

SCHEDULE 1

Regulation 3

Regulations relating to egg products, dairy products and egg hygiene: consequential provisions

Part I

Consequential modifications to the Egg Products Regulations (Northern Ireland) 1993
In regulation 6(1) and (2) for “The Department” there shall be substituted “The district council”.

Part II

Consequential modifications to the Dairy Products (Hygiene) Regulations (Northern Ireland) 1995

1. In regulation 2(1)—
 - (a) before the definition of “animal” there shall be inserted the following definition—

““the Agency” means the Food Standards Agency(1);”;
 - (b) in the definition of “approving authority” for “the Department” there shall be substituted “the Agency”;
 - (c) in the definition of “authorised officer”, for “the Department”, in both places where it occurs, there shall be substituted “the Agency”;
 - (d) the definition of “the Department” shall be omitted.
- 2.—(1) In the provisions specified in sub-paragraph (2), for “the Department”, wherever it occurs in each of those provisions, there shall be substituted “the Agency”.
(2) The provisions referred to in sub-paragraph (1) are regulations 4(3), 4(4), 4(5), 4(6), 4(8), 4(9), 5(1), 5(2), 8(1), 8(3), 8(8), 16(2), 16(3) and 17.
3. In regulation 18(a), for “the Department or a district council” there shall be substituted “an authorised officer”.

Part III

Consequential modifications to the Eggs (Marketing Standards) Regulations (Northern Ireland) 1995

1. In regulation 2(1), before the definition of “authorised officer” there shall be inserted the following definition—

““the Agency” means the Food Standards Agency;”.
2. In regulation 4, for paragraph (2) there shall be substituted the following paragraph—

“(2) In so far as any Community provisions do not relate to the matters to which paragraph (1) relates—
 - (a) the Department shall enforce and execute those covered by paragraph (a) of the definition of “Community provision” in regulation 2(1); and

(1) See section 1 of the Food Standards Act 1999 c. 28

- (b) the Agency shall enforce and execute those covered by paragraph (b) of that definition.”.
- 3. In regulation 5—
 - (a) after “Community provision”, in both places where it occurs, there shall be inserted “covered by regulation 4(2)”; and
 - (b) after “an authorised officer” wherever it occurs, there shall be inserted “of the authority given, by regulation 4(2), the function of enforcing that provision”.
- 4. For regulation 6, there shall be substituted the following regulation—

“6. If so required by notice in writing served on him by or on behalf of the Department or the Agency, any person carrying on any activity regulated by any Community provision covered by regulation 4(2)(a) or (b) shall keep or cause to be kept such records as the Department or, as the case may be, the Agency, may reasonably require for the purpose of enforcing or executing any such provision and shall provide the Department or, as the case may be, the Agency, with such records as they may from time to time require.”.
- 5. In regulation 8(b), for “to him by such an officer under these Regulations” there shall be substituted “of him”.