

**2013 No. 180**

**AGRICULTURE**

**FOOD**

**The Specified Products from China (Restriction on First Placing  
on the Market) (Amendment) Regulations (Northern Ireland)  
2013**

*Made* - - - - *2nd July 2013*

*Coming into operation* - *4th July 2013*

The Department of Health, Social Services and Public Safety(a) makes the following Regulations in exercise of the powers conferred on it by section 2(2) of the European Communities Act 1972 (b).

The Department of Health, Social Services and Public Safety has been designated for the purposes of that section in relation to measures relating to food (including drink) including the primary production of food and measures relating to feed produced for or fed to food-producing animals(c).

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Specified Products from China (Restriction on First Placing on the Market) (Amendment) Regulations (Northern Ireland) 2013 and come into operation on 4th July 2013.

(2) The Interpretation Act (Northern Ireland) 1954(d) applies to these Regulations as it applies to an Act of the Assembly.

**Amendment of the Specified Products from China (Restriction on First Placing on the Market) Regulations (Northern Ireland) 2008**

2.—(1) The Specified Products from China (Restriction on First Placing on the Market) Regulations (Northern Ireland) 2008(e) are amended in accordance with paragraphs (2) to (4).

(2) In regulation 2(1) (Interpretation) after “Decision 2008/289/EC” insert “, as amended by Commission Implementing Decision 2013/287/EU.” (f)

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(a) Formerly the Department of Health and Social Services see S.I. 1999/283 (N.I.1) Article 3(6)  
(b) 1972 c. 68  
(c) S.I. 2003/2901  
(d) 1954 c.33 (N.I.)  
(e) S.R. 2008 No. 171 was amended by S.R. 2012 No. 3  
(f) OJ L 162 14.6.2013, p. 10

(3) In regulation 3(1)(a) (Restriction on placing on the market of rice products) after the words “specified in” insert “Article 3 and”.

(4) For regulation 8 substitute—

**“Transitional provision**

**8.**—(1) Until 5th August 2013, the prohibition in regulation 3(1) does not apply in relation to any rice product, other than a rice product which corresponds to CN Codes 1905 90 60, 1905 90 90 or 2103 90 90, provided that—

- (a) the product arrived in the Union before 4 July 2013; and
- (b) the placing on the market of the product would not have constituted an offence under these Regulations as they stood immediately before the coming into operation of the Specified Products from China (Restriction on First Placing on the Market) (Amendment) Regulations (Northern Ireland) 2013.

(2) Until 5th October 2013, the prohibition in Regulation 3(1) does not apply in relation to a rice product which corresponds to CN Codes 1905 90 60, 1905 90 90 or 2103 90 90.”.

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 2nd July 2013.



*Julie Thompson*

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

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which come into operation on 4th July 2013, amend the Specified Products from China (Restriction on First Placing on the Market) Regulations (Northern Ireland) 2008 (the “2008 Regulations”) in order to implement Commission Implementing Decision 2013/287/EU amending Implementing Decision 2011/884/EU on emergency measures regarding unauthorised genetically modified rice in rice products originating from China.

Decision 2013/287/EU adds additional categories of rice products to those that are subject to import restrictions and modifies those restrictions.

In particular, these Regulations amend the 2008 Regulations by—

- (a) in regulation 2, modifying the definition of the Commission Decision to take account of Decision 2013/287/EU (*regulation 2(2)*);
- (b) amending regulation 3(1), which concerns the conditions under which rice products originating from China may be placed on the market (*regulation 2(3)*);
- (c) as regulation 8, adding a provision implementing the transitional arrangements contained in Article 9 of Decision 2011/884/EU as amended by Article 1 of Decision 2013/287/EU (*regulation 2(4)*).

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£4.00

N5889 07/2013 435889T 19585

ISBN 978-0-337-99154-7



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