
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 307

FOOD

**The Animal Feedingstuffs from Belgium (Control)
(Amendment) Regulations (Northern Ireland) 1999**

Made - - - - *30th June 1999*
Coming into operation *30th June 1999*

The Department of Agriculture, being a Department designated(1) for the purposes of section 2(2) of the European Communities Act 1972(2) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2) and of every other power enabling it in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Animal Feedingstuffs from Belgium (Control) (Amendment) Regulations (Northern Ireland) 1999 and shall come into operation on 30th June 1999.

Interpretation

2.—(1) In these Regulations “the principal Regulations” means the Animal Feedingstuffs from Belgium (Control) Regulations (Northern Ireland) 1999(3).

(2) The Interpretation Act (Northern Ireland) 1954(4) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment of the principal Regulations

3. The principal Regulations shall be amended as provided in regulations 4 to 6.
4. After regulation 2 there shall be inserted the following regulation—

“Exemptions

2A.—(1) Regulation 3 shall not apply to—

(1) S.I.1972/1811
(2) 1972 c. 68
(3) S.R. 1999 No. 261
(4) 1954 c. 33 (N.I.)

- (a) the importation of any controlled entity, if when imported, that controlled entity is accompanied by valid certification relating to it, as specified in paragraph (4);
- (b) any subsequent activity in relation to the controlled entity, if it can be proved by the person carrying out the activity that at the time of importation it was so accompanied; or
- (c) the return to Belgium, under cover of an official certificate in accordance with Article 3a of Commission Decision [1993/363/EC](#) or, as the case may be, Article 3a of Commission Decision [1999/389/EC](#), of any controlled entity.

(2) Subject to paragraph (3), regulation 5 shall not apply to any imported controlled entity which is accompanied by valid certification relating to it as specified in paragraph (4).

(3) Article 8(1) of the Order with the modifications set out in regulation 5(2)(a) and (d) and with the omission of the words “and paragraphs (3) to (9) shall apply where, on such an inspection, it appears to the authorised officer that any food fails to comply with food safety requirements” shall apply to a controlled entity mentioned in paragraph (2).

(4) The certification referred to in paragraphs (1)(a) and (b) and (2) is the certification which would have applied to the controlled entity by virtue of the Food (Animal and Animal Products from Belgium) (Emergency Control) Order (Northern Ireland) 1999(5), had that Order extended beyond food and food sources.”.

5. In regulation 3—

- (a) at the end of paragraph (1)(e) the words “for that purpose” shall be deleted; and
- (b) in paragraph (3) after the word “who” there shall be inserted the word “knowingly”.

6. In regulation 4(2) at the end there shall be added the words “and shall also have, in relation to any business producing material to feed to animals, the same power as an officer of a district council or an officer of a Northern Ireland Department has under that Article in relation to a food business”.

Sealed with the Official Seal of the Department of Agriculture on

L.S.

30th June 1999.

Liam McKibben
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Animal Feedingstuffs from Belgium (Control) Regulations (Northern Ireland) 1999 (“the principal Regulations”) to provide for the implementation, in relation to products for animal feeding, of—

- (a) Commission Decision [1999/363/EC](#) on protective measures with regards to the contamination by dioxins of certain animal products intended for human or animal consumption (O.J. No. L141, 4.6.1999, p. 24) and Commission Decision [1999/389/EC](#) on protective measures with regards to contamination by dioxins of products intended for human consumption derived from bovine animals and pigs and revoking Decision [1999/368/EC](#) (O.J. No. L147, 12.6.1999, p. 26) in so far as those Decisions extend to products containing products of Belgian origin;
- (b) Commission Decision [1999/390/EC](#) on protective measures with regards to contamination by dioxins of certain products of animal origin intended for human or animal consumption and amending Decision [1999/363/EC](#) and Decision [1999/389/EC](#) (O.J. No. L147, 12.6.1999, p. 29); and
- (c) Commission Decision [1999/419/EC](#) amending Decisions [1999/363/EC](#) and [1999/389/EC](#) as regards protective measures with regard to contamination of certain products by dioxins (O.J. No. L159, 25.6.1999, p. 60).

The Regulations—

- (a) extend the prohibition on imports and exports for any purpose but provide for exemptions in respect of imports which are accompanied by appropriate certification and return of products to Belgium under cover of an official certificate (regulation 4);
- (b) amend the offence provision in regulation 3 of the principal Regulations (regulation 5); and
- (c) further extend the application of Article 33 of the Food Safety (Northern Ireland) Order 1991 (regulation 6).