



STATUTORY INSTRUMENTS.

S.I. No. 660 of 2020



EUROPEAN UNION (FOOD AND FEED HYGIENE) (AMENDMENT)
REGULATIONS 2020

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I, CHARLIE MCCONALOGUE, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972, for the purpose of giving further effect to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002¹, Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004², Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004³, Regulation (EC) No 183/2005 of the European Parliament and of the Council of 12 January 2005⁴, Commission Regulation (EU) No 210/2013 of 11 March 2013⁵, Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017⁶, Commission Implementing Regulation (EU) 2019/1013 of 16 April 2019⁷, Commission Implementing Regulation (EU) 2020/466 of 30 March 2020⁸, Commission Implementing Regulation (EU) 2020/1087 of 23 July 2020⁹, Commission Implementing Regulation (EU) 2020/1341 of 28 September 2020¹⁰, Commission Implementing Regulation (EU) 2020/1158 of 5 August 2020¹¹, Commission Implementing Regulation (EU) 2020/1191 of 11 August 2020¹², Commission Implementing Regulation (EU) 2020/1478 of 14 October 2020¹³, Commission Implementing Decision (EU) 2020/1550 of 23 October 2020¹⁴, Commission Implementing Regulation (EU) 2020/1560 of 26 October 2020¹⁵, Commission Implementing Regulation (EU) 2020/1572 of 28 October 2020¹⁶ and Commission Implementing Regulation (EU) 2020/1641 of 5 November 2020¹⁷, hereby make the following regulations:

1. These Regulations may be cited as the European Union (Food and Feed Hygiene) (Amendment) Regulations 2020.

¹ OJ L 31, 1.2.2002, p. 1

² OJ L 139, 30.4.2004, p. 1

³ OJ L 139, 30.4.2004, p. 55

⁴ OJ L 35, 8.2.2005, p. 1

⁵ OJ L 68, 12.3.2013, p. 24

⁶ OJ L 95, 7.4.2017, p. 1

⁷ OJ L 165, 21.6.2019, p. 8

⁸ OJ L 98, 31.3.2020, p. 30

⁹ OJ L 239, 24.07.2020, P. 12

¹⁰ OJ L 314, 29.09.2020, p. 2

¹¹ OJ L 257, 06.08.2020, p. 1

¹² OJ L 262, 12.8.2020, p. 6

¹³ OJ L 338, 15.10.2020, p. 7

¹⁴ OJ L 354, 26.10.2020, p. 9

¹⁵ OJ L 357, 27.10.2020, p. 17

¹⁶ OJ L 359, 29.10.2020, p. 5

¹⁷ OJ L 370, 6.11.2020, p. 4

2. The European Union (Food and Feed Hygiene) Regulations 2020 (S.I. No. 22 of 2020) are amended-

- (a) in Regulation 3, by substituting for the definition of “Regulation No 2017/625” the following-

“Regulation No 2017/625” means Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 as amended, supplemented or implemented by Commission Delegated Regulation (EU) 2018/631 of 7 February 2018¹⁸, Commission Implementing Regulation (EU) 2018/329 of 5 March 2018¹⁹, Commission Implementing Regulation (EU) 2018/1587 of 22 October 2018²⁰, Commission Delegated Regulation (EU) 2019/478 of 14 January 2019²¹, Commission Implementing Regulation (EU) 2019/66 of 16 January 2019²² (as amended by Commission Implementing Regulation (EU) 2020/714 of 28 May 2020 and Commission Implementing Regulation (EU) 2020/887 of 26 June 2020), Commission Delegated Regulation (EU) 2019/624 of 8 February 2019²³, Commission Delegated Regulation (EU) 2019/625 of 4 March 2019²⁴, Commission Delegated Regulation (EU) 2019/1081 of 8 March 2019²⁵, Commission Delegated Regulation (EU) 2019/1012 of 12 March 2019²⁶, Commission Implementing Regulation (EU) 2019/530 of 27 March 2019²⁷, Commission Implementing Regulation (EU) 2019/723 of 2 May 2019²⁸, Commission Implementing Regulation (EU) 2019/626 of 5 March 2019²⁹ (as amended by Commission Implementing Regulation (EU) 2019/1981 of 28 November 2019³⁰ and Commission Implementing Regulation (EU) 2020/1572 of 28 October 2020), Commission Implementing Regulation (EU) 2019/627 of 15 March 2019³¹, Commission Implementing Regulation (EU) 2019/628 of 8 April 2019³², Commission Implementing Regulation (EU) 2019/1013 of 16 April 2019³³, Commission Delegated Regulation (EU) 2019/1602 of 23 April 2019³⁴, Commission Implementing Regulation (EU) 2019/1014

¹⁸ OJ L 105, 25.4.2018, p. 1

¹⁹ OJ L 63, 6.3.2018, p. 13

²⁰ OJ L 264, 23.10.2018, p. 20

²¹ OJ L 82, 25.3.2019, p. 4

²² OJ L 15, 17.1.2019, p. 1

²³ OJ L 131, 17.5.2019, p. 1

²⁴ OJ L 131, 17.5.2019, p. 18

²⁵ OJ L 171, 26.6.2019, p. 1

²⁶ OJ L 165, 21.6.2019, p. 4

²⁷ OJ L 88, 29.3.2019, p. 19

²⁸ OJ L 124, 13.5.2019, p. 1

²⁹ OJ L 131, 17.5.2019, p. 31

³⁰ OJ L 308, 29.11.2019, p. 72

³¹ OJ L 131, 17.5.2019, p. 51

³² OJ L 131, 17.5.2019, p. 101

³³ OJ L 165, 21.6.2019, p. 8

³⁴ OJ L 250, 30.9.2019, p. 6

of 12 June 2019³⁵, Commission Delegated Regulation (EU) 2019/2090 of 19 June 2019³⁶, Commission Delegated Regulation (EU) 2019/1666 of 24 June 2019³⁷, Commission Implementing Regulation (EU) 2019/1139 of 3 July 2019³⁸, Commission Delegated Regulation (EU) 2019/2074 of 23 September 2019³⁹, Commission Implementing Regulation (EU) 2019/1715 of 30 September 2019⁴⁰, Commission Implementing Regulation (EU) 2019/1685 of 4 October 2019⁴¹, Commission Delegated Regulation (EU) 2019/2122 of 10 October 2019⁴², Commission Delegated Regulation (EU) 2019/2125 of 10 October 2019⁴³, Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019⁴⁴, Commission Delegated Regulation (EU) 2019/2126 of 10 October 2019⁴⁵, Commission Delegated Regulation (EU) 2019/2127 of 10 October 2019⁴⁶, Commission Delegated Regulation (EU) 2019/2123 of 10 October 2019⁴⁷, Commission Implementing Regulation (EU) 2019/1793 of 22 October 2019⁴⁸ (as amended by Commission Implementing Regulation (EU) 2020/625 of 6 May 2020 and Commission Implementing Regulation (EU) 2020/1540 of 22 October 2020), Commission Implementing Regulation (EU) 2019/1873 of 7 November 2019⁴⁹, Commission Implementing Regulation (EU) 2019/2128 of 12 November 2019⁵⁰, Commission Implementing Regulation (EU) 2019/2007 of 18 November 2019⁵¹, Commission Implementing Regulation (EU) 2019/2130 of 25 November 2019⁵², Commission Implementing Regulation (EU) 2019/2129 of 25 November 2019⁵³, Commission Implementing Regulation (EU) 2019/2093 of 29 November 2019⁵⁴, Commission Implementing Regulation (EU) 2020/466 of 30 March 2020⁵⁵ (as amended by Commission Implementing Regulation (EU) 2020/1087 of 23 July 2020⁵⁶ and Commission Implementing Regulation (EU) 2020/1341 of 28 September

³⁵ OJ L 165, 21.6.2019, p. 10

³⁶ OJ L 317, 9.12.2019, p. 28

³⁷ OJ L 255, 4.10.2019, p. 1

³⁸ OJ L 180, 4.7.2019, p. 12

³⁹ OJ L 316, 6.12.2019, p. 6

⁴⁰ OJ L 261, 14.10.2019, p. 37

⁴¹ OJ L 258, 9.10.2019, p. 11

⁴² OJ L 321, 12.12.2019, p. 45

⁴³ OJ L 321, 12.12.2019, p. 99

⁴⁴ OJ L 321, 12.12.2019, p. 73

⁴⁵ OJ L 321, 12.12.2019, p. 104

⁴⁶ OJ L 321, 12.12.2019, p. 111

⁴⁷ OJ L 321, 12.12.2019, p. 64

⁴⁸ OJ L 277, 29.10.2019, p. 89

⁴⁹ OJ L 289, 8.11.2019, p. 50

⁵⁰ OJ L 321, 12.12.2019, p. 114

⁵¹ OJ L 312, 3.12.2019, p. 1

⁵² OJ L 321, 12.12.2019, p. 128

⁵³ OJ L 321, 12.12.2019, p. 122

⁵⁴ OJ L 317, 9.12.2019, p. 96

⁵⁵ OJ L 98, 31.3.2020, p. 30

⁵⁶ OJ L 239, 24.07.2020, P. 12

2020⁵⁷), Commission Implementing Regulation (EU) 2020/1158 of 5 August 2020⁵⁸, Commission Implementing Regulation (EU) 2020/1191 of 11 August 2020, Commission Implementing Regulation (EU) 2020/1478 of 14 October 2020, Commission Implementing Decision (EU) 2020/1550 of 23 October 2020, Commission Implementing Regulation (EU) 2020/1560 of 26 October 2020 and Commission Implementing Regulation (EU) 2020/1641 of 5 November 2020;”,

- (b) in Regulation 4, by substituting for paragraph (4) the following-
 “(4) An application for registration in respect of a food business to which these Regulations applies that is-
- (a) not otherwise specified in this Regulation, or
 - (b) specified in this Regulation, where-
 - (i) the official agency specified as the registering authority no longer wishes to continue a service contract, or
 - (ii) the official agency specified as a registering authority, in the opinion of the Food Safety Authority of Ireland, fails to discharge all or part of its obligations set out in the service contract

shall be made to the registering authority to which the Food Safety Authority of Ireland directs the application, and be in a form and contain any information that the registering authority to which the application is directed to may require.

(4A) For the avoidance of doubt, the registering authority to which an application may be directed to under paragraph (4) includes the Food Safety Authority of Ireland.”, and

- (c) in Regulation 5, by substituting for paragraph (6) the following-
 “(6) An application for approval in respect of-
- (a) a food business establishment operating as a cold storage plant,
 - (b) a food business not otherwise specified in this Regulation, or
 - (c) a food business specified in this Regulation, where-
 - (i) the official agency specified as the registering authority no longer wishes to continue a service contract, or
 - (ii) the official agency specified as a registering authority, in the opinion of the Food Safety Authority of Ireland, fails to discharge all or

⁵⁷ OJ L 314, 29.09.2020, p. 2

⁵⁸ OJ L 257, 06.08.2020, p. 1

part of its obligations set out in the service contract

shall be made to the registering authority to which the Food Safety Authority of Ireland directs the application, and be in a form and contain any information that the registering authority to which the application is directed to may require.

(6A) For the avoidance of doubt, the registering authority to which an application may be directed to under paragraph (6) includes the Food Safety Authority of Ireland.”,

(d) by substituting for Regulation 10 the following:

“Notice of import of food and feed

10. (1) Except as provided in paragraph (2), a person shall, in accordance with Article 56(3)(a) of Regulation No 2017/625, no later than 1 working day before the expected arrival, notify the Minister in writing, by means of Part I of the common health entry document, of his or her intention to move into the State food or feed to which these Regulations apply and that are referred to in Article 47(1) of Regulation No 2017/625.

(2) A person referred to in paragraph (1) may, where logistical constraints prevent compliance with the time limit set out in paragraph (1), avail of the derogation provided for in Article 1(2) of Commission Implementing Regulation (EU) 2019/1013 of 16 April 2019, but in such a case the period of prior notification shall be at least 24 hours.

(3) Without prejudice to the generality of paragraph (1), where the consignment to be moved into the state contains animal feed, the person referred to in paragraph (1) shall provide the Minister with notice of the nature and quantity of animal feed including its GM and Organic Status.”, and

(e) in Regulation 32(1), by substituting for subparagraph (j) the following:

“(j) except as provided for in Regulation 10, being an operator, fails to provide prior notification in contravention of Article 56(4),”.



GIVEN under my Official Seal,
17 December, 2020.

CHARLIE MCCONALOGUE,
Minister for Agriculture, Food and the Marine.

EXPLANATORY NOTE.

(This note is not part of the instrument and does not purport to be a legal interpretation.)

These Regulations update the definitions of the Official Controls Regulation providing an alternative for competent authority and it also amends the notification period for imports of food and feed.

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