
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Official Feed and Food Controls Regulations (Northern Ireland) 2009 (S.R.2009 No.427 as last amended by S.R 2019 No.218) (“the 2009 Regulations”). The 2009 Regulations provide for the execution and enforcement of Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No. 999/2001, (EC) No. 396/2005, (EC) No. 1069/2009, (EC) No. 1107/2009, (EU) No. 1151/2012, (EU) No. 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No. 1/2005 and (EC) No. 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulations) (OJ No. L95 7.4.2017, p. 1) (“Regulation 2017/625”).

Regulation 3(2) substitutes a revised definition of “product” in regulation 21 to provide that food and feed of non-animal origin regulated under Article 47(1)(d), (e) or (f) of Regulation 2017/625 is included in the scope of Part 3. Regulation 3(3) makes a consequential amendment as a result of the revised definition.

Regulation 3(4) amends regulation 34 to make provision for the payment of costs of official controls under Article 79(2)(a) and (c) of Regulation 2017/625 in respect of Part 3.

These Regulations will also amend the Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016 (S.R 2016 No.4) and the Animal Feed (Hygiene, Sampling etc. and Enforcement) Regulations (Northern Ireland) 2016 (S.R. 2016 No. 5) to provide for the execution and enforcement of Commission Regulation (EU) 2020/354 establishing a list of intended uses of feed intended for particular nutritional purposes and repealing Directive 2008/38/EC (OJ No. L67, 5.3.2020, p.1.).

These Regulations substitute references to Regulation 2017/625 for references to Regulation 882/2004 in the Animal Feed (Hygiene, Sampling etc. and Enforcement) Regulations (Northern Ireland) 2016 (S.R.2016 No.4). Regulation 2017/625 revoked and replaced Regulation 882/2004.

An impact assessment has not been produced for this statutory Rule as no, or no significant, impact on the private, voluntary or public sector is foreseen.