

**2007 No. 271**

**AGRICULTURE**

**The Pig Carcase (Grading) (Amendment) Regulations (Northern Ireland) 2007**

*Made* - - - - - *3rd May 2007*

*Coming into operation* - - - - - *4th June 2007*

The Department of Agriculture and Rural Development is designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the common agricultural policy of the European Community.

The Department of Agriculture and Rural Development makes the following Regulations in exercise of the powers conferred by that section:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Pig Carcase (Grading) (Amendment) Regulations (Northern Ireland) 2007 and shall come into operation on 4th June 2007.

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

**Amendment of the Pig Carcase (Grading) Regulations (Northern Ireland) 1994**

2.—(1) The Pig Carcase (Grading) Regulations (Northern Ireland) 1994(d) shall be amended in accordance with paragraphs (2) and (3).

(2) In Regulation 2(1) (interpretation)—

(a) for the definition of “the Commission Decision” substitute—

““the Commission Decision” means Commission Decision 2004/370/EC(e) authorising methods for grading pig carcasses in the United Kingdom, as last amended by Commission Decision 2006/374/EC;”(f); and

(b) at the end of the definition of “the Commission Regulation” add “, as amended by Commission Regulation (EC) No. 3127/94;”(g).

(3) In Regulation 6 (weighing etc. of carcasses of pigs)—

(a) for paragraph (b) substitute—

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(a) S.I. 2000/2812

(b) 1972 c.68

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

(d) S.R. 1994 No 384, as amended by S.R. 2006 No. 253

(e) O.J. No. L116, 22.4.2004, p. 32

(f) O.J. No. L142, 30.5.2006, p. 34

(g) O.J. No. L330, 21.12.1994, p.43

“(b) in relation to each such pig carcass—

- (i) weigh it in accordance with Article 2(2) of the Council Regulation but, where he cannot generally observe the 45 minute requirement of that Article, he may, in accordance with Article 2(2) of the Commission Regulation, seek the consent of the Department to exceed that period;
  - (ii) record its weight; and
  - (iii) thereafter calculate the weight of the cold carcass in accordance with the provisions of Article 2(1) of the Commission Regulation or, where he has obtained the consent of the Department under sub-paragraph (i), in accordance with Article 2(2) of the Commission Regulation;”.
- (b) in paragraph (d) for “Article 4(1) or (2) of the Commission Regulation” substitute “Article 4 of the Commission Regulation”.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 3rd May 2007.

(L.S.)

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A senior officer of the Department of Agriculture and Rural Development

## EXPLANATORY NOTE

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

These Regulations amend the Pig Carcase (Grading) Regulations (Northern Ireland) 1994 (“the 1994 Regulations”). The 1994 Regulations provide for the administration and enforcement of the Community system of grading pig carcasses established by Council Regulation (EEC) No. 3220/84 (O.J. No. L301, 20.11.84, p.1) as amended, the detailed rules for which are set out in Commission Regulation (EEC) No. 2967/85 (O.J. No. L285, 25.10.85, p.39) as amended (“the Commission Regulation”).

Commission Decision (EC) No. 2004/370 (O.J. No. L116, 22.4.2004, p.32) sets out specific rules for the grading of pig carcasses in the UK. This Decision has been amended by Commission Decision (EC) No. 2006/374 (O.J. No. L142, 30.5.2006, p.34) to remove some of the rules specific to the UK. These Regulations, at regulation 2(2)(a) and regulation 2(3)(a), amend the 1994 Regulations to incorporate these amendments.

The 1994 Regulations are also amended to:—

- (a) update the reference to the Commission Regulation to refer to the Regulation as amended (regulation 2(2)(b));
- (b) provide for carcasses to be weighed in an alternative way as provided by Article 2(2) of the Commission Regulation (regulation 2(3)(a));
- (c) provide for carcasses to be marked in an alternative way as permitted by Article 4(3) of the Commission Regulation (regulation 2(3)(b)).

A Regulatory Impact Assessment has not been prepared for these Regulations because they have no impact on the costs of business.