Annex A: Draft of The Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2021

*Draft Regulations laid before the Assembly under paragraph 8F(9) of Part 1A of Schedule 7 of the European Union (Withdrawal) Act 2018 for approval by resolution of the Assembly*

[draft] Statutory Rules of Northern Ireland

**2021 No.0000**

**AGRICULTURE**

**FOOD**

# The Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2021

[Laid before the Assembly in draft]

Made - - - - 0th Month 2021

Coming into operation - 0th Month 2021

The Department of Health([[1]](#footnote-2)) makes these Regulations in exercise of the powers conferred by sections 11 and 22 of, and paragraph 11M(1) of Part 1C of Schedule 2 and paragraph 21(b) of Schedule 7 to the European Union (Withdrawal) Act 2018([[2]](#footnote-3)).

In accordance with paragraph 8F(9) of Part 1A of Schedule 7 to that Act, a draft of these Regulations was laid before and approved by a resolution of the Northern Ireland Assembly.

As required by Article 9 of Regulation (EC) No 178/2002([[3]](#footnote-4)) 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, there has been open and transparent public consultation during the preparation and evaluation of these Regulations.

## Citation and commencement

1. These Regulations may be cited as the Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2021 and come into operation on 0th Month 2021.

## Amendment of the Food Hygiene Regulations (Northern Ireland) 2006

1. — The Food Hygiene Regulations (Northern Ireland)2006([[4]](#footnote-5)) are amended as follows.
   1. In regulation 2 (Interpretation)—
      1. in paragraph (1)—
         1. omit the definition that begins “Directive 2004/41”;
         2. for the definition of “the Regulation 2017/625 package” substitute—

“the Regulation 2017/625 package” means Regulation 2017/625 and the other EU Regulations listed in Schedule 1 under the heading “The Regulation 2017/625 package”;;

* + 1. after paragraph (1) insert—

(1A) Any reference in these Regulations to Directives or Regulations referred to in Schedule 1 have the meanings respectively given to them in that Schedule..

* 1. In regulation 17 (Offences and penalties)—
     1. in paragraph (1) omit “paragraphs (4) and (5)” and substitute “paragraph (4)”
     2. omit paragraph (5)
  2. Omit regulation 32
  3. Omit Schedule 2A
  4. For Schedule 1 (DEFINITIONS OF COMMUNITY LEGISLATION) substitute the Schedule that is set out in Schedule 1 to these Regulations.

## Amendment of the Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007

1. — The Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007([[5]](#footnote-6)) are amended as follows.
   1. In regulation 2 (Interpretation), in paragraph (1), in the definition that begins “Directive 2004/41” omit ““Regulation 2019/624””.
   2. In the Schedule (DEFINITIONS OF EU LEGISLATION) omit the definition of “Regulation 2019/624”.

## Amendment of the Official Feed and Food Controls Regulations (Northern Ireland) 2009

1. — The Official Feed and Food Controls Regulations (Northern Ireland) 2009([[6]](#footnote-7)) are amended as follows.
   1. In regulation 2 (Interpretation)—
      1. in paragraph (1)—
         1. omit the definition that begins “Decision 2007/275”;
         2. for the definition “the Regulation 2017/625 package” substitute—

“the Regulation 2017/625 package” means Regulation 2017/625 and the EU Regulations listed below the heading “The Regulation 2017/625 package” in Schedule 1;;

* + 1. after paragraph (1) insert—

(1A) Any reference in these Regulations to Decisions, Directives or Regulations referred to in Schedule 1 have the meanings respectively given to them in that Schedule..

* 1. In regulation 21 (Interpretation of this Part), in the definition of “product”, for the words from “required” to “border control posts” substitute “listed in Decision 2007/275/EC”.
  2. In regulation 31 (Notices in relation to imports of feed and food from third countries pursuant to the previous regulation), in paragraph (3), for “Article” substitute “Articles”.
  3. In regulation 34 (Costs and fees), in paragraph (2) omit “and (c)”.
  4. In regulation 39(1A) (Offences and penalties), for the wording from “Article 3” to “production of sprouts” substitute “Article 13 of Regulation 2019/625, in so far as it applies to sprouts and seeds intended for the production of sprouts, as read with Article 27 of Regulation 2019/628 and Regulation 2020/2235”.
  5. In Part 4 (RECOVERY OF EXPENSES), at the appropriate place insert—

Fees or charges arising from unplanned official controls

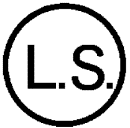
**41A.** Fees or charges imposed by a competent authority on an operator pursuant to Article 79(2)(c) of Regulation 2017/625 must be paid by the operator on the written demand of the competent authority..

* 1. For Schedule 1 (DEFINITIONS OF EU LEGISLATION) substitute the Schedule that is set out in Schedule 2 to these Regulations.
  2. For Schedule 4 (COMPETENT AUTHORITIES FOR THE PURPOSES OF CERTAIN PROVISIONS OF REGULATION 2017/625 IN SO FAR AS THEY APPLY IN RELATION TO RELEVANT FEED LAW) substitute the Schedule that is set out in Schedule 3 to these Regulations.
  3. For Schedule 5 (COMPETENT AUTHORITIES FOR THE PURPOSES OF CERTAIN PROVISIONS OF REGULATION 2017/625 IN SO FAR AS THEY APPLY IN RELATION TO RELEVANT FOOD LAW) substitute the Schedule that is set out in Schedule 4 to these Regulations.
  4. For Schedule 6 (SPECIFIED IMPORT PROVISIONS) substitute the Schedule that is set out in Schedule 5 to these Regulations.

## Amendment of the Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016

1. In regulation 19 (Duties to enforce), for “1829/2002” substitute “1829/2003”.

Sealed with the official seal of the Department of Health on 0th Month 2021.



Name

A senior officer of the Department of Health

## SCHEDULE 1 Regulation 2(6)

SCHEDULE 1 Regulation 2(1)

DEFINITIONS OF 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([[7]](#footnote-8));

“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 as read with Regulation 931/2011 and Regulation 208/2013;

“Regulation 852/2004” means Regulation (EC) No. 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs([[8]](#footnote-9)) as read with Regulation 2073/2005 and Regulation 210/2013;

“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([[9]](#footnote-10)) as read with Directive 2004/41, Regulation 1688/2005, Regulation 2074/2005 and 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([[10]](#footnote-11));

“Regulation 2073/2005” means Commission Regulation (EC) No. 2073/2005 on microbiological criteria for foodstuffs([[11]](#footnote-12));

“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([[12]](#footnote-13));

“Regulation 931/2011” means Commission Implementing Regulation (EU) No. 931/2011 on the traceability requirements set by Regulation (EC) No. 178/2002 of the European Parliament and of the Council for food of animal origin([[13]](#footnote-14));

“Regulation 1169/2011” means Regulation (EU) No. 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No. 1924/2006 and (EC) No. 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No. 608/2004([[14]](#footnote-15));

“Regulation 208/2013” means Commission Implementing Regulation (EU) No. 208/2013 on traceability requirements for sprouts and seeds intended for the production of sprouts([[15]](#footnote-16));

“Regulation 210/2013” means Commission Regulation (EU) No. 210/2013 on the approval of establishments producing sprouts pursuant to Regulation (EC) No. 852/2004 of the European Parliament and of the Council([[16]](#footnote-17));

“Regulation 579/2014” means Commission Regulation (EU) No. 579/2014 granting derogation from certain provisions of Annex II to Regulation (EC) No. 852/2004 of the European Parliament and of the Council as regards the transport of liquid oils and fats by sea([[17]](#footnote-18));

“Regulation 2015/1375” means Commission Implementing Regulation (EU) 2015/1375 laying down specific rules on official controls for Trichinella in meat([[18]](#footnote-19));

“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([[19]](#footnote-20));

“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([[20]](#footnote-21)) as read with Regulation 2074/2005, Regulation 2017/185 and the Regulation 2017/625 package;

The Regulation 2017/625 package

“Regulation 2019/478” means Commission Delegated Regulation (EU) 2019/478 amending Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the categories of consignments to be subjected to official controls at border control posts([[21]](#footnote-22));

“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([[22]](#footnote-23));

“Regulation 2019/625” means Commission Delegated Regulation (EU) 2019/625 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council with regard to requirements for the entry into the Union of consignments of certain animals and goods intended for human consumption([[23]](#footnote-24));

“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([[24]](#footnote-25));

“Regulation 2019/628” means Commission Implementing Regulation (EU) 2019/628 concerning model official certificates for certain animals and goods and amending Regulation (EC) No. 2074/2005 and Implementing Regulation (EU) 2016/759 as regards these model certificates([[25]](#footnote-26));

“Regulation 2019/723” means Commission Implementing Regulation (EU) 2019/723 laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the standard model form to be used in the annual reports submitted by Member States([[26]](#footnote-27));

“Regulation 2019/1012” means Commission Delegated Regulation (EU) 2019/1012 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council by derogating from the rules on the designation of control points and from the minimum requirements for border control posts([[27]](#footnote-28));

“Regulation 2019/1013” means Commission Implementing Regulation (EU) 2019/1013 on prior notification of consignments of certain categories of animals and goods entering the Union([[28]](#footnote-29));

“Regulation 2019/1014” means Commission Implementing Regulation (EU) 2019/1014 to lay down detailed rules on minimum requirements for border control posts, including inspection centres, and for the format, categories and abbreviations to use for listing border control posts and control points([[29]](#footnote-30));

“Regulation 2019/1081” means Commission Delegated Regulation (EU) 2019/1081 establishing rules on specific training requirements for staff for performing certain physical checks at border control posts([[30]](#footnote-31));

“Regulation 2019/1139” means Commission Implementing Regulation (EU) 2019/1139 amending Regulation (EC) No 2074/2005 as regards official controls on food of animal origin in relation to requirements concerning food chain information and fishery products and to the reference to recognised testing methods for marine biotoxins and to testing methods for raw milk and heat-treated cow’s milk ([[31]](#footnote-32));

“Regulation 2019/1602” means Commission Delegated Regulation (EU) 2019/1602 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council concerning the Common Health Entry Document accompanying consignments of animals and goods to their destination([[32]](#footnote-33));

“Regulation 2019/1666” means Commission Delegated Regulation (EU) 2019/1666 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards conditions for monitoring the transport and arrival of consignments of certain goods from the border control post of arrival to the establishment at the place of destination in the Union([[33]](#footnote-34));

“Regulation 2019/1715” means Commission Implementing Regulation (EU) 2019/1715 laying down rules for the functioning of the information management system for official controls and its system components (the IMSOC Regulation)([[34]](#footnote-35));

“Regulation 2019/1793” means Commission Implementing Regulation (EU) 2019/1793 on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries implementing Regulations (EU) 2017/625 and (EC) No. 178/2002 of the European Parliament and of the Council and repealing Commission Regulations (EC) No. 669/2009, (EU) No. 884/2014, (EU) 2015/175, (EU) 2017/186 and (EU) 2018/1660([[35]](#footnote-36));

“Regulation 2019/1873” means Commission Implementing Regulation (EU) 2019/1873 on the procedures at border control posts for a coordinated performance by competent authorities of intensified official controls on products of animal origin, germinal products, animal by-products and composite products([[36]](#footnote-37));

“Regulation 2019/2007” means Commission Implementing Regulation (EU) 2019/2007 laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the lists of animals, products of animal origin, germinal products, animal by-products and derived products and hay and straw subject to official controls at border control posts and amending Decision 2007/275/EC([[37]](#footnote-38));

“Regulation 2019/2074” means Commission Delegated Regulation (EU) 2019/2074 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules on specific official controls on consignments of certain animals and goods originating from, and returning to the Union following a refusal of entry by a third country([[38]](#footnote-39));

“Regulation 2019/2122” means Commission Delegated Regulation (EU) 2019/2122 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards certain categories of animals and goods exempted from official controls at border control posts, specific controls on passengers’ personal luggage and on small consignments of goods sent to natural persons which are not intended to be placed on the market and amending Commission Regulation (EU) No. 142/2011([[39]](#footnote-40));

“Regulation 2019/2123” means Commission Delegated Regulation (EU) 2019/2123 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for the cases where and the conditions under which identity checks and physical checks on certain goods may be performed at control points and documentary checks may be performed at distance from border control posts([[40]](#footnote-41));

“Regulation 2019/2124” means Commission Delegated Regulation (EU) 2019/2124 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for official controls of consignments of animals and goods in transit, transhipment and onward transportation through the Union, and amending Commission Regulations (EC) No. 798/2008, (EC) No. 1251/2008, (EC) No. 119/2009, (EU) No. 206/2010, (EU) No. 605/2010, (EU) No. 142/2011, (EU) No. 28/2012, Commission Implementing Regulation (EU) 2016/759 and Commission Decision 2007/777/EC([[41]](#footnote-42));

“Regulation 2019/2126” means Commission Delegated Regulation (EU) 2019/2126 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for specific official controls for certain categories of animals and goods, measures to be taken following the performance of such controls and certain categories of animals and goods exempted from official controls at border control posts([[42]](#footnote-43));

“Regulation 2019/2129” means Commission Implementing Regulation (EU) 2019/2129 establishing rules for the uniform application of frequency rates for identity checks and physical checks on certain consignments of animals and goods entering the Union([[43]](#footnote-44));

“Regulation 2019/2130” means Commission Implementing Regulation (EU) 2019/2130 establishing detailed rules on the operations to be carried out during and after documentary checks, identity checks and physical checks on animals and goods subject to official controls at border control posts([[44]](#footnote-45));

“Regulation 2020/466” means Commission Implementing Regulation (EU) 2020/466 on temporary measures to contain risks to human, animal and plant health and animal welfare during certain serious disruptions of Member States’ control systems due to coronavirus disease([[45]](#footnote-46));

“Regulation 2020/1158” means Commission Implementing Regulation (EU) 2020/1158 on the conditions governing imports of food and feed originating in third countries following the accident at the Chernobyl nuclear power station([[46]](#footnote-47));

“Regulation 2021/405” means Commission Implementing Regulation (EU) 2021/405 laying down the lists of third countries or regions thereof authorised for the entry into the Union of certain animals and goods intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council([[47]](#footnote-48));

[COMMISSION DELEGATED REGULATION (EU) …/...] supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards certain categories of goods exempted from official controls at border control posts and amending Commission Decision 2007/275/EC([[48]](#footnote-49)).

SCHEDULE 2 *Regulation 4(8)*

SCHEDULE 1 Regulation 2(1)

DEFINITIONS OF LEGISLATION

“Decision 2007/275” means Commission Decision 2007/275/EC concerning lists of composite products to be subject to controls at border control posts([[49]](#footnote-50));

“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([[50]](#footnote-51));

“Regulation 999/2001” means Regulation (EC) No. 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies([[51]](#footnote-52));

“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([[52]](#footnote-53));

“Regulation 852/2004” means Regulation (EC) No. 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs as read with Regulation 2073/2005([[53]](#footnote-54));

“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 as read with Directive 2004/41, Regulation 1688/2005 and Regulation 2074/2005 and Regulation 2017/185([[54]](#footnote-55));

“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([[55]](#footnote-56));

“Regulation 2073/2005” means Commission Regulation (EC) No. 2073/2005 on microbiological criteria for foodstuffs([[56]](#footnote-57));

“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([[57]](#footnote-58));

“Regulation 2015/1375” means Commission Implementing Regulation (EU) 2015/1375 laying down specific rules on official controls for Trichinella in meat([[58]](#footnote-59));

“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([[59]](#footnote-60));

“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 as read with Regulation 2074/2005, Regulation 2017/185 and the Regulation 2017/625 package;

The Regulation 2017/625 package

“Regulation 2019/478” means Commission Delegated Regulation (EU) 2019/478 amending Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the categories of consignments to be subjected to official controls at border control posts([[60]](#footnote-61));

“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([[61]](#footnote-62));

“Regulation 2019/625” means Commission Delegated Regulation (EU) 2019/625 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council with regard to requirements for the entry into the Union of consignments of certain animals and goods intended for human consumption([[62]](#footnote-63));

“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([[63]](#footnote-64));

“Regulation 2019/628” means Commission Implementing Regulation (EU) 2019/628 concerning model official certificates for certain animals and goods and amending Regulation (EC) No. 2074/2005 and Implementing Regulation (EU) 2016/759 as regards these model certificates([[64]](#footnote-65));

“Regulation 2019/723” means Commission Implementing Regulation (EU) 2019/723 laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the standard model form to be used in the annual reports submitted by Member States([[65]](#footnote-66));

“Regulation 2019/1012” means Commission Delegated Regulation (EU) 2019/1012 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council by derogating from the rules on the designation of control points and from the minimum requirements for border control posts([[66]](#footnote-67));

“Regulation 2019/1013” means Commission Implementing Regulation (EU) 2019/1013 on prior notification of consignments of certain categories of animals and goods entering the Union([[67]](#footnote-68));

“Regulation 2019/1014” means Commission Implementing Regulation (EU) 2019/1014 to lay down detailed rules on minimum requirements for border control posts, including inspection centres, and for the format, categories and abbreviations to use for listing border control posts and control points([[68]](#footnote-69));

“Regulation 2019/1081” means Commission Delegated Regulation (EU) 2019/1081 establishing rules on specific training requirements for staff for performing certain physical checks at border control posts([[69]](#footnote-70));

“Regulation 2019/1139” means Commission Implementing Regulation (EU) 2019/1139 amending Regulation (EC) No 2074/2005 as regards official controls on food of animal origin in relation to requirements concerning food chain information and fishery products and to the reference to recognised testing methods for marine biotoxins and to testing methods for raw milk and heat-treated cow’s milk ([[70]](#footnote-71));

“Regulation 2019/1602” means Commission Delegated Regulation (EU) 2019/1602 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council concerning the Common Health Entry Document accompanying consignments of animals and goods to their destination([[71]](#footnote-72));

“Regulation 2019/1666” means Commission Delegated Regulation (EU) 2019/1666 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards conditions for monitoring the transport and arrival of consignments of certain goods from the border control post of arrival to the establishment at the place of destination in the Union([[72]](#footnote-73));

“Regulation 2019/1715” means Commission Implementing Regulation (EU) 2019/1715 laying down rules for the functioning of the information management system for official controls and its system components (the IMSOC Regulation)([[73]](#footnote-74));

“Regulation 2019/1793” means Commission Implementing Regulation (EU) 2019/1793 on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries implementing Regulations (EU) 2017/625 and (EC) No. 178/2002 of the European Parliament and of the Council and repealing Commission Regulations (EC) No. 669/2009, (EU) No. 884/2014, (EU) 2015/175, (EU) 2017/186 and (EU) 2018/1660([[74]](#footnote-75));

“Regulation 2019/1873” means Commission Implementing Regulation (EU) 2019/1873 on the procedures at border control posts for a coordinated performance by competent authorities of intensified official controls on products of animal origin, germinal products, animal by-products and composite products([[75]](#footnote-76));

“Regulation 2019/2007” means Commission Implementing Regulation (EU) 2019/2007 laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the lists of animals, products of animal origin, germinal products, animal by-products and derived products and hay and straw subject to official controls at border control posts and amending Decision 2007/275/EC([[76]](#footnote-77));

“Regulation 2019/2074” means Commission Delegated Regulation (EU) 2019/2074 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules on specific official controls on consignments of certain animals and goods originating from, and returning to the Union following a refusal of entry by a third country([[77]](#footnote-78));

“Regulation 2019/2122” means Commission Delegated Regulation (EU) 2019/2122 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards certain categories of animals and goods exempted from official controls at border control posts, specific controls on passengers’ personal luggage and on small consignments of goods sent to natural persons which are not intended to be placed on the market and amending Commission Regulation (EU) No. 142/2011([[78]](#footnote-79));

“Regulation 2019/2123” means Commission Delegated Regulation (EU) 2019/2123 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for the cases where and the conditions under which identity checks and physical checks on certain goods may be performed at control points and documentary checks may be performed at distance from border control posts([[79]](#footnote-80));

“Regulation 2019/2124” means Commission Delegated Regulation (EU) 2019/2124 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for official controls of consignments of animals and goods in transit, transhipment and onward transportation through the Union, and amending Commission Regulations (EC) No. 798/2008, (EC) No. 1251/2008, (EC) No. 119/2009, (EU) No. 206/2010, (EU) No. 605/2010, (EU) No. 142/2011, (EU) No. 28/2012, Commission Implementing Regulation (EU) 2016/759 and Commission Decision 2007/777/EC([[80]](#footnote-81));

“Regulation 2019/2126” means Commission Delegated Regulation (EU) 2019/2126 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for specific official controls for certain categories of animals and goods, measures to be taken following the performance of such controls and certain categories of animals and goods exempted from official controls at border control posts([[81]](#footnote-82));

“Regulation 2019/2129” means Commission Implementing Regulation (EU) 2019/2129 establishing rules for the uniform application of frequency rates for identity checks and physical checks on certain consignments of animals and goods entering the Union([[82]](#footnote-83));

“Regulation 2019/2130” means Commission Implementing Regulation (EU) 2019/2130 establishing detailed rules on the operations to be carried out during and after documentary checks, identity checks and physical checks on animals and goods subject to official controls at border control posts([[83]](#footnote-84));

“Regulation 2020/466” means Commission Implementing Regulation (EU) 2020/466 on temporary measures to contain risks to human, animal and plant health and animal welfare during certain serious disruptions of Member States’ control systems due to coronavirus disease([[84]](#footnote-85));

“Regulation 2020/1158” means Commission Implementing Regulation (EU) 2020/1158 on the conditions governing imports of food and feed originating in third countries following the accident at the Chernobyl nuclear power station([[85]](#footnote-86));

“Regulation 2021/405” means Commission Implementing Regulation (EU) 2021/405 laying down the lists of third countries or regions thereof authorised for the entry into the Union of certain animals and goods intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council([[86]](#footnote-87));

## [COMMISSION DELEGATED REGULATION (EU) …/...] supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards certain categories of goods exempted from official controls at border control posts and amending Commission Decision 2007/275/EC([[87]](#footnote-88)).

## SCHEDULE 3 Regulation 4(9)

SCHEDULE 4 Regulation 3(1)

COMPETENT AUTHORITIES FOR THE PURPOSES OF CERTAIN PROVISIONS OF REGULATION 2017/625 IN SO FAR AS THEY APPLY IN RELATION TO RELEVANT FEED LAW

|  |  |
| --- | --- |
| Column 1  Competent authority | Column 2  Provisions of Regulation 2017/625 |
| The Agency | Articles 4, 5(1), (4) and (5), 6, 7, 8, 11, 12, 15, 23(1), 28, 29, 30, 31, 32, 33, 35, 37, 38, 39, 40, 42, 63(4)(a), 65(5), 66(6), 73, 75, 76, 78, 79, 81, 82, 83, 84, 85, 87, 88, 89, 91, 93, 96, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 113, 115, 116, 124, 130, 135, 137, 138, 140. |
| The feed authority | Articles 4, 5(1), (4) and (5), 6, 7, 8, 9, 10, 11, 12, 13, 15, 23(1), 26, 28, 29, 30, 31, 32, 33, 35, 36, 38, 44, 45, 46, 47, 49, 50, 55, 56, 57, 63, 65(1), (2), (3), (4) and (5), 66, 67, 68, 69, 71, 72, 73, 75, 76, 78, 79, 81, 82, 83, 84, 85, 86, 87, 88, 89, 91, 96, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 113, 115, 116, 130, 135, 137, 138, 140. |

## SCHEDULE 4 Regulation 4(10)

SCHEDULE 5 Regulation 3(2)

COMPETENT AUTHORITIES FOR THE PURPOSES OF CERTAIN PROVISIONS OF REGULATION 2017/625 IN SO FAR AS THEY APPLY IN RELATION TO RELEVANT FOOD LAW

|  |  |
| --- | --- |
| Column 1  Competent authority | Column 2  Provisions of Regulation 2017/625 |
| The Agency | Articles 4, 5(1), (2) (4) and (5), 6, 7, 8, 9, 10, 11, 12, 13, 15, 18, 19(1), 20(1) 21, 23 (1), 26, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 39, 40, 42, 44, 45, 46, 47, 49, 50, 55, 56, 57(3), 63, 65(5), 66(6), 68, 69, 71, 72, 73, 75, 76, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 91, 93, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 113, 115, 116, 119, 124, 130, 132, 133, 135, 137, 138, 140, 148, 150. |
| The food authority | Articles 4(2), 5(1), (4) and (5), 6, 7, 8, 9, 10, 11, 12, 13, 15, 18, 19(1), 20(1), 21, 23 (1), 26, 28, 29, 30, 31, 32, 33, 35, 36, 38, 44, 45, 46, 47, 49, 50, 55, 56, 57, 63, 65(1), (2), (3), (4) and (5), 66, 67, 68, 69, 71, 72, 73, 75, 76, 78, 79, 81, 82, 83, 84, 85, 86, 87, 88, 89, 91, 96, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 113, 115, 116, 130, 132, 133, 135, 137, 138, 140, 148, 150. |

## SCHEDULE 5 Regulation 4(11)

SCHEDULE 6 Regulations 21 and 39(1)(a)

SPECIFIED IMPORT PROVISIONS

|  |  |
| --- | --- |
| Column 1  Provisions of legislation | Column 2  Requirement |
| Article 69(1) of Regulation 2017/625 | Requirement that the operator responsible for the consignment is to carry out all the measures ordered by the competent authorities. |
| Article 1 of Regulation 2019/1013 | Requirement that the operator responsible for a consignment give prior notification to the competent authority of the border control post, at least one working day before the expected arrival of the consignment. |
| Article 3 of Regulation 2019/1602 | Requirement that a Common Health Entry Document (CHED) is to accompany each consignment irrespective of whether or not it is split at the border control post or subsequent to leaving the border control post. |
| Article 4(a) of Regulation 2019/1602 | Requirement that where a consignment is not split before being released for free circulation, the operator responsible for the consignment is to ensure that a copy of the CHED accompanies the consignment to the place of destination and until it is released into free circulation. |
| Article 4(b) of Regulation 2019/1602 | Requirement that where a consignment is not split before being released for free circulation, the operator responsible for the consignment is to indicate the reference number of the CHED in the customs declaration lodged with the customs authorities and is to keep a copy of the CHED at the disposal of the customs authorities. |
| Article 5(1)(a) of Regulation 2019/1602 | Requirement that where a consignment is to be split at the border control post, when giving prior notification, the operator responsible for the consignment is to declare the border control post as the place of destination in the CHED for the entire consignment. |
| Article 5(1)(b) of Regulation 2019/1602 | Requirement that where a consignment is to be split at the border control post, upon finalisation of the CHED for the entire consignment, the operator responsible for the consignment is to request that the consignment be split and is to submit, through the IMSOC a CHED for each part of the split consignment and make a declaration. |
| Article 5(1)(d) of Regulation 2019/1602 | Requirement that where a consignment is to be split at the border control post, the operator responsible for the consignment is to ensure that a copy of the CHED for each part of the split consignment accompanies the relevant part to the place of destination and until it is released into free circulation. |
| Article 5(1)(e) of Regulation 2019/1602 | Requirement that where a consignment is to be split at the border control post, the operator responsible for the consignment is to indicate the reference number of the CHED for each part of the split consignment in the customs declaration lodged with the customs authorities and is to keep a copy of that CHED at the disposal of the customs authorities. |
| Article 5(2)(a) of Regulation 2019/1602 | Requirement that where a non-compliant consignment is to be split at the border control post, upon finalisation of the CHED for the entire consignment, the operator responsible for the consignment is to submit a CHED for each part of the split consignment and make a declaration. |
| Article 6(a) of Regulation 2019/1602 | Requirement that where a consignment is to be split after leaving the border control post and before being released for free circulation, the operator responsible for the consignment is to ensure that a copy of the CHED accompanies each part of the split consignment until it is released for free circulation. |
| Article 6(b) of Regulation 2019/1602 | Requirement that where a consignment is to be split after leaving the border control post and before being released for free circulation, the operator responsible for the consignment is to indicate the reference number of the CHED for each part of the split consignment in the customs declaration lodged with the customs authorities and is to keep a copy of that CHED at the disposal of the customs authorities. |
| Article 3(1) of Regulation 2019/1666 | Requirement that the operator responsible for the consignment is to, within one day upon arrival of the consignment, inform the competent authority responsible for performing the official controls at the establishment at the place of destination of the arrival of the consignment. |
| Article 6(1) of Regulation 2019/2123 | Requirement that after the competent authorities of the border control post have authorised or decided on the transfer of the consignment to the control point indicated in the CHED, the operator responsible for the consignment shall not present the consignment for identity and physical checks to a control point different from the one indicated in the CHED, unless the competent authorities of the border control post authorise the transfer of the consignment to another control point in accordance with point (a) of Article 3(1) and point (a) of Article 4(2). |
| Article 6(4) of Regulation 2019/2123 | Requirement that the operator shall provide the reference number of the finalised CHED referred to in Article 6(3) in the customs declaration which is lodged for the consignment with the customs authorities and shall keep a copy of that CHED at the disposal of the customs authorities. |
| Article 6(1) of Regulation 2019/2124 | Requirement that the operator responsible for the consignments authorised for onward transportation in accordance with Article 4 ensures that: (a) during transport to, and storage at, the onward transportation facility, the consignment is not tampered with in any manner; (b) the consignment is not subject to any alteration, processing, substitution or change of packaging; (c) the consignment does not leave the onward transportation facility pending the decision on the consignment being taken by the competent authorities of the border control post in accordance with Article 55 of Regulation (EU) 2017/625. |
| Article 6(2) of Regulation 2019/2124 | Requirement that the operator responsible for the consignment shall transport the consignment under customs supervision directly from the border control post to the onward transportation facility, without the goods being unloaded during transport, and shall store it in the onward transportation facility. |
| Article 6(4) of Regulation 2019/2124 | Requirement that the operator responsible for the consignment shall ensure that a copy, on paper or in electronic form, of the CHED referred to in Article 3 accompanies the consignment from the border control post to the onward transportation facility. |
| Article 6(5) of Regulation 2019/2124 | Requirement that the operator responsible for the consignment notifies the competent authorities at the place of final destination of the arrival of consignment at the onward transportation facility. |
| Article 6(6) of Regulation 2019/2124 | Requirement that after the competent authorities of the border control post have authorised the onward transportation of the consignment to the onward transportation facility, the operator responsible for the consignment shall not transport the consignment to a onward transportation facility that is different from the one indicated in the CHED, unless the competent authorities of the border control post authorise the change in accordance with Article 4 and provided that the conditions laid down in paragraphs 1 to 5 of Article 6 are complied with. |

### EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend—

The Food Hygiene Regulations (Northern Ireland) 2006 (S.R. 2006 No. 3).

The Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007 (S.R. 2007 No. 497).

The Official Feed and Food Controls Regulations (Northern Ireland) 2009 (S.R. 2009 No. 427);

Regulation 2 amends the Food Hygiene Regulations (Northern Ireland) 2006 to insert a revised Schedule *(regulation 2(6))*. to refer to recent EU legislation (*regulation 2(2)(b) and (3)*) and revise the definition of the Regulation 2017/625 package to refer to recent EU legislation (*regulation 2(2)(a)(ii)*);

Regulation 3 amends the Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007 to correct a minor drafting error.

Regulation 4 amends the Official Feed and Food Controls Regulations (Northern Ireland) 2009 to insert revised Schedules 1 and 6 (regulation 4(8) and (11), refer to recent EU legislation (*regulation 4(2)(a) and (b)*), revise the provision regarding offences in relation to certification arrangements for sprouts and seeds intended for the production of sprouts to refer to recent EU legislation (*regulation 4(6)*), ensure charges and fees can be imposed on an operator by a competent authority in respect of unplanned official controls, and make consequential provision as a result (*regulation 4(7)*) and insert revised Schedules 4 and 5 to update the competent authority designations for the purpose of Regulation (EU) 2017/625 (*regulation 4(9) and (10)*).

Regulation 5 amends the Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016 (S.R. 2016 No.4) by correcting a typographical error in regulation 19 in reference to Regulation (EC) No 1829/2003.

A full impact assessment of the effect that these Regulations will have on the costs to business and food authorities is available with these Regulations at [www.legislation.gov.uk](http://www.legislation.gov.uk/).

Annex B: Impact Assessment (IA)

# 

# Title: Consultation on the proposed Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2021

## Details

|  |  |
| --- | --- |
| **IA No:** | OPD 1/2021 |
| **RPC Reference No:** | N/A |
| **Lead department or agency:** | Food Standards Agency Northern Ireland |
| **Other departments or agencies:** | N/A |
| **Date:** | 29/03/2021 |
| **Stage:** | Development/Options |
| **Source of intervention:** |  |
| **Type of measure:** | Statutory Rule |
| Contact for enquiries: | Billy Armstrong |
| RPC Opinion: |  |

## Summary: Intervention and Options

### Cost of Preferred (or more likely) Option (in 2019 prices)

|  |  |
| --- | --- |
| **Total Net Present Social Value** | £0.001m |
| **Business Net Present Value** | NIL |
| **Net cost to business per year** | NIL |
| Business Impact Target Status |  |

|  |  |
| --- | --- |
| What is the problem under consideration? Why is government action or intervention necessary? | * Tertiary legislation associated with the EU Official Controls Regulation needs to be given effect in Northern Ireland by a new statutory rule. * Technical amendments need to be made to The Food Hygiene Regulations (Northern Ireland) 2006, The Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007 and the Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2006. |
| What are the policy objectives of the action or intervention and the intended effects? | * The EU tertiary legislation enabled by this statutory rule provides the details with which Member States must comply and builds upon and clarifies the existing risk-based approach towards the performance of official controls. The organisation of such controls is harmonised at an EU level to ensure a consistent high-level of consumer protection, provide confidence in the safety and standards of food produced in the EU or imported from third countries and provides for effective functioning of the EU single market. * Regarding the technical amendments, legislative accuracy leads to clarity of policy and more effective enforcement. |
| What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base) | **Option 1** – Do nothing – do not amend national legislation to provide for the execution of powers and enforcement of the tertiary legislation associated with the OCR and leave technical inaccuracies in domestic legislation uncorrected.  **Option 2**: – Amend national legislation to provide for the execution of powers and enforcement of the tertiary legislation associated with the OCR which has been made subsequent to 14 December 2019 and to correct technical errors in The Food Hygiene Regulations (Northern Ireland) 2006, The Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007 and The Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016 (SR 2016 No.4). This is the preferred option. |

|  |  |
| --- | --- |
| **Will the policy be reviewed?** | It  be reviewed. |
| **If applicable, set review date:** | / |

|  |  |
| --- | --- |
| **Is this measure likely to impact on international trade and investment?** |  |

|  |  |
| --- | --- |
| **Are any of these organisations in scope?** |  |
| **Micro** |  |
| **Small** |  |
| **Medium** |  |
| **Large** |  |

|  |  |
| --- | --- |
| **What is the CO2 equivalent change in greenhouse gas emissions?  (Million tonnes CO2 equivalent)** |  |
| **Traded:** | N/A |
| **Non-traded:** | N/A |

#### Declaration

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

|  |  |
| --- | --- |
| Signed by the responsible : |  |
| Date: |  |

## Summary: Analysis & Evidence

### Policy Option 1

Description: Do nothing – do not amend national legislation to provide for the execution of powers and enforcement of the tertiary legislation associated with the OCR which has been made subsequent to 14 December 2019 and do not make technical amendments to correct existing errors.

#### Full Economic Assessment

|  |  |
| --- | --- |
| **Price Base Year** | N/A |
| **PV Base Year** | N/A |
| **Time Period Years** | N/A |

Net Benefit (Prresent Value (PV)) (£m)

|  |  |
| --- | --- |
| **Low:** | Optional |
| **High:** | Optional |
| **Best Estimate:** | N/A |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Costs (£m)** | **Total transition (Constant Price)** | **Total Transition Years** | **Average Annual (excl. Transition) (Constant Price)** | **Total Cost (Present Value)** |
| **Low** | Optional |  | Optional | Optional |
| **High** | Optional |  | Optional | Optional |
| **Best Estimate** | N/A |  | N/A | N/A |

|  |  |
| --- | --- |
| **Description and scale of key monetised costs by ‘main affected groups’** | * Competent Authorities and/or Enforcement Authorities – costs incurred as a result of unplanned official controls under Article 79.2(c) of Regulation (EU) 2017/625 will not be recoverable. |
| Other key non-monetised costs by ‘main affected groups’ | * Central Competent Authority – there may be legal challenge from the EU Commission if EU rules are not fully implemented in Northern Ireland resulting in reputational risk. |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Benefits (£m)** | **Total transition (Constant Price)** | **Total Transition Years** | **Average Annual (excl. Transition) (Constant Price)** | **Total Benefit (Present Value)** |
| **Low** | Optional |  | Optional | Optional |
| **High** | Optional |  | Optional | Optional |
| **Best Estimate** | N/A |  | N/A | N/A |

|  |  |
| --- | --- |
| Description and scale of key monetised benefits by ‘main affected groups’ | * there is no monetised benefit from not fully implementing EU rules. |
| Other key non-monetised benefits by ‘main affected groups’ | * there is no non-monetised benefit from not fully implementing EU rules. |
| Key assumptions/sensitivities/risks | * There is a risk of legal challenge under Article 12 of the Withdrawal Agreement if EU rules are not fully implemented in Northern Ireland. |
| **Discount rate (%)** | N/A |

#### Business Assessment (Option 1)

Direct impact on business (Equivalent Annual) £m:

|  |  |
| --- | --- |
| Costs: | N/A |
| Benefits: | N/A |
| Net: | N/A |

|  |  |
| --- | --- |
| Score for Business Impact Target (qualifying provisions only) £m: | N/A |

## Summary: Analysis & Evidence

### Policy Option 2

Description: Option 2: Amend national legislation to provide for the execution of powers and enforcement of the tertiary legislation associated with the OCR which has been made subsequent to 14 December 2019 and make technical amendments to correct existing errors.

#### Full Economic Assessment

|  |  |
| --- | --- |
| **Price Base Year** | 2019 |
| **PV Base Year** | 2019 |
| **Time Period Years** | 1 |

Net Benefit (Present Value (PV)) (£m)

|  |  |
| --- | --- |
| **Low:** | Optional |
| **High:** | Optional |
| **Best Estimate:** | £0.001 |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Costs (£m)** | **Total transition (Constant Price)** | **Total Transition Years** | **Average Annual (excl. Transition) (Constant Price)** | **Total Cost (Present Value)** |
| **Best Estimate £0.001** | £0.001 |  | £0.001 | £0.001 |

|  |  |
| --- | --- |
| **Description and scale of key monetised costs by ‘main affected groups’** | * familiarisation costs for enforcement managers. 2 hours per person. Total cost £1,412. * competent authorities will be able to recover the costs of unplanned controls where they deem appropriate. |
| Other key non-monetised costs by ‘main affected groups’ | * None perceived. |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Benefits (£m)** | **Total transition (Constant Price)** | **Total Transition Years** | **Average Annual (excl. Transition) (Constant Price)** | **Total Benefit (Present Value)** |
| **Low** | Optional |  | Optional | Optional |
| **High** | Optional |  | Optional | Optional |
| **Best Estimate** | N/A |  | N/A | N/A |

|  |  |
| --- | --- |
| Description and scale of key monetised benefits by ‘main affected groups’ | * the ability of the competent authority to recover costs incurred as a result of unplanned official controls under Article 79.2(c) of Regulation (EU) 2017/625. |
| Other key non-monetised benefits by ‘main affected groups’ | * full implementation of EU rules. |
| Key assumptions/sensitivities/risks | None |
| **Discount rate (%)** | N/A |

#### Business Assessment (Option 2)

Direct impact on business (Equivalent Annual) £m:

|  |  |
| --- | --- |
| Costs: | NIL |
| Benefits: | NIL |
| Net: | NIL |

|  |  |
| --- | --- |
| Score for Business Impact Target (qualifying provisions only) £m: | £0 |

## Evidence Base

### Problem under consideration and rationale for intervention

1. A statutory rule is required to provide for the execution of additional tertiary legislation associated with Regulation (EU) 2017/625. The proposed statutory rule will be known as The Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2021 and will also make technical amendments to The Food Hygiene Regulations (Northern Ireland) 2006, The Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007 and The Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016.
2. This Impact Assessment assesses the changes that will be brought about by the proposed statutory rule. It should be noted that the Impact Assessment only covers the impact on areas for which FSA has full or partial policy responsibility. This ensures that FSA stakeholders receive a comprehensive overview of all impacts they might experience. Due to the broad scope of the Official Controls Regulation (OCR) and its tertiary legislation and the shared policy responsibilities between FSA and other government departments, especially Department of Agriculture Environment and Rural Affairs(DAERA), some of these impacts might also be assessed by other departments.
3. Regulation (EU) 2017/625, referred to as the OCR, is a directly applicable European Union (EU) regulation and an overarching piece of legislation that sets operational standards for the performance of official controls and other official activities by competent authorities across the EU.
4. The OCR entered into force on 27 April 2017, with the applicability of the new rules set to apply gradually over a number of years; with the main application taking effect on 14 December 2019. The OCR empowers the European Commission to adopt implementing acts and introduce delegated acts (tertiary legislation) to supplement the regulation. When the OCR main application came into force on 14 December 2019 it gave effect to applicable tertiary legislation which applied in all EU Member States.
5. National legislation was made in Northern Ireland in 2019 to provide for the execution of powers and enforcement for the OCR and associated EU tertiary legislation that was in place at that time.
6. The UK left the EU on 31 January 2020 and entered into a transition period which ended at 11:00pm on 31 December 2020. The implementation of the Withdrawal Agreement, which includes the Ireland/Northern Ireland Protocol, came into force at the end of the transition period. Under the Withdrawal Agreement, Northern Ireland remained part of the EU single market for goods and services and as such, EU rules regarding food and feed hygiene and safety official controls continue to be directly applicable in Northern Ireland. Other regions of the UK made national legislation to retain EU law including the OCR and the vast majority of associated tertiary legislation.
7. The legal framework created by the OCR allows members of the single market to be sure that the competent authorities in other Member States are conducting controls in a suitably rigorous and impartial fashion. The OCR and its tertiary legislation cuts across aspects of the agri-food chain, such as import controls and laboratories, as well as different commodities, such as live animals, plants and food of animal origin.
8. Technical amendments are required to The Food Hygiene Regulations (Northern Ireland) 2006, The Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007 and The Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016 to ensure legal accuracy for the purpose of enforcement.

### Policy objective

#### Delivery of official controls under the OCR

1. The OCR empowers the creation of tertiary legislation (‘implementing acts’ and ‘delegated acts’) which allow the European Commission to create further detailed rules in specific areas. Some tertiary legislation came into force with the main application of the OCR on 14 December 2019. However, several pieces of additional implementing acts and delegated acts have been made after that date and, in relation to the aspects of the OCR, this impact assessment focuses solely on the changes that apply since the main application took effect on 14 December 2019, and only in relation to the FSA areas of responsibility for food and feed law and animal health and welfare.
2. The FSA is the Central Competent Authority (CCA) responsible for the delivery of official food and feed controls in Northern Ireland. DAERA Officials carry out hygiene controls on behalf of the FSA in Northern Ireland in approved slaughterhouses, cutting plants and game handling establishments and in registered and approved establishments in relation to milk, egg and primary production hygiene. The delivery of official controls is governed by a Service Level Agreement between FSA and DAERA. The FSA is also responsible for the classification of shellfish production areas in Northern Ireland.
3. There are 11 District Council areas in Northern Ireland within which District Council officers carry out official controls in all other registered and approved food establishments. In Northern Ireland, FSA is responsible for animal feed policy and DAERA is responsible for delivery of all animal feed controls including veterinary medicines and regulating the use of specified materials in animal feed, including the ban on feeding animal proteins to ruminants and processed animal proteins to farmed animals.

## The FSA is responsible for setting the standards and monitoring performance of the delivery of official controls for food and feed law in Northern Ireland. The FSA directs and maintains the consistency of delivery of food controls by District Councils through the Food Law Code of Practice and associated Practice Guidance. In Northern Ireland the FSA issues Feed Law Enforcement Guidance on feed controls for DAERA officials. The FSA oversees the maintenance of the DAERA Veterinary Public Health Programme Manual for Official Controls (MOC) which sets out the performance standards for DAERA officials working in meat establishments.

1. Following the introduction of the Withdrawal Agreement and the Ireland/Northern Ireland Protocol on 31 December 2020, Northern Ireland has remained part of the EU single market therefore EU rules remain directly applicable in Northern Ireland.
2. The existing legal framework enables competent authorities to effectively enforce food and feed law. The proposed statutory rule will amend current secondary legislation to ensure that domestic law is up to date with EU law including the changes brought about by the additional tertiary legislation associated with the OCR.
3. Amendment of current legislation will maintain a strong legal basis for future official control activity in relation to food and feed law and animal health and welfare. It will also ensure that a high level of consumer protection is maintained and that there is continued confidence in the UK agri-food chain through the demonstration of the effectiveness of our regulatory control system including the legal basis for the execution of necessary powers and enforcement of official controls and other official activities.
4. The EU tertiary legislation enabled by this statutory rule provides the details with which Member States must comply and builds upon and clarifies existing policy leading to a risk-based approach towards the performance of official controls. The organisation of such controls is harmonised at an EU level to ensure a consistent high-level of consumer protection, provide confidence in the safety and standards of food produced in the EU or imported from third countries and provides for effective functioning of the EU single market.

#### Technical amendments to national legislation

1. The technical amendments will remove redundant provisions in The Food Hygiene Regulations (Northern Ireland) 2006, and make minor corrections to The Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007 and The Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016 which are needed to ensure enforcement is fully effective.

### Description of options considered

#### Policy options

**Two policy options have been identified:**

* **Option 1 – Do nothing – do not amend national legislation to provide for the execution of powers and enforcement of the tertiary legislation associated with the OCR which has been made subsequent to 14 December 2019 or make technical amendments to existing statutory rules.**

This option reflects the status quo, i.e. a situation in which there will be no enablement of EU tertiary legislation associated with the OCR and no correction of errors in existing legislation.

It should be noted that this is not a realistic option as the OCR has been directly applicable in Northern Ireland from 14 December 2019. This option solely serves to quantify any expected impacts of the option 2 against the status quo.

* **Option 2: Amend national legislation to provide for the execution of powers and enforcement of the tertiary legislation associated with the OCR which has been made subsequent to 14 December 2019 and make technical amendments to existing statutory rules.**

**This is the preferred option.**

Changes to national legislation as a result of The Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2021

1. The Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2021 will amend the Official Feed and Food Controls Regulations (Northern Ireland) 2009 and the Food Hygiene Regulations (Northern Ireland) 2006 to update references and to give effect to the relevant elements of EU Tertiary Regulations made under Regulation (EC) 2017/625 since November 2019. This ensures that competent authorities in Northern Ireland continue to have the powers to undertake checks required by this legislation to verify compliance with EU feed and food hygiene and safety law.
2. The amendments to the Official Feed and Food Controls Regulations (Northern Ireland) 2009 will also include:

* an update to references to recent tertiary legislation made under Regulation (EC) 2017/625 regarding existing offences in relation to certification arrangements for sprouts and seeds intended for the production of sprouts.
* a proposed regulation 41A on fees or charges arising from unplanned official controls pursuant to Article 79(2)(c) of the OCR in respect of food and feed official controls. This provision will replace the revoked regulation 41, for charging for unplanned official controls pursuant to Article 28 of Regulation (EC) 882/2004, in the 2009 Regulations. Regulation 41 was revoked in December 2019 when Regulation (EC) 882/2004, on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules, was repealed and replaced by the new Official Control Regulation (EU) 2017/625. Regulation 41A will permit fees or charges arising from unplanned official controls, following the detection of non-compliance in respect of food and feed official controls, to be collected by competent authorities, e.g., District Councils in Northern Ireland.

1. The Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2021 will also

* revoke provisions, which are no longer necessary, to the Food Hygiene Regulations (Northern Ireland) 2006 in relation to requirements placed on Northern Ireland food businesses on the form and application of health and identification marks for products of animal origin.
* amend the Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007 to correct a minor drafting error where a definition of tertiary legislation, Commission Delegated Regulation (EU) 2019/624, in the 2007 Regulations was not used in the body of the 2007 Regulations.
* amend the Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016 (S.R. 2016 No.4) by correcting a typographical error in regulation 19 of S.R. 2016/4 in reference to Regulation (EC) No 1829/2003.

#### Monetised and non-monetised costs and benefits of each option

**Option 1:** **– Do nothing**

Monetised costs – Costs incurred as a result of unplanned official controls under Article 79.2(c) of Regulation (EU) 2017/625 will not be recoverable. The scale of this is unknown.

Non-monetised costs – there may be legal challenge from the EU Commission if EU rules are not fully implemented in Northern Ireland resulting in reputational risk to the central competent authority.

Monetised benefits – there is no benefit from not fully implementing EU rules.

Non-monetised benefits – there is no benefit from not fully implementing EU rules.

**Option 2: – Amend national legislation to provide for the execution of powers and enforcement of the tertiary legislation associated with the OCR which has been made subsequent to 14 December 2019 and to correct an error in the Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016 (SR 2016 No.4)**

Monetised costs – familiarisation costs for enforcement authorities. In addition, enforcement authorities will be able to recover costs of unplanned official controls should they wish to do so. The scale of this is detailed in Table 1.

Non-monetised costs – None perceived.

Monetised benefits – the ability of the competent authority to recover costs incurred as a result of unplanned official controls under Article 79.2(c) of Regulation (EU) 2017/625

Non-monetised benefits – None

#### Rationale and evidence to justify the level of analysis used in the IA (proportionality approach)

1. Failing to provide for the execution of powers and enforcement of the requirements of the OCR tertiary legislation, would present gaps in the legislative framework for the delivery of official controls. Failure to make the required technical amendments to The Food Hygiene Regulations (Northern Ireland) 2006, The Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2007 and The Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016 would result in continued inaccuracy in domestic legislation.
2. Northern Ireland enforcement authorities (such as the FSA, DAERA and District Councils) carry out official controls at all stages of production, distribution, use, storage, transport, import and export of food and feed. These controls ensure that food and feed businesses are meeting their obligations to produce safe and wholesome food and feed, and that unsafe products are removed from the market. Official controls are integral to protecting consumers’ health and other interests and maintaining the integrity of the agri-food chain that provides consumer and business confidence as well as assurance to other Member States and 3rd countries, which is vital to trade.
3. To maintain the Northern Ireland legislative framework for EU food and feed law official controls the FSA must provide for the execution of powers and enforcement of the OCR in domestic legislation. Failure to do so will undermine the effectiveness of official controls and therefore undermine consumer protection as well as confidence in the Northern Ireland (and wider UK) agri-food chain.
4. A failure to introduce the required legislation also has the potential to lead to an increase in non-compliance and cases of foodborne disease, involving severe consequences for public health and costs to society.
5. Official controls also help maintain a level playing field for honest and diligent food and feed business operators, which is in the interest of industry as a whole. In particular, continued adherence to the principles contained within (or the specific requirements of) the OCR will help Northern Ireland to demonstrate that food and feed produced and processed within Northern Ireland have been produced and handled in accordance with EU requirements.

#### Implementation plan

1. The statutory rule will undergo a 6-week period of public consultation commencing on 13 April 2021. At the end of the consultation period the responses will be considered, and the draft rule will enter the draft affirmative resolution procedure and will be presented to the Committee for Health and Northern Ireland Assembly before being made.

#### 

#### Groups affected

Food and Feed Business Operators

1. Food and feed business operators will need to be aware of the EU tertiary legislation, however we believe there is no change to existing requirements of food law as regards food businesses therefore there is no need for this group to be familiar with the specific content of this statutory rule. In addition, as the current landscape and the general performance of official controls under the OCR and associated tertiary legislation remains substantially the same for FSA policy areas, for the majority of food and feed business operators this statutory rule has a low impact on this group.

Importers of high-risk food and feed

1. The majority of additional tertiary legislation associated with the OCR is related to the controls and activities to be carried out at border control points[[88]](#footnote-89) (BCP) therefore importers of high-risk food and feed should already be aware of these requirements, as a result we believe there is no need for this group to be familiar with the specific content of this statutory rule. Therefore, this statutory rule has a low impact on this group.

Enforcement Authorities

1. The OCR and associated pieces of tertiary legislation primarily outline the responsibilities of Member States’ Central Competent Authority (CCA) and their designated enforcement authorities who carry out official controls to check that food and feed business operators and importers comply with the relevant law. This statutory rule enables the competent authorities and enforcement authorities to fully enforce EU rules.
2. District Councils, as Competent Authorities (CAs), who deliver official regulatory controls in food businesses should already be aware of the changes to official controls on food as a result of EU tertiary legislation. In addition, District Councils responsible for carrying out official controls on imported goods at designated points of entry within their jurisdiction, should also already be aware of the changes to official controls on imported goods. We estimate that one food enforcement manager and an additional imports enforcement manager (where the District Council has an imports function) in each District Council would be required to familiarise themselves with the content of this statutory rule and we estimate that it would take each enforcement manager two hours to acquire sufficient expertise to provide guidance and support to their staff and to stakeholders.
3. Likewise, DAERA business units which carry out official controls on behalf of FSA in relation to meat, dairy, egg and primary production hygiene and animal feed in approved establishments should already be aware of these changes. We estimate that one DAERA Veterinary Public Health Programme manager in each meat management region and one DAERA Agri-food Inspection Branch manager will be required to familiarise themselves with the content of the statutory rule and we estimate that it would take each enforcement manager two hours to acquire sufficient expertise to provide guidance and support to their staff and to stakeholders. We have identified the following number of affected enforcement authorities across Northern Ireland along with the associated costs.

#### Table 1: Number of affected enforcement authorities

|  |  |  |
| --- | --- | --- |
| **Competent / enforcement authority** | **Number of managers who need to be aware of the content of this SR** | **Associated Cost** |
| District Councils (food managers) | **11** | **£724**[[89]](#footnote-90) |
| District Councils with designated points of entry for high risk food and feed not of animal origin (imports managers) | **3** | **£197**[[90]](#footnote-91) |
| DAERA Operational managers (for FSA activities) | **7** | **£491**[[91]](#footnote-92) |

#### Consumers

1. Harmonisation of official controls across the EU single market will continue to provide reassurance to UK and non-UK consumers on the functioning of control systems in Northern Ireland and will continue to support their ability to make informed choices.
2. We consider there is no further impact on consumers in Northern Ireland as a result of this statutory rule.

#### Risks

1. There is a risk of legal challenge under Article 12 of the Withdrawal Agreement if option 1 is preferred and, as a result, EU rules are not fully implemented in Northern Ireland

#### Assumptions

1. There are no additional assumptions associated with this statutory rule.

#### Indirect impact on businesses

1. Whilst no direct costs to business have been identified as a result of this statutory rule, in the event that unplanned official controls have become necessary following the detection of a case of non-compliance, the enablement of Article 79.2(c) by the proposed amendment of the Official Feed and Food Controls Regulations (Northern Ireland) 2009 will allow costs to be recovered from feed and food businesses, where competent authorities deem appropriate. This is a continuation of existing policy.

#### Impact on small and micro businesses

1. We consider that because this statutory rule does not change existing EU requirements for food businesses, there is no additional impact on small and/or micro businesses as a result of this statutory rule.

#### Trade implications

1. We consider there are no additional implications for Trade as a result of this statutory rule.

## Questions

|  |
| --- |
| * **Q.I: Is the total list of identified affected sectors / groups representative? If you partly agree or do not agree please identify other sectors / affected groups that should also be considered and provide reasons for your suggestion.** |
| * **Q.2: Is the estimated time of two hours per manager accurate for the purpose of familiarising the reader with the content of the statutory rule?** |
| * **Q.3: Do you agree that there is no further impact on consumers as a result of this statutory rule?** |

1. () Formerly the Department of Health, Social Services and Public Safety; see 2016 c.5 (NI) section1(5) [↑](#footnote-ref-2)
2. () 2018 c. 16, amended by the European Union (Withdrawal Agreement) Act 2020 (c. 1) [↑](#footnote-ref-3)
3. () O.J. No. L 31, 1.2.2002, p.1, as last amended by Regulation (EU) 2019/1243 of the European Parliament and of the Council (O.J. No. L 198, 25.07.2019, p.241) [↑](#footnote-ref-4)
4. () S.R. 2006 No.3, last amended by S.R. 2020 No.286 [↑](#footnote-ref-5)
5. () S.R. 2007 No.497, as amended by S.R. 2019 No. 220 [↑](#footnote-ref-6)
6. () S.R. 2009 No.427, last amended by S.R. 2020 No. 291 [↑](#footnote-ref-7)
7. () 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) [↑](#footnote-ref-8)
8. () 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) [↑](#footnote-ref-9)
9. () 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) [↑](#footnote-ref-10)
10. () OJ No. L271, 15.10.2005, p.17 [↑](#footnote-ref-11)
11. () 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 [↑](#footnote-ref-12)
12. () OJ No. L338, 22.12.2005, p. 27 [↑](#footnote-ref-13)
13. () OJ No. L242, 20.9.2011, p. 2 [↑](#footnote-ref-14)
14. () OJ No. L304, 22.11.2011, p. 18 [↑](#footnote-ref-15)
15. () OJ No. L68, 12.3.2013, p. 16 [↑](#footnote-ref-16)
16. () OJ No. L68, 12.3.2013, p. 24 [↑](#footnote-ref-17)
17. () OJ No. L160, 29.5.2014, p. 14 [↑](#footnote-ref-18)
18. () OJ No. L212, 11.8.2015, p. 7 [↑](#footnote-ref-19)
19. () OJ No. L29, 3.2.2017, p. 21 [↑](#footnote-ref-20)
20. () OJ No. L 95, 7.4.2017, p. 1 [↑](#footnote-ref-21)
21. () OJ L82, 25.3.2019, p. 4 [↑](#footnote-ref-22)
22. () OJ L131, 17.5.2019, p. 1 [↑](#footnote-ref-23)
23. () OJ L131, 17.5.2019, p. 18 [↑](#footnote-ref-24)
24. () OJ L131, 17.5.2019, p. 51 [↑](#footnote-ref-25)
25. () OJ L131, 17.5.2019, p. 101 [↑](#footnote-ref-26)
26. () OJ L 124, 13.5.2019, p. 1 [↑](#footnote-ref-27)
27. () OJ L165, 21.6.2019, p. 4 [↑](#footnote-ref-28)
28. () OJ L165, 21.6.2019, p. 8 [↑](#footnote-ref-29)
29. () OJ L165, 21.6.2019, p. 10 [↑](#footnote-ref-30)
30. () OJ L171, 26.6.2019, p. 1 [↑](#footnote-ref-31)
31. () OJ L 180, 4.7.2019, p. 12 [↑](#footnote-ref-32)
32. () OJ L250, 30.9.2019, p. 6 [↑](#footnote-ref-33)
33. () OJ L255, 4.10.2019, p. 1 [↑](#footnote-ref-34)
34. () OJ L261, 14.10.2019, p. 37 [↑](#footnote-ref-35)
35. () OJ L277, 29.10.2019, p. 89 [↑](#footnote-ref-36)
36. () OJ L289, 8.11.2019, p. 50 [↑](#footnote-ref-37)
37. () OJ L312, 3.12.2019, p. 1 [↑](#footnote-ref-38)
38. () OJ L316, 6.12.2019, p. 6 [↑](#footnote-ref-39)
39. () OJ L321, 12.12.2019, p. 45 [↑](#footnote-ref-40)
40. () OJ L321, 12.12.2019, p. 64 [↑](#footnote-ref-41)
41. () OJ L321, 12.12.2019, p. 73 [↑](#footnote-ref-42)
42. () OJ L321, 12.12.2019, p. 104 [↑](#footnote-ref-43)
43. () OJ L321, 12.12.2019, p. 122 [↑](#footnote-ref-44)
44. () OJ L321, 12.12.2019, p. 128 [↑](#footnote-ref-45)
45. () OJ L98, 31.3.2020, p. 30 [↑](#footnote-ref-46)
46. () OJ L257, 6.8.2020, p. 1 [↑](#footnote-ref-47)
47. () OJ L114, 31.3.2021, p. 118 [↑](#footnote-ref-48)
48. () Regulation has not yet been published in the Official Journal [↑](#footnote-ref-49)
49. () OJ L116, 4.5.2007, p. 9 [↑](#footnote-ref-50)
50. () 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) [↑](#footnote-ref-51)
51. () OJ L157, 30.4.2004, p. 33 [↑](#footnote-ref-52)
52. () OJ L31, 1.2.2002, p. 1 [↑](#footnote-ref-53)
53. () OJ 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) [↑](#footnote-ref-54)
54. () OJ 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) [↑](#footnote-ref-55)
55. () OJ L271, 15.10.2005, p. 17 [↑](#footnote-ref-56)
56. () OJ 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 [↑](#footnote-ref-57)
57. () OJ L338, 22.12.2005, p. 27 [↑](#footnote-ref-58)
58. () OJ L 212, 11.8.2015, p. 7 [↑](#footnote-ref-59)
59. () OJ L29, 3.2.2017, p. 21 [↑](#footnote-ref-60)
60. () OJ L82, 25.3.2019, p. 4 [↑](#footnote-ref-61)
61. () OJ L131, 17.5.2019, p. 1 [↑](#footnote-ref-62)
62. () OJ L131, 17.5.2019, p. 18 [↑](#footnote-ref-63)
63. () OJ L131, 17.5.2019, p. 51 [↑](#footnote-ref-64)
64. () OJ L131, 17.5.2019, p. 101 [↑](#footnote-ref-65)
65. () OJ L 124, 13.5.2019, p. 1 [↑](#footnote-ref-66)
66. () OJ L165, 21.6.2019, p. 4 [↑](#footnote-ref-67)
67. () OJ L165, 21.6.2019, p. 8 [↑](#footnote-ref-68)
68. () OJ L165, 21.6.2019, p. 10 [↑](#footnote-ref-69)
69. () OJ L171, 26.6.2019, p. 1 [↑](#footnote-ref-70)
70. () OJ L 180, 4.7.2019, p. 12 [↑](#footnote-ref-71)
71. () OJ L250, 30.9.2019, p. 6 [↑](#footnote-ref-72)
72. () OJ L255, 4.10.2019, p. 1 [↑](#footnote-ref-73)
73. () OJ L261, 14.10.2019, p. 37 [↑](#footnote-ref-74)
74. () OJ L277, 29.10.2019, p. 89 [↑](#footnote-ref-75)
75. () OJ L289, 8.11.2019, p. 50 [↑](#footnote-ref-76)
76. () OJ L312, 3.12.2019, p. 1 [↑](#footnote-ref-77)
77. () OJ L316, 6.12.2019, p. 6 [↑](#footnote-ref-78)
78. () OJ L321, 12.12.2019, p. 45 [↑](#footnote-ref-79)
79. () OJ L321, 12.12.2019, p. 64 [↑](#footnote-ref-80)
80. () OJ L321, 12.12.2019, p. 73 [↑](#footnote-ref-81)
81. () OJ L321, 12.12.2019, p. 104 [↑](#footnote-ref-82)
82. () OJ L321, 12.12.2019, p. 122 [↑](#footnote-ref-83)
83. () OJ L321, 12.12.2019, p. 128 [↑](#footnote-ref-84)
84. () OJ L98, 31.3.2020, p. 30 [↑](#footnote-ref-85)
85. () OJ L257, 6.8.2020, p. 1 [↑](#footnote-ref-86)
86. () OJ L114, 31.3.2021, p. 118 [↑](#footnote-ref-87)
87. () Regulation has not yet been published in the Official Journal [↑](#footnote-ref-88)
88. Otherwise known in Northern Ireland as ‘designated points of entry’ [↑](#footnote-ref-89)
89. District Council median hourly wage for Senior EHO, uplifted by 30% (HMT Green Book) from ASHE 2019, code 1181 [↑](#footnote-ref-90)
90. District Council median hourly wage for Senior EHO, uplifted by 30% (HMT Green Book) from ASHE 2019, code 1181 [↑](#footnote-ref-91)
91. NICS average salaries from NISRA, divided by 211 (average working days per year), divided by 7.5 (average hours per working day) [↑](#footnote-ref-92)