



STATUTORY INSTRUMENTS.

**S.I. No. 329 of 2016**



EUROPEAN COMMUNITIES (CERTAIN CONTAMINANTS IN  
FOODSTUFFS)(AMENDMENT) REGULATIONS 2016

## EUROPEAN COMMUNITIES (CERTAIN CONTAMINANTS IN FOODSTUFFS)(AMENDMENT) REGULATIONS 2016

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 further effect to Commission Regulation (EU) No. 212/2014 of 6 March 2014<sup>1</sup>, Commission Regulation (EU) No. 488/2014 of 12 May 2014<sup>2</sup>, Commission Regulation (EU) No. 519/2014 of 16 May 2014<sup>3</sup>, Commission Regulation (EU) No. 589/2014 of 2 June 2014<sup>4</sup>, Commission Regulation (EU) No. 696/2014 of 24 June 2014<sup>5</sup>, Commission Regulation (EU) No. 1327/2014 of 12 December 2014<sup>6</sup>, Commission Regulation (EU) 2015/704 of 30 April 2015<sup>7</sup>, Commission Regulation (EU) 2015/705 of 30 April 2015<sup>8</sup>, Commission Regulation (EU) 2015/1005 of 25 June 2015<sup>9</sup>, Commission Regulation (EU) 2015/1006 of 25 June 2015<sup>10</sup>, Commission Regulation (EU) 2015/1125 of 10 July 2015<sup>11</sup>, Commission Regulation (EU) 2015/1137 of 13 July 2015<sup>12</sup>, Commission Regulation (EU) 2015/1933 of 27 October 2015<sup>13</sup>, Commission Regulation (EU) 2015/1940 of 28 October 2015<sup>14</sup>, Commission Regulation (EU) 2016/239 of 19 February 2016<sup>15</sup>, as well as Regulation (EU) 2015/2284 of the European Parliament and of the Council of 25 November 2015<sup>16</sup>, hereby make the following regulations:

1. (1) These Regulations may be cited as the European Communities (Certain Contaminants in Foodstuffs)(Amendment) Regulations 2016.

(2) The Principal Regulations, the Regulations of 2012, the Regulations of 2013, the Regulations of 2014 and these Regulations may be cited together as the European Communities (Certain Contaminants in Foodstuffs) Regulations 2010 to 2016.

2. In these Regulations—

<sup>1</sup>OJ No. L 67, 7.3.2014, p. 3.

<sup>2</sup>OJ No. L 138, 13.5.2014, p. 75.

<sup>3</sup>OJ No. L 147, 17.5.2014, p. 29.

<sup>4</sup>OJ No. L 164, 3.6.2014, p. 18.

<sup>5</sup>OJ No. L 184, 25.6.2014, p. 1.

<sup>6</sup>OJ No. L 358, 13.12.2014, p. 13.

<sup>7</sup>OJ No. L 113, 1.5.2015, p. 27.

<sup>8</sup>OJ No. L 113, 1.5.2015, p. 29.

<sup>9</sup>OJ No. L 161, 26.6.2015, p. 9.

<sup>10</sup>OJ No. L 161, 26.6.2015, p. 14.

<sup>11</sup>OJ No. L 184, 11.7.2015, p. 7.

<sup>12</sup>OJ No. L 185, 14.7.2015, p. 11.

<sup>13</sup>OJ No. L 282, 28.10.2015, p. 11.

<sup>14</sup>OJ No. L 283, 29.10.2015, p. 3.

<sup>15</sup>OJ No. L 45, 20.2.2016, p. 3.

<sup>16</sup>OJ No. L 327, 11.12.2015, p. 23.

*Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 1st July, 2016.*

“Principal Regulations” means the European Communities (Certain Contaminants in Foodstuffs) Regulations 2010 (S.I. No. 218 of 2010);

“Regulations of 2012” means the European Communities (Certain Contaminants in Foodstuffs) (Amendment) Regulations 2012 (S.I. No. 276 of 2012);

“Regulations (No. 2) of 2012” means the European Communities (Certain Contaminants in Foodstuffs) (Amendment) (No. 2) Regulations 2012 (S.I. No. 348 of 2012);

“Regulations of 2013” means the European Communities (Certain Contaminants in Foodstuffs) (Amendment) Regulations 2013 (S.I. No. 380 of 2013);

“Regulations of 2014” means the European Communities (Certain Contaminants in Foodstuffs) (Amendment) Regulations 2014 (S.I. No. 143 of 2014).

### 3. The Principal Regulations are amended—

- (a) in Regulation 2(1) by substituting for the definition of “Commission Regulation (EC) No. 401/2006” the following—

“‘Commission Regulation (EC) No. 401/2006’ means Commission Regulation (EC) No. 401/2006 of 23 February 2006<sup>32</sup> laying down the methods of sampling and analysis for the official control of the levels of mycotoxins in foodstuffs as amended by Commission Regulation (EU) No. 178/2010 of 2 March 2010<sup>33</sup> and Commission Regulation (EU) No. 519/2014 of 16 May 2014<sup>3</sup>;”.

- (b) in Regulation 2(1) (as amended by Regulation 3 of the Regulations of 2014) by substituting for the definition of “Commission Regulation (EC) No. 1881/2006” the following—

“‘Commission Regulation (EC) No. 1881/2006’ means Commission Regulation (EC) No. 1881/2006 of 19 December 2006<sup>17</sup> regarding setting maximum levels for certain contaminants in foodstuffs, as amended by Commission Regulation (EC) No. 1126/2007 of 28 September 2007<sup>18</sup>, Commission Regulation (EC) No. 565/2008 of 18 June 2008<sup>19</sup>, Commission Regulation (EC) No. 629/2008 of 2 July 2008<sup>20</sup>, Commission Regulation (EU) No. 105/2010 of 5 February 2010<sup>21</sup>, Commission Regulation (EU) No. 165/2010 of 26 February 2010<sup>22</sup>, Commission Regulation (EU) No.

<sup>17</sup>OJ No. L 364, 20.12.2006, p. 5.

<sup>18</sup>OJ No. L 255, 29.9.2007, p. 14.

<sup>19</sup>OJ No. L 160, 19.6.2008, p. 20.

<sup>20</sup>OJ No. L 173, 3.7.2008, p. 6.

<sup>21</sup>OJ No. L 35, 6.2.2010, p. 7.

<sup>22</sup>OJ No. L 50, 27.2.2010, p. 8.

420/2011 of 29 April 2011<sup>23</sup> as affected by Corrigendum to Commission Regulation (EU) No. 420/2011 of 29 April 2011<sup>24</sup>, Commission Regulation (EU) No. 835/2011 of 19 August 2011<sup>25</sup>, Commission Regulation (EU) No. 1258/2011 of 2 December 2011<sup>26</sup>, Commission Regulation (EU) No. 1259/2011 of 2 December 2011<sup>27</sup>, Commission Regulation (EU) No. 594/2012 of 5 July 2012<sup>28</sup>, Commission Regulation (EU) No. 1058/2012 of 12 November 2012<sup>29</sup>, Commission Regulation (EU) No. 1067/2013 of 30 October 2013<sup>30</sup>, Commission Regulation (EU) No. 212/2014 of 6 March 2014<sup>1</sup>, Commission Regulation (EU) No. 488/2014 of 12 May 2014<sup>2</sup>, Commission Regulation (EU) No. 696/2014 of 24 June 2014<sup>5</sup>, Commission Regulation (EU) No. 1327/2014 of 12 December 2014<sup>6</sup>, Commission Regulation (EU) 2015/704 of 30 April 2015<sup>7</sup>, Commission Regulation (EU) 2015/1005 of 25 June 2015<sup>9</sup>, Commission Regulation (EU) 2015/1006 of 25 June 2015<sup>10</sup>, Commission Regulation (EU) 2015/1125 of 10 July 2015<sup>11</sup>, Commission Regulation (EU) 2015/1137 of 13 July 2015<sup>12</sup>, Commission Regulation (EU) 2015/1933 of 27 October 2015<sup>13</sup>, Commission Regulation (EU) 2015/1940 of 28 October 2015<sup>14</sup> and Commission Regulation (EU) 2016/239 of 19 February 2016<sup>15</sup>.”

- (c) in Regulation 2(1) (as amended by Regulation 3 of the Regulations of 2012) by deleting the definition of “Commission Regulation (EU) No. 252/2012” and inserting the following—

“‘Commission Regulation (EU) No. 589/2014’ means Commission Regulation (EU) No. 589/2014 of 2 June 2014<sup>4</sup> laying down methods of sampling and analysis for the control of levels of dioxins, dioxin-like PCBs and non-dioxin-like PCBs in certain foodstuffs and repealing Regulation (EU) No. 252/2012;”.

- (d) in Regulation 2(1) by inserting after the definition of “Commission Regulation (EC) No. 333/2007” the following—

“‘Commission Regulation (EU) 2015/705’ means Commission Regulation (EU) 2015/705 of 30 April 2015<sup>8</sup> laying down methods of sampling and performance criteria for the methods of analysis for the official control of the levels of erucic acid in foodstuffs and repealing Commission Directive 80/891/EEC.”.

- (e) in Regulation 2(1) (as amended by Regulation 3 of the Regulations of 2014) by substituting for the definition of “EU Regulations” the following—

<sup>23</sup>OJ No. L 111, 30.4.2011, p. 3.

<sup>24</sup>OJ No. L 168, 28.6.2011, p. 20.

<sup>25</sup>OJ No. L 215, 20.8.2011, p. 4.

<sup>26</sup>OJ No. L 320, 3.12.2011, p. 15.

<sup>27</sup>OJ No. L 320, 3.12.2011, p. 18.

<sup>28</sup>OJ No. L 176, 6.7.2012, p. 43.

<sup>29</sup>OJ No. L 313, 13.11.2012, p. 14.

<sup>30</sup>OJ No. L 289, 31.10.2013, p. 56.

“EU Regulations’ means Council Regulation (EEC) No. 315/93 of 8 February 1993<sup>31</sup> laying down Community procedures for contaminants in food, Commission Regulation (EC) No. 1881/2006 of 19 December 2006<sup>17</sup> regarding setting maximum levels for certain contaminants in foodstuffs, as amended by Commission Regulation (EC) No. 1126/2007 of 28 September 2007<sup>18</sup>, Commission Regulation (EC) No. 565/2008 of 18 June 2008<sup>19</sup>, Commission Regulation (EC) No. 629/2008 of 2 July 2008<sup>20</sup>, Commission Regulation (EU) No. 105/2010 of 5 February 2010<sup>21</sup>, Commission Regulation (EU) No. 165/2010 of 26 February 2010<sup>22</sup>, Commission Regulation (EU) No. 420/2011 of 29 April 2011<sup>23</sup>, as affected by Corrigendum to Commission Regulation (EU) No. 420/2011 of 29 April 2011<sup>24</sup>, Commission Regulation (EU) No. 835/2011 of 19 August 2011<sup>25</sup>, Commission Regulation (EU) No. 1258/2011 of 2 December 2011<sup>26</sup>, Commission Regulation (EU) No. 1259/2011 of 2 December 2011<sup>27</sup>, Commission Regulation (EU) No. 594/2012 of 5 July 2012<sup>28</sup>, Commission Regulation (EU) No. 1058/2012 of 12 November 2012<sup>29</sup> and Commission Regulation (EU) No. 1067/2013 of 30 October 2013<sup>30</sup>, Commission Regulation (EU) No. 212/2014 of 6 March 2014<sup>1</sup>, Commission Regulation (EU) No. 488/2014 of 12 May 2014<sup>2</sup>, Commission Regulation (EU) No. 696/2014 of 24 June 2014<sup>5</sup>, Commission Regulation (EU) No. 1327/2014 of 12 December 2014<sup>6</sup>, Commission Regulation (EU) 2015/704 of 30 April 2015<sup>7</sup>, Commission Regulation (EU) 2015/1005 of 25 June 2015<sup>9</sup>, Commission Regulation (EU) 2015/1006 of 25 June 2015<sup>10</sup>, Commission Regulation (EU) 2015/1125 of 10 July 2015<sup>11</sup>, Commission Regulation (EU) 2015/1137 of 13 July 2015<sup>12</sup>, Commission Regulation (EU) 2015/1933 of 27 October 2015<sup>13</sup>, Commission Regulation (EU) 2015/1940 of 28 October 2015<sup>14</sup> and Commission Regulation (EU) 2016/239 of 19 February 2016<sup>15</sup>, and, as regards laying down methods of sampling and analysis for the official control of the levels of certain contaminants in foodstuffs, Commission Regulation (EC) No. 401/2006 of 23 February 2006<sup>32</sup> as amended by Commission Regulation (EU) No. 178/2010 of 2 March 2010<sup>33</sup> and Commission Regulation (EU) No. 519/2014 of 16 May 2014<sup>3</sup>, and as regards laying down methods of sampling and analysis for the official control of the levels of nitrates in certain foodstuffs, Commission Regulation (EC) No. 1882/2006 of 19 December 2006<sup>34</sup>, and, as regards laying down the methods of sampling and analysis for the official control of the levels of lead, cadmium, mercury, inorganic tin, 3-MCPD and polycyclic aromatic hydrocarbons, Commission Regulation (EC) No. 333/2007 of 28 March 2007<sup>35</sup>, as amended by Commission Regulation (EU) No. 836/2011 of 19

<sup>31</sup>OJ No. L 37, 13.2.1993, p. 1.

<sup>32</sup>OJ No. L 70, 9.3.2006, p. 12.

<sup>33</sup>OJ No. L 52, 3.3.2010, p. 32.

<sup>34</sup>OJ No. L 364, 20.12.2006, p. 25.

<sup>35</sup>OJ No. L 88, 29.3.2007, p. 29.

August 2011<sup>36</sup> (including as regards its title, which, since 1 September 2012, has referred to “polycyclic aromatic hydrocarbons” instead of “benzo(a)pyrene”), and, as regards laying down methods of sampling and analysis for the official control of levels of dioxins, dioxin-like PCBs and non-dioxin-like PCBs in certain foodstuffs and repealing Regulation (EU) No. 252/2012, Commission Regulation (EU) No. 589/2014 of 2 June 2014<sup>4</sup>, and, as regards laying down methods of sampling and performance criteria for the methods of analysis for the official control of the levels of erucic acid in foodstuffs and repealing Commission Directive 80/891/EEC, Commission Regulation (EU) 2015/705 of 30 April 2015<sup>8</sup>.”.

- (f) in Regulation 6(1) (as amended by Regulation 3 of the Regulations of 2014) by substituting the following—

“For the purposes of this Regulation and of Regulations 7 to 11, all references to “the Annex” mean the Annex to Commission Regulation (EC) No. 1881/2006 of 19 December 2006<sup>17</sup> regarding setting maximum levels for certain contaminants in foodstuffs, as amended by Commission Regulation (EC) No. 1126/2007 of 28 September 2007<sup>18</sup>, Commission Regulation (EC) No. 565/2008 of 18 June 2008<sup>19</sup>, Commission Regulation (EC) No. 629/2008 of 2 July 2008<sup>20</sup>, Commission Regulation (EU) No. 105/2010 of 5 February 2010<sup>21</sup>, Commission Regulation (EU) No. 165/2010 of 26 February 2010<sup>22</sup>, Commission Regulation (EU) No. 420/2011 of 29 April 2011<sup>23</sup> as affected by Corrigendum to Commission Regulation (EU) No. 420/2011 of 29 April 2011<sup>24</sup>, Commission Regulation (EU) No. 835/2011 of 19 August 2011<sup>25</sup>, Commission Regulation (EU) No. 1258/2011 of 2 December 2011<sup>26</sup>, Commission Regulation (EU) No. 1259/2011 of 2 December 2011<sup>27</sup>, Commission Regulation (EU) No. 594/2012 of 5 July 2012<sup>28</sup>, Commission Regulation (EU) No. 1058/2012 of 12 November 2012<sup>29</sup>, Commission Regulation (EU) No. 1067/2013 of 30 October 2013<sup>30</sup>, Commission Regulation (EU) No. 212/2014 of 6 March 2014<sup>1</sup>, Commission Regulation (EU) No. 488/2014 of 12 May 2014<sup>2</sup>, Commission Regulation (EU) No. 696/2014 of 24 June 2014<sup>5</sup>, Commission Regulation (EU) No. 1327/2014 of 12 December 2014<sup>6</sup>, Commission Regulation (EU) 2015/704 of 30 April 2015<sup>7</sup>, Commission Regulation (EU) 2015/1005 of 25 June 2015<sup>9</sup>, Commission Regulation (EU) 2015/1006 of 25 June 2015<sup>10</sup>, Commission Regulation (EU) 2015/1125 of 10 July 2015<sup>11</sup>, Commission Regulation (EU) 2015/1137 of 13 July 2015<sup>12</sup>, Commission Regulation (EU) 2015/1933 of 27 October 2015<sup>13</sup>, Commission Regulation (EU) 2015/1940 of 28 October 2015<sup>14</sup> and Commission Regulation (EU) 2016/239 of 19 February 2016<sup>15</sup>.”.

- (g) in Regulation 6 (as last amended by Regulation 3 of the Regulations of 2014) by inserting after paragraph 6(3) the following—

<sup>36</sup>OJ No. L 215, 20.8.2011, p. 9.

“6. (4) The prohibition in Regulation 6(2) shall not apply to:

(a) traditionally smoked meat and smoked meat products, that are smoked and intended for consumption in the State, and are placed on the market in the State, but which contain levels of polycyclic aromatic hydrocarbons higher than those set out in point 6.1.4. of the Annex to Commission Regulation (EC) No. 1881/2006 of 19 December 2006<sup>17</sup>, as amended by Commission Regulation (EU) 2015/1125 of 10 July 2015<sup>11</sup>, provided that those smoked products comply with the maximum levels applicable before 1 September 2014, [i.e. 5,0 µg/kg for benzo(a)pyrene and 30,0 µg/kg for the sum of benzo(a)pyrene, benz(a)anthracene, benzo(b)fluoranthene and chrysene.].

(b) traditionally smoked fish and smoked fishery products, that are smoked and intended for consumption in the State, and are placed on the market in the State, but which contain levels of polycyclic aromatic hydrocarbons higher than those set out in point 6.1.5. of the Annex to Commission Regulation (EC) No. 1881/2006 of 19 December 2006<sup>17</sup>, as amended by Commission Regulation (EU) 2015/1125 of 10 July 2015<sup>11</sup>, provided that those smoked products comply with the maximum levels applicable before 1 September 2014, [i.e. 5,0 µg/kg for benzo(a)pyrene and 30,0 µg/kg for the sum of benzo(a)pyrene, benz(a)anthracene, benzo(b)fluoranthene and chrysene.].

(h) in Regulation 11 (as last amended by Regulation 3 of Regulations (No. 2) of 2012) by substituting for paragraph 11(1) the following—

“The prohibition in Regulation 6(2) shall not apply to:

(a) Foodstuffs that do not comply with the maximum levels of polycyclic aromatic hydrocarbons applicable from 1 April 2015 pursuant to point 6.1.2 of the Annex to Commission Regulation (EC) No. 1881/2006 of 19 December 2006<sup>17</sup>, as amended by Commission Regulation (EU) No. 835/2011 of 19 August 2011<sup>25</sup>, and that were lawfully placed on the market prior to 1 April 2015 which foodstuffs may continue to be marketed after that date until their date of minimum durability or use-by-date.

(b) Foodstuffs, with the exception of cocoa fibre and products derived from cocoa fibre, intended for use as an ingredient in food, that do not comply with the maximum levels of polycyclic aromatic hydrocarbons applicable from 1 April 2016 pursuant to Section 6 of the Annex to Commission Regulation (EC) No. 1881/2006 of 19 December 2006<sup>17</sup>, as amended by Regulation (EU) 2015/1933 of 27 October



2015<sup>13</sup> and that were lawfully placed on the market prior to 1 April 2016, which foodstuffs may remain on the market after that date until their date of minimum durability or use-by-date.”.

- (i) in Regulation 11 (as last amended by Regulation 3 of Regulations (No. 2) of 2012) by substituting for paragraph (2A) the following—

“(2A) The prohibition in Regulation 6(2) shall not apply to *Capsicum* spp. spices that do not comply with the maximum level of Ochratoxin A applicable from 1 January 2015 pursuant to point 2.2.11 of the Annex to Commission Regulation (EC) No. 1881/2006 of 19 December 2006<sup>17</sup>, as amended by Commission Regulation (EU) 2015/1137 of 13 July 2015<sup>12</sup>, and that were lawfully placed on the market prior to 1 January 2015, which spices may continue to be marketed after that date until their date of minimum durability or use-by-date.”.

- (j) in Regulation 11 (as last amended by Regulation 3 of the Regulations of 2014) by inserting after paragraph (2B) the following—

“(2C) The prohibition in Regulation 6(2) shall not apply to:

(a) Foodstuffs that do not comply with the maximum levels of cadmium applicable from 1 January 2015 pursuant to points 3.2.19 and 3.2.20 of the Annex to Commission Regulation (EC) No. 1881/2006 of 19 December 2006<sup>17</sup>, as amended by Commission Regulation (EU) No. 488/2014 of 12 May 2014<sup>2</sup>, and that were lawfully placed on the market prior to 1 January 2015, which foodstuffs may continue to be marketed after that date until their date of minimum durability or use-by-date;

(b) Foodstuffs that do not comply with the maximum levels of cadmium applicable from 1 January 2019 pursuant to point 3.2.7 of the Annex to Commission Regulation (EC) No. 1881/2006 of 19 December 2006<sup>17</sup>, as amended by Commission Regulation (EU) No. 488/2014 of 12 May 2014<sup>2</sup>, and that are lawfully placed on the market prior to 1 January 2019, which may continue to be marketed after that date until their date of minimum durability or use-by-date.”.

- (k) in Regulation 11 (as last amended by Regulation 3 of the Regulations of 2014) by inserting after paragraph (2C) the following—

“(2D) The prohibition in Regulation 6(2) shall not apply to foodstuffs that do not comply with the maximum levels of lead applicable from 1 January 2016 pursuant to point 3.1 of the Annex to Commission Regulation (EC) No. 1881/2006 of 19 December 2006<sup>17</sup>, as amended by Commission Regulation (EU) 2015/1005 of 25 June 2015<sup>9</sup>, and that were lawfully placed on the market prior to 1 January 2016 which



foodstuffs may continue to be marketed after that date until their date of minimum durability or use-by-date.”.

- (l) in Regulation 11 (as last amended by Regulation 3 of the Regulations of 2014) by inserting after paragraph (2D) the following—

“(2E) The prohibition in Regulation 6(2) shall not apply to foodstuffs that do not comply with the maximum levels of arsenic (inorganic) applicable from 1 January 2016 pursuant to subsection 3.5 of the Annex to Commission Regulation (EC) No. 1881/2006 of 19 December 2006<sup>17</sup>, as amended by Commission Regulation (EU) 2015/1006 of 25 June 2015<sup>10</sup>, and that were lawfully placed on the market prior to 1 January 2016, which foodstuffs may continue to be marketed after that date until their date of minimum durability or use-by-date.”.

- (m) in Regulation 15 (as last amended by Regulation 3 of the Regulations of 2012) by substituting the following—

“(1) Sampling for the official control of the levels of dioxins, furans, dioxin-like PCBs and non-dioxin-like PCBs in foodstuffs listed in Section 5 of the Annex to Commission Regulation (EC) No. 1881/2006 shall be carried out in accordance with the methods set out in Annex II to Commission Regulation (EU) No. 589/2014 of 2 June 2014<sup>4</sup>.”.

“(2) Sample preparation and analyses for the control of the levels of dioxins, furans and dioxin-like PCBs in foodstuffs listed in Section 5 of the Annex to Commission Regulation (EC) No. 1881/2006 shall be carried out in accordance with the methods set out in Annex III to Commission Regulation (EU) No. 589/2014 of 2 June 2014<sup>4</sup>.”.

“(3) Analyses for the control of the levels of non-dioxin-like PCBs in foodstuffs listed in Section 5 of the Annex to Commission Regulation (EC) No. 1881/2006 shall be carried out in accordance with the requirements for methods of analysis set out in Annex IV to Commission Regulation (EU) No. 589/2014 of 2 June 2014<sup>4</sup>.”.

- (n) in Regulation 16 (as last amended by Regulation 3 of the Regulations of 2012) by inserting after Regulation 16 the following—

“16. (A) Sampling and analysis for the official control of the levels of erucic acid set in Sections 8 of the Annex to Commission Regulation (EC) No. 1881/2006 shall be carried out in accordance with the Annex to Commission Regulation (EU) 2015/705 of 30 April 2015<sup>8</sup>, but without prejudice to the provisions of the Official Controls Regulation.”.

- (o) in Regulation 16 (as last amended by Regulation 3 of the Regulations of 2012) by inserting after Regulation 16(A) the following—

“16. (B) The sampling for the control of compliance with the maximum levels of tropane alkaloids in certain cereal-based foods for

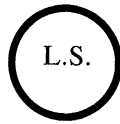
infants and young children shall be performed in accordance with the rules set out in Part J of Annex I to Commission Regulation (EC) No. 401/2006”.

(p) in Regulation 33 by inserting after paragraph (b) the following—

“(c) Health (Erucic Acid in Food) Regulations 1978 (S.I. No. 123 of 1978);

(d) Health (Erucic Acid in Food) (Amendment) Regulations 1992 (S.I. No. 67 of 1992); and

(e) European Communities (Erucic Acid in Food) (Method of Analysis) Regulations 1982 (S.I. No. 271 of 1982).”.



GIVEN under my Official Seal,  
23 June 2016.

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 further effect to Commission Regulation (EU) No. 212/2014 of 6 March 2014, Commission Regulation (EU) No. 488/2014 of 12 May 2014, Commission Regulation (EU) No. 696/2014 of 24 June 2014, Commission Regulation (EU) No. 1327/2014 of 12 December 2014, Commission Regulation (EU) 2015/704 of 30 April 2015, Commission Regulation (EU) 2015/1005 of 25 June 2015, Commission Regulation (EU) 2015/1006 of 25 June 2015, Commission Regulation (EU) 2015/1125 of 10 July 2015, Commission Regulation (EU) 2015/1137 of 13 July 2015, Commission Regulation (EU) 2015/1933 of 27 October 2015, Commission Regulation (EU) 2015/1940 of 28 October 2015 and Commission Regulation (EU) 2016/239 of 19 February 2016 amending Regulation (EC) No. 1881/2006 as regards maximum levels of the contaminants.

These Regulations also give further effect to Commission Regulation (EC) No. 401/2006 of 23 February 2006 as amended by Commission Regulation (EU) No. 519/2014 of 16 May 2014 as regards methods of sampling of large lots, spices and food supplements, performance criteria for T-2, HT-2 toxin and citrinin and screening methods of analysis, Commission Regulation (EU) No. 589/2014 of 2 June 2014 laying down methods of sampling and analysis for the control of levels of dioxins, dioxin-like PCBs and non-dioxin-like PCBs in certain foodstuffs and repealing Regulation (EU) No. 252/2012, and Commission Regulation (EU) 2015/705 of 30 April 2015 laying down methods of sampling and performance criteria for the methods of analysis for the official control of the levels of erucic acid in foodstuffs and repealing Commission Directive 80/891/EEC.

These Regulations amend the European Communities (Certain Contaminants in Foodstuffs) Regulations 2010 (S.I. No. 218 of 2010) in the manner specified in these Regulations and, in so doing, provide for the revocation of the Health (Erucic Acid in Food) Regulations 1978 (S.I. No. 123 of 1978), the Health (Erucic Acid in Food) (Amendment) Regulations 1992 (S.I. No. 67 of 1992) and the European Communities (Erucic Acid in Food) (Method of Analysis) Regulations 1982 (S.I. No. 271 of 1982).

These Regulations may be cited as the European Communities (Certain Contaminants in Foodstuffs) (Amendment) Regulations 2016.

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