



STATUTORY INSTRUMENTS.

S.I. No. 335 of 2019

EUROPEAN UNION (SPECIAL CONDITIONS GOVERNING THE
IMPORT OF CERTAIN FOOD FROM CERTAIN THIRD COUNTRIES
DUE TO CONTAMINATION RISK BY AFLATOXINS) (AMENDMENT)
REGULATIONS 2019

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I, SIMON HARRIS, 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 partial effect to Commission Implementing Regulation (EU) 2019/890 of 27 May 2019¹, hereby make the following regulations:

1. (1) These Regulations may be cited as the European Union (Special Conditions Governing the Import of Certain Food from Certain Third Countries Due to Contamination Risk by Aflatoxins) (Amendment) Regulations 2019.

(2) The Principal Regulations, the Regulations of 2016, the Regulations of 2017 and these Regulations may be cited together as the European Union (Special Conditions Governing the Import of Certain Food from Certain Third Countries Due to Contamination Risk by Aflatoxins) Regulations 2015 to 2019.

2. In these Regulations—

“Principal Regulations” means the European Union (Special Conditions Governing the Import of Certain Food from Certain Third Countries Due to Contamination Risk by Aflatoxins) Regulations 2015 (S.I. No. 250 of 2015);

“Regulations of 2016” means the European Union (Special Conditions Governing the Import of Certain Food from Certain Third Countries due to Contamination Risk by Aflatoxins) (Amendment) Regulations 2016 (S.I. No. 449 of 2016);

“Regulations of 2017” means the European Union (Special Conditions Governing the Import of Certain Food from Certain Third Countries Due to Contamination Risk by Aflatoxins) (Amendment) Regulations 2017 (S.I. No. 251 of 2017).

(a) in Regulation 2(1) (as amended by Regulation 3(a) of the Regulations of 2017) by substituting for the definition of “EU Regulation 884/2014” the following:

¹ OJ No. L 142, 29.5.2019, p. 48.

“EU Regulation 884/2014’ means Commission Implementing Regulation (EU) No. 884/2014 of 13 August 2014², as amended by Commission Implementing Regulation (EU) 2016/24 of 8 January 2016³, Commission Implementing Regulation (EU) 2016/2106 of 1 December 2016⁴ and Commission Implementing Regulation (EU) 2019/890¹,”

- (b) in Regulation 7 (as amended by Regulation 3(b)(ii) of the Regulations of 2016), by substituting for paragraph (2) the following:

“(2) Paragraph (1) shall not apply to consignments of food of a gross weight not exceeding 30 kg—

- (a) which are destined to a private person for personal consumption and use only, or
- (b) sent as trade samples, laboratory samples or as display items for exhibitions, that are not intended to be placed on the market or are sent to be used for scientific purposes.”,
- and

- (c) in Regulation 11 (as amended by Regulation 3(b) of the Regulations of 2017), by inserting after paragraph (9) the following paragraph:

“(10) Notwithstanding paragraph (2)(j), (l), (m) and (p), a person who imports a consignment of food referred to in Article 1(1)(o) or (p) of EU Regulation 884/2014 which left the country of origin before 18 June 2019, and fails to—

- (a) submit the results of sampling and analysis in accordance with Regulation 7(1)(d) and Article 4(1) of EU Regulation 884/2014,
- (b) submit a health certificate in accordance with Regulation 7(1)(h) or Article 5 of EU Regulation 884/2014,
- (c) identify the consignment(s) with a code in accordance with Regulation 7(1)(i), or
- (d) ensure that the consignment is accompanied by a health certificate and the result of sampling and analysis in accordance with Regulation 7(1)(k) and Article 9(7) of EU Regulation 884/2014,

is not guilty of an offence.”.

² OJ No. L 242, 14.8.2014, p. 4.

³ OJ No. L 8, 13.1.2016, p. 1.

⁴ OJ No. L 327, 2.12.2016, p.44.



GIVEN under my Official Seal,
5 July 2019.

SIMON HARRIS

Minister for Health

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) 2019/890 of 27 May 2019 imposing special conditions governing the import of groundnuts from Gambia and Sudan and amending Regulation (EC) No. 669/2009 and Implementing Regulation (EU) No. 884/2014.

These Regulations amend the European Union (Special Conditions Governing the Import of Certain Food from Certain Third Countries Due to Contamination Risk by Aflatoxins) Regulations 2015 (S.I. No. 250 of 2015) in the manner specified in these Regulations.

These Regulations may be cited as the European Union (Special Conditions Governing the Import of Certain Food from Certain Third Countries Due to Contamination Risk by Aflatoxins) (Amendment) Regulations 2019.

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