



STATUTORY INSTRUMENTS.

S.I. No. 379 of 2010



EUROPEAN COMMUNITIES (TRADITIONAL SPECIALITIES
GUARANTEED) REGULATIONS 2010

(Prn. A10/1126)

EUROPEAN COMMUNITIES (TRADITIONAL SPECIALITIES
GUARANTEED) REGULATIONS 2010

I, BRENDAN SMITH, Minister for Agriculture, Fisheries 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 full effect to Council Regulation (EC) No. 509/2006 of 20 March 2006¹ and Commission Regulation (EC) No. 1216/2007 of 18 October 2007², hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Traditional Specialities Guaranteed) Regulations 2010.

2. (1) In these Regulations—

“authorised officer” means—

- (a) a member of the Garda Síochána,
- (b) an officer of Customs and Excise,
- (c) an authorised officer within the meaning of the European Communities (Labelling, Presentation and Advertising of Foodstuffs) Regulations 2002 (S.I. No. 482 of 2002), or
- (d) an authorised officer within the meaning of the European Communities (Agriculture, Fisheries and Food) (Compliance) Regulations 2009 (S.I. No. 424 of 2009);

“Minister” means Minister for Agriculture, Fisheries and Food;

“Traditional Speciality Regulations” means Council Regulation (EC) No. 509/2006 of 20 March 2006 and Commission Regulation (EC) No. 1216/2007 of 18 October 2007.

(2) A word or expression that is used in the Traditional Speciality Regulations and that is also used in these Regulations has, in these Regulations, the same meaning as in the Traditional Speciality Regulations.

3. A person who sells, supplies, labels or advertises an agricultural product or foodstuff as a traditional speciality unless the details of the product or foodstuff are entered in the register maintained for the purposes of the Traditional Speciality Regulations commits an offence.

¹OJ. L.93 of 31.3.2006, p.1

²O.J. L.275 of 19.10.2007 p.3

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 3rd August, 2010.*

4. A person who commits an offence under Regulation 3 is liable—
 - (a) on summary conviction to a fine of not more than €5,000 or a term of imprisonment not exceeding 6 months or to both, or
 - (b) on conviction on indictment to a fine of not more than €100,000 or a term of imprisonment not exceeding 2 years or to both.
5. A summary offence under these Regulations may be prosecuted by—
 - (a) the Minister,
 - (b) the Revenue Commissioners, or
 - (c) the Health Service Executive.
6. (1) In proceedings, evidence of an act of the institutions of the European Communities may be given by production of a copy of the act certified by an officer of a person specified in Regulation 5 to be a copy of the act, and it is not necessary to prove the signature of the officer or that he or she is an officer of the person.

(2) Paragraph (1) is in addition to and not in substitution for the European Communities (Judicial Notice and Documentary Evidence) Regulations 1972 (S.I. No. 341 of 1972).
7. The European Communities (Agriculture, Fisheries and Food) (Compliance) Regulations 2009 (S.I. No. 424 of 2009) apply to these Regulations.
8. The European Communities (Certificates of Specific Character for Agricultural Products and Foodstuffs) Regulations 1995 (S.I. No. 149 of 1995) are revoked.



GIVEN under my Official Seal,
26 July 2010.

BRENDAN SMITH,
Minister for Agriculture, Fisheries and Food.

EXPLANATORY NOTE

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

These Regulations implement the provisions of Council Regulation (EC) No. 509/2006 of 20 March 2006 and Commission Regulation (EC) No. 1216/2007 of 18 October 2007 on the protection of traditional speciality foodstuffs to provide for creation of offences, the appointment of authorised officers and to confer powers of entry on authorised officers. These Regulations should be read together with the Council and Commission Regulations.

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