

### SCHEDULE 3

#### REGULATIONS RELATING TO GENERAL FOOD HYGIENE, TEMPERATURE CONTROL AND FISH AND SHELLFISH HYGIENE: CONSEQUENTIAL PROVISIONS

### PART III

#### CONSEQUENTIAL MODIFICATIONS TO THE FOOD SAFETY (FISHERY PRODUCTS AND LIVE SHELLFISH) (HYGIENE) REGULATIONS 1998

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

““the Agency” means the Food Standards Agency;” and
  - (b) in the definition of “designated bivalve production area”, for the words “the Ministers” there shall be substituted the words “the Agency”.
- 2.—(1) In each of the provisions specified in sub-paragraph (2) below, for the words “the Ministers”, wherever they occur in those provisions, there shall be substituted the words “the Agency”.
  - (2) The provisions referred to in sub-paragraph (1) above are—
    - (a) regulations 3(1) to (3), 4, 5(1) and (2), 6(1), 7(3) and (4), 11(4)(b) and (5), 12(2)(b) and (3), 14(2) and (4), 22(4) and 28(4)(c);
    - (b) in Schedule 2, paragraphs 4 and 12 of Section III of Chapter IV, paragraph 1(a) of section IV of Chapter IV and paragraph 8 of Chapter V; and
    - (c) in Schedule 3, paragraph 3B(2) of Section II of Chapter V.
3. In regulations 6(2) and 52(1), for the words “the Ministers” and “them”, wherever they occur in each of those provisions, there shall be substituted respectively the words “the Agency” and “it”.
4. In regulation 52(2)(b)—
  - (a) for the words “the Ministers”, where they first occur, there shall be substituted the words “the Agency”; and
  - (b) for the words “the Ministers require the food authority to undertake on their behalf” there shall be substituted the words “the Agency requires the food authority to undertake on its behalf”.
5. In regulation 52(3)—
  - (a) for the words “the Ministers”, there shall be substituted the words “the Agency”; and
  - (b) for the words “assigned to them” there shall be substituted the words “assigned to it or, as the case may be, them”.
6. In regulation 55(2), for the words “Ministers”, there shall be substituted the words “the Secretary of State or the Agency”.
7. In regulation 56(b)(i), for the words “the Minister”, wherever they occur in that provision, there shall be substituted the words “the Secretary of State”.
8. In paragraph 5 of Chapter III of Schedule 2, for the words “the Minister” there shall be substituted the words “the Agency”.
9. In paragraph 1 of Chapter VI of Schedule 2—
  - (a) for the words “the Ministers”, there shall be substituted the words “the Agency”; and

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(b) for the word “their” there shall be substituted the words “its”.