

L.N. 315 of 2004

**FOOD SAFETY ACT
(CAP. 449)**

Trading Regulations, 2004

IN exercise of the powers conferred by article 10 of the Food Safety Act, the Minister responsible for Health has made the following regulations:-

Title and commencement.

1. The title of these regulations is the Trading Regulations, 2004

Scope and applicability.

2. These regulations shall be applicable to import declarations or notifications, as the case may be, before the entry of consignments of animals, food, feeding stuffs or plants into Malta.

Interpretation.

3. In these regulations, unless the context otherwise requires:

Cap. 449.

“the Act” means the Food Safety Act;

Cap. 437.

“animal” has the same meaning as is assigned to it in the Veterinary Services Act, however excluding animals or parts thereof which are not intended for human consumption;

“feeding stuffs” has the same meaning as is assigned to it in the Veterinary Services Act, 2001

“food” has the same meaning as is assigned to in the Act;

“import declaration” means the Customs Entries requirements as requested in Part II of the Customs Regulations;

Cap. 433.

“plants” has the same meaning as is assigned to it in the Plant Quarantine Act, however excluding plants or parts thereof which are not intended for human consumption;

“trader” means any person or registered company responsible for introducing into Malta any animals, feeding stuffs, food or plants from a foreign country whether for profit or not and whether by virtue of intra-community acquisition or importation from third countries, and the word “trading” shall be construed accordingly.

4. (1) Any trader, whose activities consist in the trading of animals, feeding stuffs, food or plants shall be registered with the Food Safety Commission. Registration of trader.

(2) Registration of trader under these regulations shall not exempt the trader from any obligations to apply for and acquire the necessary licences or permits that may be required by any competent authority.

5. (1) Registration shall be carried out in writing on the appropriate form acquired from the Food Safety Commission, duly filled and forwarded to the designed office. Method of registration.

(2) Particulars given on the registration form shall not be misleading, inaccurate or incomplete.

(3) The Food Safety Commission shall keep a register to be named The Traders Register.

6. It shall not be lawful for a trader to submit an import declaration or notification for the entry into Malta of any consignment of animals, food, feeding stuffs or plants unless such trader is registered with the Food Safety Commission. Trading declaration.

7. (1) The trader is to notify the Veterinary Services if consignment consists of animals, feeding stuffs or food of animal origin for human consumption. Notifications.

(2) The trader is to notify the Public Health Department if the consignment consists of food of animal origin or any food for human consumption.

(3) The trader is to notify the Plant Health Department if the consignment consists of plants.

(4) The notifications referred to in sub-regulations 7(1), 7(2), and 7(3) above shall be submitted to the relevant authority 48 hours before the submission of either the import declaration or the entry into Malta of any consignment of animals, food, feeding stuffs or plants, as the case may be.

8. On every consignment the trader shall submit the necessary certification or documentation, as may be required, to safeguard public health or by any regulations made under the Act, Veterinary Services Act or Plant Quarantine Act. Certification or documentation.

B 5496

Repeals L.N. 133
of 2003.

9. The Import Declaration Regulations, 2003 are hereby repealed.

Saving.

10. Traders registered in the Traders Register and issued with a notice of Registration of Trader in terms of the repealed Import Declaration Regulations, 2003, prior to the repeal of the said regulations, shall continue to be so registered and have effect as if they had been registered under these regulations.