STATUTORY RULES OF NORTHERN IRELAND

2019 No. 219

FOOD

The Meat (Official Controls Charges) (Amendment) Regulations (Northern Ireland) 2019

Made - - - -	*5th December 2019*
Coming into operation -	*14th December 2019*

The Department of Health(**a**), being a department designated(**b**) for the purposes of section 2(2) of the European Communities Act 1972(**c**) in relation to measures relating to food (including drink) including the primary production of food makes these Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, that Act.

As required by Article 9 of 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(**d**) there has been open and transparent public consultation during the preparation of these Regulations.

Citation and commencement

1. These Regulations may be cited as the Meat (Official Controls Charges) (Amendment) Regulations (Northern Ireland) 2019 and come into operation on 14th December 2019.

Amendment of the Meat (Official Controls Charges) Regulations (Northern Ireland) 2009

2. The Meat (Official Controls Charges) Regulations (Northern Ireland) 2009(**e**) are amended as follows.

3. In regulation 2 (Interpretation), at paragraph (1)—

(a) in the definition "audit", for "Article 2.6 of Regulation 882/2004" substitute "Article 3 (30) of Regulation 2017/625";

(b) in the definition "controls"—

(i) in sub-paragraph (a), for "Regulation 854/2004" substitute "Regulation 2017/625, Regulation 2019/624 and Regulation 2019/627";

(ii) in sub-paragraph (b), for "Regulation 854/2004" substitute "Regulation 2017/625, Regulation 2019/624 and Regulation 2019/627";

(c) for the definition "cutting plant" substitute—

(**a**) Formerly the Department of Health, Social Services and Public Safety; see 2016 c.5 (N.I.), section 1
(**b**) S.I. 2003/2901
(**c**) 1972 c.68.
(**d**) OJ No. L31, 1.2.2002, p.1, as last amended by Commission Regulation (EU) 2019/1243 (OJ No. L198, 25.7.2019, p.241)
(**e**) S.R 2009 No 247 as last amended by S.R. 2019 No. 5

""cutting plant" means an establishment which is used for boning and/or cutting up fresh meat for placing on the market and which is approved or conditionally approved under Article 148 of Regulation 2017/625;";

(d) for the definition that begins "Directive 2004/41" substitute—

""Directive 2004/41", "Regulation 178/2002", "Regulation 852/2004", "Regulation 853/2004", "Regulation 1688/2005", "Regulation 2073/2005", "Regulation 2074/2005", "Regulation 2015/1375", "Regulation 2017/185", "Regulation 2017/625", "Regulation 2019/624" and "Regulation 2019/627" have the meanings respectively given to them in Schedule 1;";

(e) for the definition "game-handling establishment" substitute—

""game-handling establishment" means any establishment in which game and game meat obtained after hunting are prepared for placing on the market and which is approved or conditionally approved under Article 148 of Regulation 2017/625;";

(f) in the definition "official auxiliary", for "Article 2.1(h) of Regulation 854/2004" substitute "Article 3 (49) of Regulation 2017/625";

(g) in the definition "official controls", for "Article 2.1 of Regulation 882/2004" substitute "Article 2(1) of Regulation 2017/625";

(h) in the definition "official veterinarian", for "Article 2.1(f) of Regulation 854/2004" substitute "Article 3 (32) of Regulation 2017/625";

(i) for the definition "slaughterhouse" substitute—

""slaughterhouse" means an establishment used for slaughtering and dressing animals, the meat of which is intended for human consumption and which is approved or conditionally approved under Article 148 of Regulation 2017/625;".

4. For Schedule 1 (DEFINITIONS OF COMMUNITY LEGISLATION), substitute the Schedule set out in the Schedule to these Regulations.

5. In Schedule 2 (CALCULATION OF THE OFFICIAL CONTROLS CHARGE)—

(a) in paragraph 6—

(i) for "specified in Article 1.1 of Regulation 882/2004" substitute "of Regulation 2017/625";

(ii) for "Article 3.1" substitute "Article 9(1)";

(b) in paragraph 11, for "Annex VI to Regulation 882/2004", substitute "Articles 81 and 82 of Regulation 2017/625".

Sealed with the Official Seal of the Department of Health on 5th December 2019.

L.S.

Dr Naresh Chada
A senior officer of the Department of Health

SCHEDULE

Regulation 4

"SCHEDULE 1

DEFINITIONS OF EU LEGISLATION

"Directive 2004/41" means Directive 2004/41/EC of the European Parliament and of the Council repealing certain Directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC(**a**);

"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;

"Regulation 852/2004" means Regulation (EC) No. 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs(**b**) as read with Regulation 2073/2005;

"Regulation 853/2004" means Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin(**c**) as read with Directive 2004/41, Regulation 1688/2005, Regulation 2074/2005, and Regulation 2017/185;

"Regulation 1688/2005" means Commission Regulation (EC) No. 1688/2005 implementing Regulation (EC) No. 853/2004 of the European Parliament and of the Council as regards special guarantees concerning salmonella for consignments to Finland and Sweden of certain meat and eggs(**d**);

"Regulation 2073/2005" means Commission Regulation (EC) No. 2073/2005 on microbiological criteria for foodstuffs(**e**);

"Regulation 2074/2005" means Commission Regulation (EC) No. 2074/2005 laying down implementing measures for certain products under Regulation (EC) No. 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No. 854/2004 of the European Parliament and of the Council and Regulation (EC) No. 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No. 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No. 853/2004 and (EC) No. 854/2004(**f**);

"Regulation 2015/1375" means Commission Implementing Regulation (EU) 2015/1375 laying down specific rules on official controls for Trichinella in meat(**g**);

"Regulation 2017/185" means Commission Regulation (EU) 2017/185 laying down transitional measures for the application of certain provisions of Regulations (EC) No 853/2004 and (EC) No 854/2004 of the European Parliament and of the Council(**h**);

(**a**) OJ No. L157, 30.4.2004, p.33. The revised text of Directive 2004/41/EC is now set out in a Corrigendum (OJ No. L195, 2.6.2004, p.12)
(**b**) OJ No. L139, 30.4.2004, p.1. The revised text of Regulation (EC) No. 852/2004 is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.3) which should be read with a further Corrigendum (OJ No. L204, 4.8.2007, p.26)
(**c**) OJ No. L139, 30.4.2004, p.55. The revised text of Regulation (EC) No. 853/2004 is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.22) which should be read with a further Corrigendum (OJ No. L204, 4.8.2007, p.26)
(**d**) OJ No. L271, 15.10.2005, p.17
(**e**) OJ No. L338, 22.12.2005, p.1, as read with the Corrigenda at OJ No. L278, 10.10.2006, p.32 and OJ No. L283, 14.10.2006, p.62
(**f**) OJ No. L338, 22.12.2005, p.27
(**g**) OJ No. L212, 11.8.2015, p. 7
(**h**) OJ No. L29, 3.2.2017, p. 21

"Regulation 2017/625" means 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(**a**) as read with Directive 2004/41, Regulation 2074/2005, 2015/1375 and Regulation 2017/185;

"Regulation 2019/624" means Commission Delegated Regulation (EU) 2019/624 concerning specific rules for the performance of official controls on the production of meat and for production and relaying areas of live bivalve molluscs in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council(**b**) as read with Directive 2004/41, Regulation 2074/2005, 2015/1375 and Regulation 2017/185;

"Regulation 2019/627" means Commission Implementing Regulation (EU) 2019/627 laying down uniform practical arrangements for the performance of official controls on products of animal origin intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council and amending Commission Regulation (EC) No. 2074/2005 as regards official controls(**c**) as read with Directive 2004/41, Regulation 2074/2005, 2015/1375 and Regulation 2017/185."

(**a**) OJ No. L95, 7.4.2017, p. 1
(**b**) OJ No. L131, 17.5.2019, p. 1
(**c**) OJ No. L131, 17.5.2019, p. 51

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend The Meat (Official Controls Charges) Regulations (Northern Ireland) 2009, (S.R 2009 No 247 as already amended) by updating references to EU legislation that has been revoked and replaced by 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 (OJ No. L95, 7.4.2017, p. 1), Commission Delegated Regulation (EU) 2019/624 concerning specific rules for the performance of official controls on the production of meat and for production and relaying areas of live bivalve molluscs in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council (OJ No. L131, 17.5.2019, p. 1.) and Commission Implementing Regulation (EU) 2019/627 laying down uniform practical arrangements for the performance of official controls on products of animal origin intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council and amending Commission Regulation (EC) No. 2074/2005 as regards official controls (OJ No. L131, 17.5.2019, p. 51.).

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