

2007 No. 56

FOOD, ENGLAND

The Food Hygiene (England) (Amendment) Regulations 2007

Made - - - - *9th January 2007*

Laid before Parliament *17th January 2007*

Coming into force *14th February 2007*

The Secretary of State makes the following Regulations in exercise of the powers conferred on her by section 2(2) of the European Communities Act 1972(a).

The Secretary of State has been designated for the purposes of that section in relation to measures relating to food (including drink) including the primary production of food(b).

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 of the following Regulations.

Title and commencement

1. These Regulations may be cited as the Food Hygiene (England) (Amendment) Regulations 2007 and come into force on 14th February 2007.

Amendments to the Food Hygiene (England) Regulations 2006

2.—(1) The Food Hygiene (England) Regulations(d) are amended in accordance with paragraphs (2) and (3).

(2) In paragraph (1) of regulation 2 (interpretation) for the definitions of the Community instruments appearing immediately after the definition of “the Community Regulations” there are substituted the following definitions—

““Directive 2004/41”, “Regulation 178/2002”, “Regulation 852/2004”, “Regulation 853/2004”, “Regulation 854/2004”, “Regulation 882/2004”, “Regulation 1688/2005”, “Regulation 2073/2005”, “Regulation 2074/2005”, “Regulation 2075/2005”, “Regulation 2076/2005”, “Regulation 575/2006”, “Regulation 776/2006”, “Regulation 1662/2006”, “Regulation 1663/2006”, “Regulation 1664/2006”, “Regulation

(a) 1972 c.68.

(b) S.I. 2003/2901.

(c) OJ No. L31, 1.2.2002, p.1, as last amended as at the making of this instrument by Commission Regulation (EC) No. 575/2006 amending Regulation (EC) No. 178/2002 of the European Parliament and of the Council as regards the number and names of the permanent Scientific Panels of the European Food Safety Authority (OJ No. L100, 8.4.2006, p.3).

(d) S.I. 2006/14.

1665/2006”, “Regulation 1666/2006” and “Regulation 1791/2006” have the meanings respectively given to them in Schedule 1;”.

(3) For Schedule 1 (definitions of Community legislation) there is substituted the Schedule set out in the Schedule to these Regulations.

Signed by authority of the Secretary of State for Health

9th January 2007

Caroline Flint
Minister of State,
Department of Health

SCHEDULE SUBSTITUTED FOR SCHEDULE 1 TO THE FOOD
HYGIENE (ENGLAND) REGULATIONS 2006

“SCHEDULE 2

DEFINITIONS OF COMMUNITY LEGISLATION

“Directive 2004/41” means Directive 2004/41/EC of the European Parliament and of the Council repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC(a); “Regulation 178/2002” means 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(b) as last amended as at the making of the Food Hygiene (England) (Amendment) Regulations 2007 by Regulation 575/2006;

“Regulation 852/2004” means Regulation (EC) No. 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs(c) as read with Regulation 2073/2005;

“Regulation 853/2004” means Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin(d) as amended by Regulation 2074/2005, Regulation 2076/2005, Regulation 1662/2006 and Regulation 1791/2006 and as read with Directive 2004/41, Regulation 1688/2005, Regulation 2074/2005 and Regulation 2076/2005;

“Regulation 854/2004” means Regulation (EC) No. 854/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption(e) as amended by Regulation 882/2004, Regulation 2074/2005, Regulation 2076/2005, Regulation 1663/2006 and Regulation 1791/2006 and as read with Directive 2004/41, Regulation 2074/2005, Regulation 2075/2005 and Regulation 2076/2005;

“Regulation 882/2004” means Regulation (EC) No. 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules(f) as amended by Regulation 776/2006 and Regulation 1791/2006 and as read with Regulation 2074/2005 and Regulation 2076/2005;

“Regulation 1688/2005” means Commission Regulation (EC) No. 1688/2005 implementing Regulation (EC) No. 853/2004 of the European Parliament and of the Council as regards special guarantees concerning salmonella for consignments to Finland and Sweden of certain meat and eggs(g);

(a) OJ No. L157, 30.4.2004, p.33. The revised text of Directive 2004/41/EC is now set out in a Corrigendum (OJ No. L195, 2.6.2004, p.12).

(b) OJ No. L31, 1.2.2002, p.1.

(c) OJ No. L139, 30.4.2004, p.1. The revised text of Regulation (EC) No. 852/2004 is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.3).

(d) OJ No. L139, 30.4.2004, p.55. The revised text of Regulation (EC) No. 853/2004 is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.22).

(e) OJ No. L139, 30.4.2004, p.206. The revised text of Regulation (EC) No. 854/2004 is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.83).

(f) OJ No. L165, 30.4.2004, p.1. The revised text of Regulation (EC) No. 882/2004 is now set out in a Corrigendum (OJ No. L191, 28.5.2004, p.1).

(g) OJ No. L271, 15.10.2005, p.17.

“Regulation 2073/2005” means Commission Regulation (EC) No. 2073/2005 on microbiological criteria for foodstuffs(a);

“Regulation 2074/2005” means Commission Regulation (EC) No. 2074/2005 laying down implementing measures for certain products under Regulation (EC) No. 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No. 854/2004 of the European Parliament and of the Council and Regulation (EC) No. 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No. 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No. 853/2004 and (EC) No. 854/2004(b) as amended by Regulation 1664/2006;

“Regulation 2075/2005” means Commission Regulation (EC) No. 2075/2005 laying down specific rules on official controls for *Trichinella* in meat(c) as amended by Regulation 1665/2006;

“Regulation 2076/2005” means Commission Regulation (EC) No. 2076/2005 laying down transitional arrangements for the implementation of Regulations (EC) No. 853/2004, (EC) No. 854/2004 and (EC) No. 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No. 853/2004 and (EC) No. 854/2004(d) as amended by Regulation 1666/2006;

“Regulation 575/2006” means Commission Regulation (EC) No. 575/2006 amending Regulation (EC) No. 178/2002 of the European Parliament and of the Council as regards the number and names of the permanent Scientific Panels of the European Food Safety Authority(e)

“Regulation 776/2006” means Commission Regulation (EC) No. 776/2006 amending Annex VII to Regulation (EC) No. 882/2004 of the European Parliament and of the Council as regards Community reference laboratories(f);

“Regulation 1662/2006” means Commission Regulation (EC) No. 1662/2006 amending Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin(g);

“Regulation 1663/2006” means Commission Regulation (EC) No. 1663/2006 amending Regulation (EC) No. 854/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption(h);

“Regulation 1664/2006” means Commission Regulation 1664/2006 amending Regulation (EC) No. 2074/2005 as regards implementing measures for certain products of animal origin intended for human consumption and repealing certain implementing measures(i);

“Regulation 1665/2006” means Commission Regulation (EC) No. 1665/2006 amending Regulation (EC) No. 2075/2005 laying down specific rules on official controls for *Trichinella* in meat(j);

“Regulation 1666/2006” means Commission Regulation (EC) No. 1666/2006 amending Regulation (EC) No. 2076/2005 laying down transitional arrangements for the implementation of Regulations (EC) No. 853/2004, (EC) No. 854/2004 and (EC) No. 882/2004 of the European Parliament and of the Council(k); and

“Regulation 1791/2006” means Council Regulation (EC) No. 1791/2006 adapting certain Regulations and Decisions in the fields of free movement of goods, freedom of movement of persons, company law, competition policy, agriculture (including veterinary and phytosanitary legislation), transport policy, taxation, statistics, energy, environment, cooperation in the fields of justice and home affairs, customs union, external relations, common foreign and security policy and institutions, by reason of the accession of Bulgaria and Romania(l).”.

(a) OJ No. L338, 22.12.2005, p.1, as read with the corrigenda at OJ No. L283, 14.10.2006, p.62.
 (b) OJ No. L338, 22.12.2005, p.27.
 (c) OJ No. L338, 22.12.2005, p.60.
 (d) OJ No. L338, 22.12.2005, p.83.
 (e) OJ No. L100, 8.4.2006, p.3.
 (f) OJ No. L136, 24.5.2006, p.3.
 (g) OJ No. L320, 18.11.2006, p.1.
 (h) OJ No. L320, 18.11.2006, p.11.
 (i) OJ No. L320, 18.11.2006, p.13.
 (j) OJ No. L320, 18.11.2006, p.46.
 (k) OJ No. L320, 18.11.2006, p.47.
 (l) OJ No. L363, 20.12.2006, p.1.

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations amend the Food Hygiene (England) Regulations 2006 (S.I. 2006/14) by updating the definitions of certain Community instruments that are referred to in those Regulations.

2. The definitions are updated by—

- (a) substituting definitions of certain Community instruments for the definitions of the Community instruments that currently appear after the definition of “the Community Regulations” in paragraph (1) of regulation 2 (interpretation) (*regulation 2(2)*); and
- (b) substituting a revised Schedule 1 (definitions of Community legislation) for the existing Schedule 1 (*regulation 2(3)*).

3. A full Regulatory Impact Assessment on the effect that these Regulations will have on the costs of business has been prepared and placed in the Library of each House of Parliament. Copies may be obtained from the Food Hygiene Implementation Division of the Food Standards Agency, Aviation House, 125 Kingsway, London WC2B 6NH.

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