

2013 No. 39

FOOD

**The Food (Miscellaneous Amendment and Revocation)
Regulations (Northern Ireland) 2013**

Made - - - - - *26th February 2013*

Coming into operation - *6th April 2013*

The Department of Health, Social Services and Public Safety^(a) makes the following Regulations in exercise of the powers conferred by Articles 15(1) and (3), 16(1), 25(1) and (3) and 47(2)(c) and (3) of the Food Safety (Northern Ireland) Order 1991^(b).

In accordance with Article 47(3A) of the Food Safety (Northern Ireland) Order 1991, it has had regard to relevant advice given by the Food Standards Agency.

As required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council 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^(c) there has been open and transparent public consultation during the preparation and evaluation of these Regulations.

Citation and commencement

1. These Regulations may be cited as the Food (Miscellaneous Amendment and Revocation) Regulations (Northern Ireland) 2013 and come into operation on 6th April 2013.

Amendment of the Food Labelling Regulations (Northern Ireland) 1996

2.—(1) The Food Labelling Regulations (Northern Ireland) 1996^(d) are amended in accordance with paragraph (2).

(2) In regulation 50 (15)(b) (transitional provision) substitute —

“(b) the matters constituting the alleged offence would not have constituted an offence under these Regulations if the amendments made by paragraphs (1) to (5) and (7) of regulation 2 of the Food Labelling (Declaration of Allergens) Regulations (Northern Ireland) 2008^(e) had not been in operation when the food was sold.”.

(a) Formerly the Department of Health and Social Services; see S.I. 1999/283 (N.I.1) Article 3(6)

(b) S.I. 1991/762 (N.I.7) as amended by S.I. 1996/1663 (N.I. 12), paragraphs 26 to 42 of Schedule 5 and Schedule 6 to the Food Standards Act 1999 c.28 and S.R. 2004 Nos. 482 and 505

(c) OJ No. L31, 1.2.2002, p.1, as last amended by Regulation (EC) No. 596/2009 of the European Parliament and of the Council adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC with regard to the regulatory procedure with scrutiny: Adaptation to the regulatory procedure with scrutiny – Part Four (OJ No. L 188, 18.7.2009, p.14)

(d) S.R. 1996 No. 383, to which the relevant amending rules are S.R. 2008 No. 198, S.R. 2009 No. 362 and S.R. 2011 No. 45

(e) S.R. 2008 No. 198

Revocations

3. The following Regulations are revoked —

- (a) The Arsenic in Food Regulations (Northern Ireland) 1961**(a)**;
- (b) The Arsenic in Food (Amendment) Regulations (Northern Ireland) 1973**(b)**;
- (c) The Chloroform in Food Regulations (Northern Ireland) 1980**(c)**; and
- (d) The Ungraded Eggs (Hygiene) Regulations (Northern Ireland) 1990**(d)**

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 26th February 2013.



Andrew McCormick

A senior officer of the Department of Health, Social Services and Public Safety

(a) S.R. 1961 No. 98
(b) S.R. 1973 No. 197
(c) S.R. 1980 No. 75
(d) S.R. 1990 No. 250

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make a further amendment to regulation 50(15) of the Food Labelling Regulations (Northern Ireland) 1996 (S.R. 1996 No. 383) in order to correct an error in a previous amending rule (S.R. 2011 No. 45).

In addition these Regulations revoke —

- (a) The Arsenic In Food Regulations (Northern Ireland) 1961 (S.R. 1961 No. 98) and their amending rule;
- (b) The Chloroform in Food Regulations (Northern Ireland) 1980 (S.R. 1980 No. 75); and
- (c) The Ungraded Eggs (Hygiene) Regulations (Northern Ireland) 1990 (S.R. 1990 No. 250).

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