
STATUTORY RULES OF NORTHERN IRELAND

2020 No. 291

AGRICULTURE

The Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2020

Made - - - - 30th November 2020

Coming into operation 25th December 2020

The Department of Health⁽¹⁾ being a department designated for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ 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⁽³⁾, the common agricultural policy of the European Union⁽⁴⁾, and measures in the veterinary and phytosanitary fields for the protection of public health⁽⁵⁾ makes these Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, that Act.

There has been open and transparent public consultation during the preparation of these Regulations in accordance with the requirements of 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⁽⁶⁾.

Citation, commencement and interpretation

1. These Regulations may be cited as the Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2020 and come into operation on 25th December 2020.

2. The Interpretation Act (Northern Ireland) 1954⁽⁷⁾ applies to these Regulations as it applies to an Act of the Northern Ireland Assembly.

(1) Formerly the Department of Health, Social Services and Public Safety; see 2016 c. 5 (N.I.), section 1

(2) 1972 c.68

(3) S.I.2003/2901

(4) S.I.2000/2812

(5) S.I.1999/2027

(6) OJ No. L31, 1.2.2002, p.1, as last amended by Regulation (EC) No. 2019/1243 of the European Parliament and of the Council adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 of the Treaty on the Functioning of the European Union (OJ No. L198, 25.7.2019, p.241)

(7) 1954 c. 33 (N.I.)

Amendment of the Official Feed and Food Controls Regulations (Northern Ireland) 2009

3.—(1) The Official Feed and Food Controls Regulations (Northern Ireland) 2009 are amended as follows.

(2) In regulation 21 (Interpretation of this Part), for the definition of “product” substitute—

““product” means feed and food of non-animal origin whose import is regulated by Article 44 or Article 47(1)(d), (e) or (f) of Regulation 2017/625 and includes composite products and foodstuffs which are not required to be subject to veterinary checks as provided in Commission [Decision 2007/275/EC](#) concerning lists of composite products to be subject to controls at border control posts;”.

(3) In regulation 28 (Checks on products), in each place it occurs, for “and 45(1), (2) and (4) of Regulation 2017/625” substitute “, 45(1), (2) and (4) of Regulation 2017/625 and regulation 45(1)”.

(4) In regulation 34(2) (costs and fees) after “as referred to in”, insert “Article 79(2)(a) and (c) and”.

Amendment of the Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016

4.—(1) The Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016 are amended as follows.

(2) In regulation 2 (Interpretation)—

(a) In paragraph (1)—

(i) omit the definition of “Directive 2008/38”;

(ii) after the definition “Regulation 767/2009” insert—

““Regulation 2020/354” means Commission Regulation (EU) 2020/354 of 4 March 2020 establishing a list of intended uses of feed intended for particular nutritional purposes and repealing [Directive 2008/38/EC\(8\)](#);”;

(b) In paragraph (2), for “or Regulation 767/2009” substitute “, Regulation 767/2009 or Regulation 2020/354”;

(c) in paragraph (3), for “Directive 82/475, Directive 2002/32, Directive 2008/32, Regulation 1831/2003 or Regulation 767/2009” substitute “Directive 82/475, Directive 2002/32, Regulation 1831/2003, Regulation 767/2009 or Regulation 2020/354”.

(3) For Part 7 (Implementation of Directive 2008/38) substitute—

“Part 7

Enforcement of Regulation 2020/354

Interpretation of this Part

16. In this Part any reference to a numbered Article is a reference to the Article so numbered in Regulation 2020/354.

Control of feed intended for particular nutritional purposes

17. A person who contravenes or fails to comply with Article 1 (conditions on marketing), as read with Article 2 (derogation for feed which complies with the provisions of [Directive](#)