

**EUROPEAN COMMUNITIES (LABELLING OF BEEF AND BEEF PRODUCTS)  
REGULATIONS 1998**

I, Joe Walsh, Minister for Agriculture 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 effect to Articles 14, 16, 17, 20 and 21 of Council Regulation (EC) No. 820/97(1) of 21 April 1997 and Article 2, 3, 4 and 5 of Commission Regulation (EC) No. 1141/97(2) of 23 June 1997 as amended by Commission Regulation (EC) No. 2406/97(3) of 3 December 1997, hereby make the following Regulations:

- (1)OJ No. L 117 of 7.5.97 P1
- (2)OJ No. L 165 of 24.6.97 P7
- (3)OJ No. L 332 of 4.12.97 P36

REG 1

1. (1) These Regulations may be cited as the European Communities (Labelling of Beef and Beef Products) Regulations, 1998.

(2) These Regulations will come into operation on the 1st day of April 1998.

REG 2

2. (1) In these Regulations—

"the Minister" means the Minister for Agriculture and Food;

"the Council Regulation" means Council Regulation (EC) No. 820/97 of 21 April 1997;

"the Commission Regulation" means Commission Regulation (EC) No. 1141/97 of 23 June 1997 as amended by Commission Regulation (EC) No. 2406/97(3);

(3)OJ No. L 332 of 4.12.97 P36

"authorized officer" means a person who, for the time being, stands appointed under Regulation 8 of these Regulations;

(2) A word or expression that is used in these Regulations and is also used in either the Council or Commission regulation has, unless the contrary intention appears, the meaning in these Regulations that it has in the Council or Commission regulations.

REG 3

3. (1) For the purpose of the Council and Commission regulation, the competent authority in the State shall be the Minister.

REG 4

4. (1) A person shall not label beef at the point of sale in such a way as to provide any of the information referred to in Article 16 of the Council regulation, unless the label is approved by the Minister in accordance with these Regulations, save in the case of beef in small retail packages complying with Article 1 paragraph 3 of the Commission regulation.

## REG 5

5. (1) A person who applies for approval of a label shall furnish the Minister with such information as he may reasonably require for the purposes of his functions under these Regulations and the Council and Commission regulations.
- (2) Where the Minister grants approval in respect of a label he shall assign an approval number to it.
- (3) The approval number granted under these Regulations shall be displayed in a notice easily visible to a purchaser of the beef to which it relates near the point of sale thereof.
- (4) The Minister may, if he is not satisfied that the provisions of these Regulations, the Council or the Commission regulation are being or have been complied with, refuse to grant or revoke an approval and if he does so, he shall notify the person concerned in writing of the refusal or revocation.

## REG 6

6. (1) The Minister may authorise independent control bodies for the purposes of carrying out controls required under the Council and Commission regulations.
- (2) The Minister and authorised officers may disclose to the competent authorities of another Member State or the Commission any information required to be so disclosed by virtue of either the Council or Commission regulations.

## REG 7

7. (1) The Minister may appoint such and so many persons as he thinks fit to be authorised officers for the purposes of these Regulations.
- (2) An authorised officer shall be furnished with a warrant of his appointment by the Minister as an authorised officer and when exercising any power conferred on him by these Regulations shall, if requested by any person affected, produce the warrant to that person.

## REG 8

8. (1) An authorised officer may at all reasonable times enter any premises in which he has reasonable grounds for believing that any beef is kept, sold or manufactured and there, or at any other place, inspect and take copies of or extracts from any books, records or other documents which he finds in the course of his inspection, as he may consider appropriate for the purposes of these Regulations and the Council or Commission regulation.
- (2) An authorised officer may, for the purposes of the Regulations and the Council and Commission Regulations, require the removal from the market of beef —
  - (a) which bears a label which has not been approved by the Minister under these Regulations, or
  - (b) which does not comply with the label as approved by the Minister,

until the label is removed or the beef is re-labelled with a label which has been approved in accordance with these Regulations.

#### REG 9

9. (1) A person who contravenes a provision of these Regulations shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £1,500 or to imprisonment for a term not exceeding 12 months or to both.

(2) A person who obstructs or impedes an authorised officer in the execution of these Regulations or the Council or Commission Regulations shall be guilty of an offence.

(3) Where an offence under these Regulations is committed by a body corporate and is proved to have been so committed with the consent or connivance of or to be attributable to any neglect on the part of any person, being a director, manager, secretary or other officer of the body corporate, or a person who was purporting to act in any such capacity, that person, as well as the body corporate, shall be guilty of an offence and shall be liable to be proceeded against and punished as if he were guilty of the first-mentioned offence.

(4) An offence under these Regulations may be prosecuted by the Minister.

Given under my Official Seal, this 10th day of February, 1998  
Joe Walsh,  
Minister for Agriculture and Food.

#### EXPLANATORY NOTE

The purpose of these Regulations is to implement the beef labelling requirements of Regulation 820/97 of the European Council, as expanded by Commission Regulations 1141/97 and 2406/97. Under the Regulations any operator or organisation labelling fresh or frozen beef and veal, with anything other than certain information easily checked at the point of sale, must obtain the prior approval of the Minister for Agriculture and food.