
STATUTORY INSTRUMENTS

2008 No. 1079

The Specified Products from China (Restriction on First Placing on the Market) (England) Regulations 2008

Interpretation

2.—(1) In these Regulations—

“the Agency” means the Food Standards Agency;

“authorised officer”, in relation to a feed authority or a food authority, means any person (whether or not an officer of the authority) who is authorised by it in writing, either generally or specially, to act in matters arising under these Regulations;

“the Commission Decision” means Commission Decision [2008/289/EC](#) on emergency measures regarding the unauthorised genetically modified organism “Bt 63” in rice products⁽¹⁾ ;

“feed” has the meaning given to it in Article 3.4 of Regulation 178/2002;

“feed authority” means the authority required by section 67(1) of the Agriculture Act 1970⁽²⁾ to enforce that Act within its area or as the case may be district;

“food” has the meaning given to it in Article 2 of Regulation 178/2002;

“first placing on the market” has the meaning that it bears in the Commission Decision;

“food authority” has the meaning that it bears by virtue of section 5(1) of the Food Safety Act 1990⁽³⁾ except that it does not include the appropriate Treasurer referred to in section 5(1)(c) of the Act (which deals with the Inner and Middle Temple);

“operator” has the meaning that it bears in the Commission Decision;

“specified product” means any product listed in the Annex to the Commission Decision that originates from or has been consigned from China; and

“Regulation 178/2002” means Regulation [\(EC\) No. 178/2002](#) of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.

(2) Where any functions under the Food Safety Act 1990 are assigned—

(a) by an order under section 2 or 7 of the Public Health (Control of Disease) Act 1984⁽⁴⁾, to a port health authority;

(b) by an order under section 6 of the Public Health Act 1936⁽⁵⁾, to a joint board for a united district; or

(c) by an order under paragraph 15(6) of Schedule 8 to the Local Government Act 1985⁽⁶⁾, to a single authority for a metropolitan county,

(1) OJ No. L96, 9.4.2008, p.29.

(2) [1970 c. 40](#).

(3) [1990 c.16](#).

(4) [1984 c.22](#); section 7(3)(d) was substituted by paragraph 27 of Schedule 3 to the Food Safety Act 1990.

(5) [1936 c.49](#); section 6 is to be read with paragraph 1 of Schedule 3 to the Food Safety Act 1990.

(6) [1985 c.51](#); paragraph 15(6) was amended by paragraph 31(b) of Schedule 3 to the Food Safety Act 1990.

any reference in these Regulations to a food authority shall be construed, so far as relating to those functions, as a reference to the authority to whom they are so assigned.