

1989 No. 261

FOOD AND DRUGS

**Tetrachloroethylene in Olive Oil Regulations
(Northern Ireland) 1989**

Made 4th July 1989

Coming into operation 16th August 1989

The Department of Health and Social Services(a) in exercise of the powers conferred on it by section 68A of the Food and Drugs Act (Northern Ireland) 1958(b) and of every other power enabling it in that behalf and after consultation in accordance with section 68(2) of that Act with such organisations as appear to it to be representative of interests substantially affected by these Regulations, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Tetrachloroethylene in Olive Oil Regulations (Northern Ireland) 1989 and shall come into operation on 16th August 1989.

Interpretation

2. In these Regulations—

“the Act” means the Food and Drugs Act (Northern Ireland) 1958;

“the Commission Regulation” means Commission Regulation (EEC) No. 1860/88(c) establishing special marketing standards for olive oil;

“the Council Regulation” means Council Regulation (EEC) No. 136/66(d), as amended, on the establishment of a common organisation of the market in oils and fats;

“oil” means any olive oil and olive-pomace oil referred to in Article 35 of the Council Regulation and described and defined in the Annex to that Regulation;

“sell” includes offer or expose for sale or have in possession for sale.

Offences relating to tetrachloroethylene in olive oil

3.—(1) Subject to paragraph (2), a person who contravenes Article 1 of the Commission Regulation (which prohibits the retail sale of oil with a tetrachloroethylene content of more than 0.1 milligram per kilogram) shall be guilty of an offence under this regulation.

(a) See S.R. & O. (N.I.) 1964 No. 205 Article 5 and Schedule 2 Part I

(b) 1958 c. 27 (N.I.); section 68A was added by S.R. & O. (N.I.) 1972 No. 363

(c) O.J. No. L166, 1.7.88, p. 16

(d) O.J. No. 172, 30.9.66, p. 3025/66 (O.J./S.E. 1965-66, p. 221); the relevant amending instrument is Council Regulation (EEC) No. 1915/87 (O.J. No. L183, 3.7.87, p. 7)

(2) A person guilty of an offence under this regulation shall be liable on summary conviction to a fine not exceeding £2,000.

Method of analysis

4.—(1) The method of analysis to be used to determine the tetrachloroethylene content of oil shall be that set out in Annex X to Commission Regulation (EEC) No. 1058/77(a), as amended, (concerning the characteristics of olive oil) and evidence of an analysis carried out by that method shall, where any other method is used in accordance with paragraph (2), be preferred to evidence of that other method.

(2) Until 31st October 1989 any other method of analysis may be used which—

- (a) is sufficiently accurate and precise to determine that the tetrachloroethylene content of oil does not exceed the specified content of 0.1 milligram per kilogram, and
- (b) before its use, has been communicated to the Commission by the United Kingdom authorities or, where appropriate, by any other Member State.

Sealed with the Official Seal of the Department of Health and Social Services on 4th July 1989.

(L.S.)

R. J. McMurray

Assistant Secretary

(a) O.J. No. L128, 24.5.77, p. 6; the relevant amending instrument is Commission Regulation (EEC) No. 1858/88 (O.J. No. L166, 1.7.88, p. 10)

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations, which come into operation on 16th August 1989, make provision for the enforcement of Article 1 of Commission Regulation (EEC) No. 1860/88 on the establishment of special marketing standards for olive oil (O.J. No. L166, 1.7.88, p. 16). Article 1 of the said Commission Regulation provides that olive oils and olive-pomace oils with a tetrachloroethylene content of more than 0.1 milligram per kilogram may not be offered for retail sale.

The Regulations also prescribe the method of analysis to be used in determining the tetrachloroethylene content as that set out in Commission Regulation (EEC) No. 1058/77 (O.J. No. L128, 24.5.77, p. 6) on the characteristics of olive oil, as amended in particular by Commission Regulation (EEC) No. 1858/88 (O.J. No. L166, 1.7.88, p. 10). Provision is made until 31st October 1989 for other methods to be used.

1989 No. 262**Road Races (Ulster Grand Prix) Order
(Northern Ireland) 1989**

This Order, being of a temporary character, is not printed at length in this volume.

1989 No. 263**River Colebrooke (Temporary Abstraction and Conveyance of
Water) Order (Northern Ireland) 1989**

This Order, being of a temporary character, is not printed at length in this volume.

1989 Nos. 264-266

These Orders have been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. Summaries are given in the List of Statutory Rules of a Local Character under the heading ROADS.

1989 No. 267**Road Races (Autoglass Tour 1989 (Spelga Hill Climb))
Order (Northern Ireland) 1989**

This Order, being of a temporary character, is not printed at length in this volume.