



STATUTORY INSTRUMENTS.

S.I. No. 177 of 2013

EUROPEAN UNION (SPECIAL CONDITIONS GOVERNING THE
IMPORT OF CERTAIN FOODSTUFFS FROM CERTAIN THIRD
COUNTRIES DUE TO CONTAMINATION RISK BY AFLATOXINS)
(AMENDMENT) REGULATIONS 2013

EUROPEAN UNION (SPECIAL CONDITIONS GOVERNING THE
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(AMENDMENT) REGULATIONS 2013

I, JAMES REILLY, Minister for Health, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving effect to Commission Implementing Regulation (EU) No. 91/2013 of 31 January 2013¹ and giving further effect to Commission Regulation 1152/2009 of 27 November 2009², hereby make the following regulations:

1. These Regulations may be cited as the European Union (Special Conditions Governing the Import of Certain Foodstuffs from Certain Third Countries Due to Contamination Risk by Aflatoxins) (Amendment) Regulations 2013.

2. In these Regulations, “Principal Regulations” means the European Union (Special Conditions Governing the Import of Certain Foodstuffs from Certain Third Countries Due to Contamination Risk by Aflatoxins) Regulations 2011 (S.I. No. 650 of 2011), as amended by the European Union (Special Conditions Governing the Import of Certain Foodstuffs from Certain Third Countries Due to Contamination Risk by Aflatoxins) (Amendment) Regulations 2012 (S.I. No. 472 of 2012).

3. Regulation 2(1) of the Principal Regulations is amended—

(a) by inserting after the definition of “consignment” the following definition:

“‘designated point of entry (DPE)’ means a particular point of entry designated by the State pursuant to Article 17 of EC Regulation 882/2004, and listed on the website www.fsai.ie for the purposes of importation of foodstuffs and foodstuffs processed and compound thereof referred to in Articles 1(1) of EC Regulation 1152/2009; in cases of consignments arriving by sea, which are unloaded at a port in the State for the purposes of being loaded on another vessel for onwards transportation to a port in another Member State of the European Economic Area, the designated point of entry shall be the latter port.”,

¹OJ No. L 33, 2.2.2013, p. 2.

²OJ No. L 313, 28.11.2009, p. 40.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 31st May, 2013.*

- (b) in the definition of “designated points of import”, by substituting “European Economic Area” for “European Union”,
- (c) by substituting for the definition of “EC Regulation 1152/2009” the following:

“EC Regulation 1152/2009’ means Commission Regulation (EC) No. 1152/2009 of 27 November 2009², as amended by Commission Implementing Regulation (EU) No. 274/2012 of 27 March 2012³ and Commission Implementing Regulation (EU) No. 91/2013 of 31 January 2013¹,”; and
- (d) by deleting the definition of “first point of introduction”.

4. Regulation 7(1) of the Principal Regulations is amended—

- (a) in subparagraph (b), by substituting “European Economic Area” for “European Union”,
- (b) in subparagraph (c), by substituting “designated point of entry” for “first point of introduction”, and
- (c) in subparagraph (j), by substituting “European Economic Area” for “European Union”.

5. Regulation 11(3)(g) of the Principal Regulations is amended by substituting “European Economic Area” for “European Union”.



GIVEN under my Official Seal,
24 May 2013.

JAMES REILLY,
Minister for Health.

³OJ No. L 90, 28.3.2012, p. 14.

EXPLANATORY NOTE

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

These Regulations give partial effect to Commission Implementing Regulation (EU) No. 91/2013 of 31 January 2013.

These Regulations amend the European Union (Special Conditions Governing the Import of Certain Foodstuffs from Certain Third Countries Due to Contamination Risk by Aflatoxins) Regulations 2011 (S.I. No. 650 of 2011) in the manner specified in these Regulations.

These Regulations may be cited as the European Union (Special Conditions Governing the Import of Certain Foodstuffs from Certain Third Countries Due to Contamination Risk by Aflatoxins) (Amendment) Regulations 2013.

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