STATUTORY RULES OF NORTHERN IRELAND

2024 No. 171

AGRICULTURE

The Hops Certification (Amendment) Regulations (Northern Ireland) 2024

Made - - - -	*19th September 2024*
Coming into operation	*18th October 2024*

The Department of Agriculture, Environment and Rural Affairs(**a**), in exercise of the powers conferred by section 11 of, and paragraph 11M of Part 1C of Schedule 2 to, the European Union Withdrawal Act 2018(**b**), makes the following Regulations.

There has been open and transparent public consultation during the preparation of these Regulations as required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council(**c**), 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.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Hops Certification (Amendment) Regulations (Northern Ireland) 2024 and come into operation on 18th October 2024.

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

Amendments to the Hops Certification Regulations 1979

2.—(1) The Hops Certification Regulations 1979(**e**) are amended as follows—

(2) In regulation 1(2) —

(a) in the definition of "the relevant provisions", for paragraphs (b) and (c) substitute—

"(b) Commission Delegated Regulation (EU) No. 2024/602 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the marketing standards in the hop sector and repealing Commission Regulation (EC) No 1850/2006(**f**);

(**a**) 2018 c. 16 section 11 and Part 1C of Schedule 2 confer powers on devolved authorities. A "devolved authority" is defined under section 20(1) to include a 'Northern Ireland Department'. The Department of Agriculture, Environment and Rural Affairs is named as a Northern Ireland department in section 1 of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 c. 5 (N.I.).

(**b**) 2018 (c. 16); Part 1C of Schedule 2 was inserted by Section 22 of the European Union (Withdrawal Agreement) Act 2020 (c. 1) (the 2020 Act).

(**c**) OJ No. L 31, 1.2.2002, p. 1, as amended by Commission Regulation (EC) No. 202/2008 (OJ No. L 60, 4.3.2008, p. 17).

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

(**e**) S.I. 1979 No. 1095 as amended by S.I. 2020 No. 1453.

(**f**) OJ No. L, 16.02.2024.

(c) Commission Implementing Regulation (EU) No. 2024/601 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the certification of hops and hop products and related controls(**a**);

(d) Commission Delegated Regulation (EU) No. 2023/2835 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards rules on import in the sectors of rice, cereals, sugar and hops, and repealing Commission Regulations (EC) No 3330/94, (EC) No 2810/95, (EC) No 951/2006, (EC) 972/2006, (EC) No 504/2007, (EC) 1375/2007, (EC) No 402/2008, (EC) No 1295/2008, (EC) No 1312/2008 and (EU) No 642/2010, (EEC) No 1361/76, (EEC) No 1842/81, (EEC) No 3556/87, (EEC) No 3846/87, (EEC) No 815/89, (EC) No 765/2002, (EC) No 1993/2005, (EC) No 1670/2006, (EC) No 1731/2006, (EC) No 1741/2006, (EC) No 433/2007, (EC) No 1359/2007, (EC) No 1454/2007, (EC) No 508/2008, (EC) No 903/2008, (EC) No 147/2009, (EC) No 612/2009, (EU) No 1817/2010, (EU) No 1178/2010, (EU) 90/2011 and Commission Implementing Regulation (EU) No 1373/2013(**b**);

(e) Commission Implementing Regulation (EU) No 2023/2834 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards imports in the sectors of rice, cereals, sugar and hops(**c**);"

(b) in the definition of "hop products", after "Articles 1 and 3(1) of Regulation (EU) No 1308/2013" insert "and Article 3 of Commission Delegated Regulation (EU) No. 2024/602".

(3) In regulation 3—

(a) in paragraph (1)(e), for "Article 1(3)(a) of Commission Regulation (EC) No 1850/2006", substitute "Article 5(a) of Commission Delegated Regulation (EU) No. 2024/602";

(b) in paragraph (1A), for "Regulation (EC) 1295/2008", substitute "Commission Delegated Regulation (EU) No. 2023/2835".

(4) In regulation 6A(a), for "Article 12(1) of Commission Regulation (EC) No 1850/2006", substitute "Article 9(1) of Commission Implementing Regulation (EU) No. 2024/601".

(5) In regulation 7—

(a) for paragraph (1), substitute—

"(1) A brewer required by Article 6(1) of Commission Delegated Regulation (EU) No. 2024/602 to send to the competent certification authority referred to in Article 3(m) of Commission Delegated Regulation (EU) No. 2024/602 and in Article 10 of Commission Implementing Regulation (EU) No. 2024/601, a declaration giving the particulars of hops harvested on the brewer's land and used by the brewer which as mentioned in Article 6(1) shall forward the harvest declaration not later than 15th November in each year to the Department or to such person as the Department shall by notice to the brewer from time to time direct.";

(b) in paragraph (2), for "Article 21 of Commission Regulation (EC) No 1850/2006", substitute "Article 10 of Commission Implementing Regulation (EU) No. 2024/601".

(**a**) OJ No. L, 16.02.2024.
(**b**) OJ No. L, 21.12.2023.
(**c**) OJ No. L, 21.12.2023.

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on 19th September 2024

L.S.

Alison Chambers
A senior officer of the
Department of Agriculture, Environment and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under section 11 of, and paragraph 11M of Part 1C of Schedule 2 to, the European Union (Withdrawal) Act 2018. The EU provisions relating to the hop sector marketing standards and related controls are set out in Regulation (EU) 1308/2013 which is directly applicable in NI under Article 5(4) of, and Annex 2 to, the Windsor Framework. These Regulations amend the Hops Certification Regulations 1979 (S.I.1979/1095) as they apply in Northern Ireland in relation to third country imports and certification in order to update references to the amending EU regulations, Commission Implementing Regulation (EU) 2024/601 and Commission Delegated Regulation (EU) 2024/602.

A regulatory impact assessment has not been produced for this instrument as no, or no significant, impact on businesses or the voluntary/community sector is foreseen.

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