

## 1992 No. 333

## FOOD

**The Imported Food (Bivalve Molluscs and Marine Gastropods from Japan) Regulations (Northern Ireland) 1992**

*Made* . . . . . 28th July 1992

*Coming into operation* . . . . . 28th August 1992

The Department of Health and Social Services in exercise of the powers conferred on it by Articles 15(1)(f), 16(1), 25(3), 26(3) and 47(2) of the Food Safety (Northern Ireland) Order 1991(a) and of all other powers enabling it in that behalf and after consultation in accordance with Article 47(3) of that Order with such organisations as appear to it to be representative of interests likely to be substantially affected by these Regulations, hereby makes the following Regulations:

*Citation, commencement and interpretation*

1.—(1) These Regulations may be cited as the Imported Food (Bivalve Molluscs and Marine Gastropods from Japan) Regulations (Northern Ireland) 1992 and shall come into operation on 28th August 1992.

(2) In these Regulations—

“the Order” means the Food Safety (Northern Ireland) Order 1991;

“relevant bivalve mollusc or marine gastropod” means any bivalve mollusc or marine gastropod which has been—

(a) harvested in Japan;

(b) landed in Japan;

(c) subjected to any process or preparation in Japan; or

(d) consigned from Japan by way of export.

*Prohibition of imports of relevant bivalve molluscs and marine gastropods*

2. No person shall import into Northern Ireland any food or food source comprising or containing a relevant bivalve mollusc or marine gastropod or any food comprising or containing anything derived from a relevant bivalve mollusc or marine gastropod by means of any process or preparation.

*Offences*

3. Any person who contravenes regulation 2 shall be guilty of an offence, triable only summarily, and liable on conviction to imprisonment for a period not exceeding three months, or to a fine not exceeding £2,000, or to both.

---

(a) S.I. 1991/762 (N.I. 7). See Article 2(2) for the definitions of “regulations” and “the Department concerned”

*Application of provisions of the Order*

4. The following provisions of the Order shall apply for the purposes of these Regulations as they apply for the purposes of Articles 7, 13 and 14 of the Order and, unless the context otherwise requires, a reference in them to the Order shall be construed as including a reference to these Regulations—

- (a) Article 19 (offences due to fault of another person);
- (b) paragraphs (1), (5) and (6) of Article 20 (defence of due diligence);
- (c) Article 30(8) (which relates to documentary evidence);
- (d) Article 34 (obstruction etc. of officers).

*Enforcement and execution*

5. These Regulations shall be enforced and executed by each district council within its district.

Sealed with the Official Seal of the Department of Health and Social Services on 28th July 1992.

(L.S.)

J. Scott

Assistant Secretary

---

EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations prohibit the importation into Northern Ireland of bivalve molluscs and marine gastropods (whether dead or alive) originating in Japan, and products thereof (regulation 2).

The prohibition contained in regulation 2 gives effect to Commission Decision 92/293/EEC (O.J. No. L155, 6.6.92, p. 39) which amends Commission Decision 92/91/EEC (O.J. No. L32, 8.2.92, p. 37) and which, on account of the existence of toxins capable of constituting a danger to public health, requires protective measures with respect to bivalve molluscs and marine gastropods originating in Japan.

Contravention of regulation 2 is an offence (regulation 3). Various provisions of the Food Safety (Northern Ireland) Order 1991 are applied for the purposes of the Regulations (regulation 4).

The Regulations are to be enforced and executed by district councils (regulation 5).

---

1992 No. 334

**Temporary Speed Limit (Motorway M1) (No. 4)  
Order (Northern Ireland) 1992**

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