

STATUTORY RULES OF NORTHERN IRELAND

**2009 No. 427**

**The Official Feed and Food Controls  
Regulations (Northern Ireland) 2009**

**PART 1**

**PRELIMINARY**

**Citation and commencement**

1. These Regulations may be cited as the Official Feed and Food Controls Regulations (Northern Ireland) 2009 and come into operation on 25th January 2010.

**Commencement Information**

**II** [Reg. 1](#) in operation at 25.1.2010, see [reg. 1](#)

**Interpretation**

2.—(1) In these Regulations —

“the Agency” means the Food Standards Agency;

“authorised officer” —

- (a) in relation to a competent authority, means any person (whether or not an officer of the authority) who is authorised by the authority in writing for the purposes of regulation 13; and
- (b) in relation to a relevant enforcement authority, means any person (whether or not an officer of the authority) who is authorised by the authority in writing, either generally or specially, to act in matters arising under Part 2 of these Regulations in relation to its enforcement responsibilities under regulation 16;

“competent authority” means, other than in regulations 22 and 23, an authority which, by virtue of regulation 3, is designated for the purposes of any of the provisions of [<sup>F1</sup>Regulation 2017/625];

[<sup>F2</sup>“Decision 2007/275”, “Directive 2004/41”, “Regulation 999/2001”, “Regulation 178/2002”, “Regulation 852/2004”, “Regulation 853/2004”, “Regulation 1688/2005”, “Regulation 2073/2005”, “Regulation 2074/2005”, “Regulation 2017/185”, “Regulation 2017/625”, “Regulation 2018/329”, “Regulation 2019/66”, “Regulation 2019/530”, “Regulation 2019/626”, “Regulation 2019/627”, “Regulation 2019/628”, “Regulation 2019/723”, “Regulation 2019/1013”, “Regulation 2019/1014”, “Regulation 2019/1715”, “Regulation 2019/1793”, “Regulation 2019/1873”, “Regulation 2018/631”, “Regulation 2019/478”, “Regulation 2019/624”, “Regulation 2019/625”, “Regulation 2019/1012”, “Regulation 2019/1081”, “Regulation 2019/1602” and “Regulation 2019/1666” have the meanings respectively given to them in Schedule 1”];

“the Department” means the Department of Health, Social Services and Public Safety;

“feed authority” means the authority identified in section 86(3) of the Agriculture Act 1970<sup>(1)</sup> as having a duty to enforce that Act;

[<sup>F3</sup>“the Import Provisions” means Part 3 of these Regulations, Title 2 Chapter 5 of Regulation 2017/625 and the Regulation 2017/625 package insofar as it and they apply to product as defined in regulation 21;]

“the Official Control Regulations” means these Regulations and [<sup>F4</sup>Regulation 2017/625 and the Regulation 2017/625 package];

“the Order” means the Food Safety (Northern Ireland) Order 1991<sup>(2)</sup>

“premises” includes any establishment, any place, vehicle, stall or moveable structure and any ship or aircraft;

“primary production” has the meaning it bears in Regulation 852/2004;

[<sup>F5</sup>“the Regulation 2017/625 package” means “Regulation 2018/329”, “Regulation 2019/66”, “Regulation 2019/530”, “Regulation 2019/626”, “Regulation 2019/627”, “Regulation 2019/628”, “Regulation 2019/723”, “Regulation 2019/1013”, “Regulation 2019/1014”, “Regulation 2019/1715”, “Regulation 2019/1793”, “Regulation 2019/1873”, “Regulation 2018/631”, “Regulation 2019/478”, “Regulation 2019/624”, “Regulation 2019/625”, “Regulation 2019/1012”, “Regulation 2019/1081”, “Regulation 2019/1602” and “Regulation 2019/1666”];]

“relevant enforcement authority” means a body which, by virtue of regulation 16, is made responsible for executing and enforcing any provision of Part 2;

“relevant feed law” has the meaning given to it in Schedule 2;

“relevant food law” has the meaning given to it in Schedule 3.

(2) Subject to paragraph (3), any expression other than one defined in paragraph (1) that is used both in these Regulations and in the Order has the meaning it bears in the Order.

(3) Any expression used both in these Regulations and in Regulation 178/2002, [<sup>F6</sup>Regulation 2017/625 or any of the EU Regulations in the Regulation 2017/625 package] has the meaning it bears in Regulation 178/2002, [<sup>F6</sup>Regulation 2017/625 or any of the EU Regulations in the Regulation 2017/625 package] as the case may be.

(4) The Interpretation Act 1954<sup>(3)</sup> shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

[<sup>F7</sup>(5) In these Regulations, any reference to an EU instrument defined in Schedule 1 is a reference to that instrument as amended from time to time.]

#### Textual Amendments

- F1** Words in [reg. 2\(1\)](#) substituted (14.12.2019) by [The Official Feed and Food Controls \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/218\)](#), regs. 1, **9(a)(i)**
- F2** Words in [reg. 2\(1\)](#) substituted (14.12.2019) by [The Official Feed and Food Controls \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/218\)](#), regs. 1, **9(a)(ii)**
- F3** Words in [reg. 2\(1\)](#) substituted (14.12.2019) by [The Official Feed and Food Controls \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/218\)](#), regs. 1, **9(a)(iii)**

(1) 1970 c. 40

(2) S.I. 1991/762 as amended by S.I. 1996/1663 (N.I.12), paragraphs 26 to 42 of Schedule 5 and Schedule 6 to the Food Standards Act 1999 c.28, S.R. 2004 No. 482 and S.R. 2004 No.505

(3) 1954 c.33 (N.I.)

- F4** Words in [reg. 2\(1\)](#) substituted (14.12.2019) by [The Official Feed and Food Controls \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/218\)](#), regs. 1, **9(a)(iv)**
- F5** Words in [reg. 2\(1\)](#) inserted (14.12.2019) by [The Official Feed and Food Controls \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/218\)](#), regs. 1, **9(a)(v)**
- F6** Words in [reg. 2\(3\)](#) substituted (14.12.2019) by [The Official Feed and Food Controls \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/218\)](#), regs. 1, **9(b)**
- F7** [Reg. 2\(5\)](#) substituted (13.12.2014) by [The Food Hygiene and Official Feed and Food Controls \(Amendment\) Regulations \(Northern Ireland\) 2014 \(S.R. 2014/286\)](#), regs. 1(1), **3(3)**

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**Commencement Information**

- I2** [Reg. 2](#) in operation at 25.1.2010, see [reg. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Official Feed and Food Controls Regulations (Northern Ireland) 2009, PART 1.