 26 May 1998 concerning the compulsory indication of the labelling of certain foodstuffs produced from genetically modified organisms of particulars other than those provided for in Directive 79/112/EEC, as amended”;

The addition of “Commission Regulation (EC) No. 50/2000³ of 10 January 2000 on the labelling of foodstuffs and food ingredients containing additives and flavourings that have been genetically modified or have been produced from genetically modified organisms”;

The addition of “Council Regulation (EC) No. 999/2001 of the European Parliament and of the Council⁴ of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (other than Articles 5, 7, 11-15, 17-21, 24-25) as amended”;

The addition of “Commission Regulation (EC) No. 178/2002 of the European Parliament and of the Council⁵ of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety”.

5. The Second Schedule to the Food Safety Authority of Ireland Act, 1998 (No. 29 of 1998) , is amended by the inclusion of “The Marine Institute”.

GIVEN under my hand

This 13th day of December, 2002.

Tim O'Malley, T.D.

Minister of State at the Department of
Health and Children

Explanatory Note

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

The effect of this Order is to amend the First and Second Schedules to the Food Safety Authority of Ireland Act. Since the Schedules were last amended in June 2000 (S.I. No. 184 of 2000) new food legislation has been passed and existing legislation has been amended or revoked. In effect this Order updates the list of food legislation contained in the First Schedule. It also updates the Second Schedule to include the Marine Institute

as an official agency.

For ease of reading, a list of all food legislation is included below:

FOOD SAFETY AUTHORITY OF IRELAND ACT, 1998

FIRST SCHEDULE

PART I

ACTS

Abattoirs Act, 1988 (No. 8 of 1998)

Agricultural Produce (Fresh Meat) Acts, 1930 to 1988

Agricultural Produce (Meat) (Miscellaneous Provisions) Act, 1954 (No. 33 of 1954)

Agricultural Produce (Meat) (Miscellaneous Provisions) Act, 1978 (No. 13 of 1978)

Animal Remedies Act, 1993 (No. 23 of 1993) (other than Sections 4-5)

Butter and Margarine Act, 1907 (7 Edw. 7.c.21)

Food Standards Act, 1974 (No. 11 of 1974)

Health Act, 1947 (No. 28 of 1947)

Irish Whiskey Act, 1980 (No. 33 of 1980)

Margarine Act, 1887 (50 & 51 Vict. C.29)

Pigs and Bacon Acts, 1935 to 1988

Poisons Act, 1961 (No. 12 of 1961)

Sale of Food & Drugs Acts, 1875 to 1936

PART II
STATUTORY INSTRUMENTS

European Communities (Erucic Acid in Food) (Method of Analysis) Regulations, 1982 (S.I. No. 271 of 1982)

European Communities (Food Additives) (Purity Criteria Verification) Regulations, 1983 (S.I. No. 60 of 1983)

European Communities (Vinyl Chloride in Food) (Method of Analysis) Regulations, 1984 (S.I. No. 92 of 1984)

European Communities (Natural Mineral Waters) Regulations, 1986 (S.I. No. 11 of 1986)

European Communities (Egg Products) Regulations, 1991 and 1992

European Communities (Materials and Articles Intended to Come Into Contact With Foodstuffs) Regulations, 1991 (S.I. No. 307 of 1991)

European Communities (Flavourings for Use in Foodstuffs for Human Consumption) Regulations, 1992 (S.I. No. 22 of 1992)

European Communities (Marketing Standards for Eggs) Regulations, 1992 (S.I. No. 254 of 1992)

European Communities (Importation of Animals and Animal Products from Third Countries) Regulations, 1994 (S.I. No.255 of 1994)

European Communities (Trade in Animals and Animal Products) Regulations, 1994 (S.I. No.289 of 1994) (other than Regulation 5)

European Communities (Rabbitmeat and Farmed Game Meat) Regulations, 1995 (S.I. No. 278 of 1995)

European Communities (Wild Game Meat) Regulations, 1995 (S.I. No. 298 of 1995)

European Communities (Quick-frozen Foodstuffs) Regulations, 1992 and 1995

European Communities (Zoonoses) Regulations, 1996 (S.I. No. 2 of 1996)

European Communities (Fresh Poultrymeat) Regulations, 1996 (S.I. No. 3 of 1996)

European Communities (Hygienic Production and Placing on the Market of Raw Milk, Heat-Treated Milk and Milk-based Products) Regulations, 1996 (S.I. No. 9 of 1996) (other than Regulations 6 to 11)

European Communities (Trade in Certain Animal Products) Regulations, 1996 (S.I. No. 102 of 1996) (Other than Regulation 4, 6, 8-9, 12-13, 15-19)

European Communities (Live Bivalve Molluscs) (Health Conditions for Production and Placing on the Market) Regulations, 1996 (S.I. No. 147 of 1996)

European Communities (Fishery Products) (Health Conditions and Hygiene Rules for Production and Placing on the Market) Regulations, 1996 (S.I. No. 170 of 1996)

European Communities (Minced meat and Meat Preparations) Regulations, 1996 (S.I. No. 243 of 1996)

European Communities (Meat Products and Other Products of Animal Origin) Regulations, 1995 and 1997

European Communities (Fresh Meat) Regulations, 1997 (S.I. No. 434 of 1997)

European Communities (Official Control of Foodstuffs) Regulations, 1998 (S.I. No. 85 of 1998)

European Communities (Official Control of Foodstuffs) (Approved Laboratories) Order, 1998 (S.I. No. 95 of 1998)

European Communities (Foods Intended for Use in Energy-Restricted Diets for Weight Reduction) Regulations, 1998 (S.I. No. 242 of 1998)

European Communities (Infant Formulae and Follow-on Formulae) Regulations, 1998 (S.I. No. 243 of 1998)

Control of Animal Remedies and their Residues Regulations, 1998 (S.I. No. 507 of 1998) (other than Regulations 3-5, 10-14, 20-21, 24)

European Communities (Purity Criteria on Food Additives other than Colours and Sweeteners) Regulations, 1998 (S.I. No. 541 of 1998)

European Communities (Pesticide Residues) (Fruit and Vegetables) Regulations, 1989 to 1998

European Communities (Pesticide Residues) (Products of Plant Origin, including Fruit and Vegetables) Regulations, 1999 (S.I. No. 179 of 1999)

European Communities (Pesticide Residues) (Foodstuffs of Animal Origin) Regulations, 1999 (S.I. No. 180 of 1999)

European Communities (Pesticide Residues) (Cereals) Regulations, 1999 (S.I. No. 181 of 1999)

European Communities (Food Additives other than Colours and Sweeteners) Regulations, 1999 (S.I. No. 288 of 1999)

Radiological Protection Act, 1991 (Ionising Radiation) Order, 2000 (S.I. No. 125 of 2000)

European Communities (Extraction Solvents in Foodstuffs and Food Ingredients) Regulations, 2000 (S.I. No. 141 of 2000)

European Communities (Processed Cereal-Based Foods and Baby Foods for Infants and Young Children) Regulations, 2000 (S.I. No. 142 of 2000)

European Communities (Hygiene of Foodstuffs) Regulations, 2000 (S.I. No. 165 of 2000)

European Communities (Veterinary Checks on Products Imported from Third Countries) Regulations, 2000 (S.I. No. 292 of 2000)

European Communities (Specified Risk Material) Regulations, 2000 (S.I. No. 332 of 2000)

European Communities (Labelling of Beef and Beef Products) Regulations, 2000 (S.I. No. 435 of 2000)

European Communities (Additives, Colours and Sweeteners in Foodstuffs) Regulations, 2000 (S.I. No. 437 of 2000)

European Communities (Specified Risk Material) Regulations, 2001 (S.I. No. 24 of 2001)

European Communities (Gelatine) Regulations, 2002 (S.I. No. 4 of 2002)

European Communities (Control on Imports of Animal Products from China) Regulations 2002 (S.I. No. 141 of 2002)

European Communities (Suspending the Placing on the Market, the Importation and the Use in Manufacture of Jelly Confectionary containing the Food Additive E425 Konjac) Regulations, 2002 (S.I. No. 442 of 2002)

European Communities (Labelling, Presentation and Advertising of Foodstuffs) Regulations, 2002 (S.I. No. 483 of 2002)

PART III

REGULATIONS OF AN INSTITUTION OF THE EUROPEAN COMMUNITIES

Commission Regulation (EC) No 315/93⁶ of 8 February 1993 laying down Community procedures for contaminants in food

Regulation (EC) No. 258/97 of the European Parliament and of the Council⁷ of 27 January 1997 concerning novel foods and novel food ingredients

Council Regulation (EC) 1139/98⁸ of 26 May 1998 concerning the compulsory indication of the labelling of certain foodstuffs produced from genetically modified organisms of particulars other than those provided for in Directive 79/112/EEC, as amended

Commission Regulation (EC) 50/2000⁹ of 10 January 2000 on the labelling of foodstuffs and food ingredients containing additives and flavourings that have been genetically modified or have been produced from genetically modified organisms

Council Regulation (EC) 999/2001 of the European Parliament and of the Council¹⁰ of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (other than Articles 5, 7, 11-15, 17-21, 24-25) as amended

Commission Regulation (EC) 178/2002 of the European Parliament and of the Council¹¹ of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety

Section 2.

OFFICIAL AGENCIES

Each of the following shall be an official agency for the purposes of this Act:

the Director of Consumer Affairs,

a health board,

a local authority,

the Marine Institute

the Minister for Agriculture and Food,

the Minister for Health and Children,

the Minister for the Environment and Local Government,

the Minister for the Marine and Natural Resources,

the Radiological Protection Institute of Ireland,

the State Laboratory.

**Regulations made under the European Communities Act, 1972 after the
Establishment Day and Deemed to be Food Legislation for the purposes of the
Food Safety Authority of Ireland Act, 1998 .**

European Communities (Foodstuffs Treated with Ionising Radiation) Regulations, 2000 (S.I. No. 297 of 2000)

European Communities (Additives, Colours and Sweeteners in Foodstuffs) Regulations, 2000 (S.I. No. 437 of 2000)

European Communities (Dietary Foods for Special Medical Purposes) Regulations, 2001 (S.I. No. 64 of 2001)

European Communities (Certain Contaminants in Foodstuffs) Regulations, 2001 (S.I. No. 400 of 2001)

European Communities (Sampling Methods and the Methods of Analysis of the Official Control of the levels of Certain Contaminants in Foodstuffs) Regulations, 2001 (S.I. No. 401 of 2001)

European Communities (Imposing Special Conditions on the Import of Figs, Hazelnuts and Pistachios and Certain Products Derived thereof Originating in or Consigned from Turkey) Regulations, 2002 (S.I. No. 79 of 2002)

European Communities (Import from Third Countries of Star Anise) Regulations, 2002 (S.I. No. 80 of 2002)

European Communities (Import of Peanuts and Certain Products Derived from Peanuts Originating in or Consigned from China) Regulations, 2002 (S.I. No. 81 of 2002)

European Communities (Foodstuffs Intended for Particular Nutritional Uses) Regulations, 2002 (S.I. No. 379 of 2002)

¹O.J. No. L 031 of 01.02.1997, p 48

²O.J. No. L 159 of 03.06.1998, p 4 - 7

³O.J. No. L 006 of 11.01.2000, p 15 - 17

⁴O.J. No. L147 of 31.05.2001, p. 1 - 40

⁵O.J. No. L 031 of 01.02.2002, p. 1 - 24

⁶O.J. No. L037 of 13.02.1993, p. 1

⁷O.J. No. L043 of 14.02.1997, p. 1

⁸O.J. No. L 159 of 03.06.1998, p 4 - 7

⁹O.J. No. L 006 of 11.01.2000, p 15 - 17

¹⁰O.J. No. L147 of 31.05.2001, p. 1 - 40

¹¹O.J. No. L 031 of 01.02.2002, p. 1 - 24