STATUTORY INSTRUMENTS.

S.I. No. 284 of 2024

FOOD SAFETY AUTHORITY OF IRELAND ACT 1998 (AMENDMENT OF FIRST SCHEDULE) ORDER 2024
I, COLM BURKE, Minister of State at the Department of Health, in exercise of the powers conferred on me by section 5 of the Food Safety Authority of Ireland Act 1998 (No. 29 of 1998) (as adapted by the Health and Children (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 219 of 2011) and the Agriculture, Fisheries and Food (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 455 of 2011)) and the Health (Delegation of Ministerial Functions) (No. 2) Order 2024 (S.I. No. 210 of 2024), after consultation with the Minister for Agriculture, Food and the Marine, hereby order as follows:

1. This Order may be cited as the Food Safety Authority of Ireland Act 1998 (Amendment of First Schedule) Order 2024.


3. Part I of the First Schedule (as amended by Article 2 of the Food Safety Authority of Ireland Act 1998 (Amendment of First and Second Schedules) Order 2011 (S.I. No. 724 of 2011)) to the Act is amended—

   (a) by deleting the following Act:
   “Animal Remedies Act, 1993 (No. 23 of 1993) (other than Sections 4 and 5),” and
   
   (b) by inserting after “Sea-Fisheries and Maritime Jurisdiction Act 2006 (No. 8 of 2006).” the following Act:
   “Veterinary Medicinal Products, Medicated Feed and Fertilisers Regulation Act 2023 (No. 21 of 2023).”.

4. Part II of the First Schedule (as amended by Article 3 of the Food Safety Authority of Ireland Act 1998 (Amendment of First Schedule) Order 2023 (S.I. No. 222 of 2023)) to the Act is amended—

   (a) by deleting the following statutory instrument:
   “European Communities (Equine) Regulations 2011 (S.I. No. 357 of 2011),” and
   
   (b) by inserting the following statutory instruments:
   “European Union (Veterinary Medicinal Products and Medicated Feed) Regulations 2022 (S.I. No. 36 of 2022).

Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 14th June, 2024.
5. Part III of the First Schedule (as amended by Article 3 of the Food Safety Authority of Ireland Act 1998 (Amendment of First Schedule) (No. 2) Order 2023 (S.I. No. 400 of 2023)) to the Act is amended—

(a) by deleting the following Regulations:


“Commission Delegated Regulation (EU) 2016/127 of 25 September 2015 supplementing Regulation (EU) No. 609/2013 of the European Parliament and of the Council as regards the specific compositional and information requirements for infant formula and follow-on formula and as regards requirements on information relating to infant and young child feeding.”;


“Commission Delegated Regulation (EU) 2017/2168 of 20 September 2017 amending Regulation (EC) No. 589/2008 as regards marketing standards for free range eggs where hens' access to open air runs is restricted.”;

“Commission Implementing Regulation (EU) 2017/2369 of 18 December 2017 amending Implementing Regulation (EU) No. 743/2013 introducing protective measures on imports of bivalve molluscs from Turkey intended for human consumption, as regards its period of application.”;

“Commission Implementing Regulation (EU) 2018/981 of 11 July 2018 amending the list of Brazilian establishments from which imports into the Union of fishery products intended for human consumption are permitted.”;


“Regulation (EU) 2019/787 of the European Parliament and of the Council of 17 April 2019 on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages, and repealing Regulation (EC) No. 110/2008.”;

“Commission Delegated Regulation (EU) 2019/828 of 14 March 2019 amending Delegated Regulation (EU) 2016/127 with regard to vitamin D requirements for infant formula and erucic acid requirements for infant formula and follow-on formula.”;


“Commission Implementing Regulation (EU) 2021/127 of 3 February 2021 setting the requirements for the introduction into the Union territory of wood packaging material for the transport of certain commodities originating in certain third countries and for plant health checks on such material, and repealing Implementing Decision (EU) 2018/1137.”;


“Commission Implementing Regulation (EU) 2021/520 of 24 March 2021 laying down rules for the application of Regulation

“Commission Delegated Regulation (EU) 2021/573 of 1 February 2021 amending Delegated Regulation (EU) 2019/625 as regards import conditions for live snails, for composite products and for casings placed on the market for human consumption.”;


“Commission Implementing Regulation (EU) 2021/601 of 13 April 2021 concerning a coordinated multiannual control programme of the Union for 2022, 2023 and 2024 to ensure compliance with maximum residue levels of pesticides and to assess the consumer exposure to pesticide residues in and on food of plant and animal origin.”;


regards maximum residue levels for cycloxydim, mepiquat, Metschnikowia fructicola strain NRRL Y-27328 and prohexadione in or on certain products.”;

“Commission Delegated Regulation (EU) 2021/1041 of 16 April 2021 amending Delegated Regulation (EU) 2016/127 as regards the requirements on pesticides in infant formula and follow-on formula.”;


“Commission Implementing Regulation (EU) 2021/1533 of 17 September 2021 imposing special conditions governing the import of feed and food originating in or dispatched from Japan following the accident at the Fukushima nuclear power station and repealing Implementing Regulation (EU) 2016/6.”;


“Commission Delegated Regulation (EU) 2022/519 of 14 January 2022 amending Delegated Regulation (EU) 2016/127 as regards the protein requirements for infant and follow-on formula manufactured from protein hydrolysates.”;


(b) by inserting after “Commission Implementing Regulation (EU) 2022/2535 of 21 December 2022 authorising the placing on the market of the freeze-dried powder form of Antrodia camphorata mycelia as a novel food and amending Implementing Regulation (EU) 2017/2470.” the following Regulations:

“Corrigendum to Commission Regulation (EU) No. 37/2010 of 22 December 2009 on pharmacologically active substances and
their classification regarding maximum residue limits in foodstuffs of animal origin, (OJ L 293, 11.11.2010, p. 72).


Commission Delegated Regulation (EU) 2022/54 of 21 October 2021 amending Delegated Regulation (EU) 2020/692 as regards additional requirements for the entry into the Union of certain ungulates which originate in the Union, are moved to a third country or territory to participate in events, exhibitions, displays and shows and are then moved back to the Union.


Commission Implementing Regulation (EU) 2023/5 of 3 January 2023 authorising the placing on the market of Acheta domestica (house cricket) partially defatted powder as a novel food and amending Implementing Regulation (EU) 2017/2470.

Commission Implementing Regulation (EU) 2023/6 of 3 January 2023 authorising the placing on the market of pea and rice protein fermented by Lentinula edodes (Shiitake mushroom) mycelia as a novel food and amending Implementing Regulation (EU) 2017/2470.


Union, and the movement and handling after entry of consignments of certain animals, germinal products and products of animal origin.


Commission Regulation (EU) 2023/648 of 20 March 2023 authorising a health claim made on foods and referring to the reduction of disease risk.


Commission Implementing Regulation (EU) 2023/731 of 3 April 2023 concerning a coordinated multiannual control programme of the Union for 2024, 2025 and 2026 to ensure compliance with maximum residue levels of pesticides and to assess the consumer exposure to pesticide residues in and on food of plant and animal origin and repealing Implementing Regulation (EU) 2022/741.

Commission Implementing Regulation (EU) 2023/859 of 25 April 2023 amending Implementing Regulation (EU) 2017/2470 as regards the specifications of the novel food 2’-Fucosyllactose (microbial source) to authorise its production by a derivative strain of Corynebacterium glutamicum ATCC 13032.
Commission Implementing Regulation (EU) 2023/931 of 8 May 2023 amending Implementing Regulation (EU) 2017/2470 as regards the conditions of use of the traditional food from a third country infusion from coffee leaves of Coffea arabica L. and/or Coffea canephora Pierre ex A. Froehner.

Commission Implementing Regulation (EU) 2023/937 of 10 May 2023 correcting Implementing Regulation (EU) 2017/2470 as regards the inclusion of ‘Phosphated distarch phosphate produced from wheat starch’ in the Union list of novel foods.


Commission Implementing Regulation (EU) 2023/950 of 12 May 2023 amending Implementing Regulation (EU) 2017/2470 as regards the conditions of use of the novel food 2′-Fucosyllactose.


Commission Regulation (EU) 2023/1510 of 20 July 2023 amending Regulation (EU) 2023/915 as regards maximum levels of cadmium in tiger nuts and certain cultivated fungi.


Commission Implementing Regulation (EU) 2023/1581 of 1 August 2023 amending Implementing Regulation (EU) 2017/2470 as regards the conditions of use of the novel food ‘astaxanthin-rich oleoresin from Haematococcus pluvialis algae.

Commission Implementing Regulation (EU) 2023/1582 of 1 August 2023 amending Implementing Regulation (EU) 2017/2470 as regards the conditions of use of the novel food 3’-Sialyllactose sodium salt produced by derivative strains of Escherichia coli BL21(DE3).


Commission Regulation (EU) No. 231/2012 as regards the use of buffered vinegar as a preservative and acidity regulator.


Commission Implementing Regulation (EU) 2023/2214 of 23 October 2023 amending Implementing Regulation (EU) 2017/2470 as regards the conditions of use and the specifications of the novel foods partially defatted chia seed (Salvia hispanica) powders.


Commission Delegated Regulation (EU) 2023/2652 of 15 September 2023 amending and correcting Delegated Regulation (EU) 2022/2292 with regard to requirements for the entry into the Union of honey, meat, highly refined products, gelatine capsules, fishery products and requirements for private attestation and amending Delegated Regulation (EU) 2021/630 as regards private attestation requirements for composite products exempted from official controls at border control posts.


Commission Implementing Regulation (EU) 2023/2783 of 14 December 2023 laying down the methods of sampling and analysis for the control of the levels of plant toxins in food and repealing Regulation (EU) 2015/705.


Commission Implementing Regulation (EU) 2023/2851 of 20 December 2023 authorising the placing on the market of partially hydrolysed protein from spent barley (Hordeum vulgare) and rice (Oryza sativa) as a novel food and amending Implementing Regulation (EU) 2017/2470.


Commission Implementing Regulation (EU) 2024/360 of 24 January 2024 amending Implementing Regulation (EU) 2022/478 as regards the extension of the period of application of protective measures on imports of bivalve molluscs from Türkiye intended for human consumption.”.

GIVEN under my hand,
11 June 2024

COLM BURKE,
Minister of State at the Department of Health
EXPLANATORY NOTE

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

This Order amends the First Schedule to the Food Safety Authority of Ireland Act 1998.

This Order may be cited as the Food Safety Authority of Ireland Act 1998 (Amendment of First Schedule) Order 2024.

For ease of reference, a list of all food legislation and official agencies, as contained in the First and Second Schedules to the Food Safety Authority of Ireland Act 1998, as well as a list of Regulations made under the European Communities Act 1972 and deemed to be food legislation for the purposes of the Food Safety Authority of Ireland Act 1998, and Regulations made under the Health Act 1947 as amended by section 25 of the Irish Medicines Board (Miscellaneous Provisions) Act 2006, can be found on the website www.fsai.ie (https://www.fsai.ie/enforcement-and-legislation/enforcement/fsai-act-and-related-legislation)
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