



STATUTORY INSTRUMENTS.

S.I. No. 244 of 2021

EUROPEAN UNION (OFFICIAL CONTROLS IN RELATION TO FOOD
LEGISLATION) (IMPORTS OF FOOD OF NON-ANIMAL ORIGIN)
(AMENDMENT) REGULATIONS 2021

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I, STEPHEN DONNELLY, 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 Implementing Regulation (EU) 2021/608 of 14 April 2021¹, hereby make the following regulations:

1. (1) These Regulations may be cited as the European Union (Official Controls in relation to Food Legislation) (Imports of Food of Non-Animal Origin) (Amendment) Regulations 2021.

(2) The Principal Regulations and these Regulations may be cited together as the European Union (Official Controls in relation to Food Legislation) (Imports of Food of Non-Animal Origin) Regulations 2020 and 2021.

2. In these Regulations “Principal Regulations” means the European Union (Official Controls in relation to Food Legislation) (Imports of Food of Non-Animal Origin) Regulations 2020 (S.I. No. 575 of 2020).

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

(a) by substituting for the definition of “Annex I to EU Regulation 2019/1793” the following:

“‘Annex I to EU Regulation 2019/1793’ means Annex I to Commission Implementing Regulation (EU) 2019/1793 of 22 October 2019² as amended by Commission Implementing Regulation (EU) 2020/625 of 6 May 2020³ and Commission Implementing Regulation (EU) 2021/608 of 14 April 2021¹;”,

(b) by substituting for the definition of “Annex II to EU Regulation 2019/1793” the following:

“‘Annex II to EU Regulation 2019/1793’ means Annex II to Commission Implementing Regulation (EU) 2019/1793 of 22 October 2019² as amended by Commission Implementing Regulation (EU) 2020/625 of 6 May 2020³, Commission Implementing Regulation (EU) 2020/1540 of 22 October 2020⁴ and Commission Implementing Regulation (EU) 2021/608 of 14 April 2021¹;”,

¹ OJ No. L 129, 15.4.2021, p. 119.

² OJ No. L 277, 29.10.2019, p. 89.

³ OJ No. L 144, 7.5.2020, p. 13.

⁴ OJ No. L 353, 23.10.2020, p. 4.

- (c) by deleting the definition of “Annex IIa to EU Regulation 2019/1793”,
- (d) by substituting for the definition of “Annex IV to EU Regulation 2019/1793” the following:

“‘Annex IV to EU Regulation 2019/1793’ means Annex IV to Commission Implementing Regulation (EU) 2019/1793 of 22 October 2019² as amended by Commission Implementing Regulation (EU) 2021/608 of 14 April 2021¹;”, and
- (e) by substituting for the definition of “EU Regulation 2019/1793” the following:

“‘EU Regulation 2019/1793’ means Commission Implementing Regulation (EU) 2019/1793 of 22 October 2019² as amended by Commission Implementing Regulation (EU) 2020/625 of 6 May 2020³, Commission Implementing Regulation (EU) 2020/1540 of 22 October 2020⁴ and Commission Implementing Regulation (EU) 2021/608 of 14 April 2021¹;”.

4. Regulation 8 of the Principal Regulations is amended by substituting for paragraph (1)(m)(ii) the following:

- “(ii) the operator shall ensure that—
 - (I) the consignment is identified with an identification code which corresponds to the identification code on the results of sampling and analysis,
 - (II) at the time of presentation for import into the State, the consignment is accompanied by an original official certificate which—
 - (A) is in accordance with the model set out in Annex IV to EU Regulation 2019/1793,
 - (B) is issued by the competent authority of the third country of origin or the third country where the consignment is consigned from if that country is different from the country of origin, in accordance with Article 11(2)(a) of EU Regulation 2019/1793,
 - (C) bears the identification code of the consignment, in accordance with Article 11(2)(b) of EU Regulation 2019/1793,
 - (D) subject to the derogation in Article 11(5) of EU Regulation 2019/1793, bears the signature of the certifying officer and the official stamp, in accordance with Article 11(2)(c) of EU Regulation 2019/1793,
 - (E) subject to the derogations in Article 11(5) and (6) of EU Regulation 2019/1793, complies with

- the requirements of Article 11(2)(d) of EU Regulation 2019/1793 in relation to multiple or alternative statements,
- (F) subject to the derogations in Article 11(5) and (6) of EU Regulation 2019/1793, is in a form which complies with Article 11(2)(e) of EU Regulation 2019/1793,
 - (G) where it consists of a sequence of pages, subject to the derogations in Article 11(5) and (6) of EU Regulation 2019/1793, complies with Article 11(2)(f) of EU Regulation 2019/1793,
 - (H) subject to the derogation in Article 11(5) of EU Regulation 2019/1793, is presented to the official agency, at the border control post of entry, in accordance with Article 11(2)(g) of EU Regulation 2019/1793,
 - (I) was issued before the consignment left the control of the competent authorities in the third country issuing the certificate, in accordance with Article 11(2)(h) of EU Regulation 2019/1793,
 - (J) is drawn up in the English language, in accordance with Article 11(2)(i) of EU Regulation 2019/1793,
 - (K) has not expired pursuant to Article 11(2)(j) of EU Regulation 2019/1793, and
 - (L) subject to the derogation in Article 11(5) of EU Regulation 2019/1793, complies with the requirements of Article 11(4) of EU Regulation 2019/1793 in relation to colour,
- (III) subject to clause (iii), each individual bag or other form of packaging of the consignment is identified with that identification code,
 - (IV) at the time of presentation for import into the State, the results of sampling and analyses are presented in accordance with Article 10(1) of EU Regulation 2019/1793, and
 - (V) the analyses referred to in subclause (IV) are carried out in accordance with Article 10(5) of EU Regulation 2019/1793, and”.

5. The Principal Regulations are amended by deleting Regulation 10.

6. Regulation 20 of the Principal Regulations is amended by deleting paragraph (4)(n).



GIVEN under my Official Seal,
13 May, 2021.

STEPHEN DONNELLY,
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 Implementing Regulation (EU) 2021/608 of 14 April 2021 amending 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.

These Regulations amend the European Union (Official Controls in relation to Food Legislation) (Imports of Food of Non-Animal Origin) Regulations 2020 (S.I. No. 575 of 2020) in the manner specified in these Regulations.

These Regulations may be cited as the European Union (Official Controls in relation to Food Legislation) (Imports of Food of Non-Animal Origin) (Amendment) Regulations 2021.

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