



STATUTORY INSTRUMENTS.

S.I. No. 50 of 2023

EUROPEAN UNION (OFFICIAL CONTROLS IN RELATION TO FOOD
LEGISLATION) (IMPORTS OF FOOD OF NON-ANIMAL ORIGIN)
(AMENDMENT) REGULATIONS 2023

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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) 2023/174 of 26 January 2023¹, 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 2023.

(2) The Principal Regulations, the European Union (Official Controls in relation to Food Legislation) (Imports of Food of Non-Animal Origin) (Amendment) Regulations 2021 (S.I. No. 244 of 2021), the European Union (Official Controls in relation to Food Legislation) (Imports of Food of Non-Animal Origin) (Amendment) (No. 2) Regulations 2021 (S.I. No. 638 of 2021), the European Union (Official Controls in relation to Food Legislation) (Imports of Food of Non-Animal Origin) (Amendment) (No. 2) Regulations 2022 (S.I. No. 9 of 2022), the (No. 3) Regulations of 2022, the (No. 4) Regulations of 2022 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 to 2023.

2. These Regulations come into operation on 16 February 2023.

3. In these Regulations –

“(No. 3) Regulations of 2022” means the European Union (Official Controls in relation to Food Legislation) (Imports of Food of Non-Animal Origin) (Amendment) (No. 3) Regulations 2022 (S.I. No. 328 of 2022);

“(No. 4) Regulations of 2022” means the European Union (Official Controls in relation to Food Legislation) (Imports of Food of Non-Animal Origin) (Amendment) (No. 4) Regulations 2022 (S.I. No. 403 of 2022);

“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).

¹ OJ No. L 25, 27.1.2023, p. 36, as affected by Corrigendum of 2 February 2023 (OJ No. L 30, 2.2.2023, p. 33).

4. Regulation 2(1) (as amended by Regulation 2 of the (No. 4) Regulations of 2022) 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 EU Regulation 2019/1793 as inserted by Article 1(2) of Commission Implementing Regulation (EU) 2023/174 of 26 January 2023¹;”,

- (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 EU Regulation 2019/1793 as inserted by Article 1(2) of Commission Implementing Regulation (EU) 2023/174 of 26 January 2023¹;”,

- (c) 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 EU Regulation 2019/1793 as inserted by Article 1(6) of Commission Implementing Regulation (EU) 2021/1900 of 27 October 2021² and amended by Article 1(3) of Commission Implementing Regulation (EU) 2023/174 of 26 January 2023¹;”, and

- (d) 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 2019³ as amended by Commission Implementing Regulation (EU) 2020/625 of 6 May 2020⁴, Commission Implementing Regulation (EU) 2021/608 of 14 April 2021⁵, Commission Implementing Regulation (EU) 2021/1900 of 27 October 2021², Commission Implementing Regulation (EU) 2022/913 of 30 May 2022⁶ and Commission Implementing Regulation (EU) 2023/174 of 26 January 2023¹;”.

5. The Principal Regulations are amended by substituting for Regulation 24 (as amended by Regulation 6 of the (No. 3) Regulations of 2022) the following:

“Transitional provision

24. Notwithstanding the provisions of Regulation 20(4), until 16 April 2023 an operator is not guilty of an offence where he or she imports into the State from a third country, without complying with the requirement in Regulation 8(1)(m)(ii)(II) or (IV), a consignment of—

² OJ No. L 387, 3.11.2021, p. 78.

³ OJ No. L 277, 29.10.2019, p. 89.

⁴ OJ No. L 144, 7.5.2020, p. 13.

⁵ OJ No. L 129, 15.4.2021, p. 119.

⁶ OJ No. L 158, 13.6.2022, p. 1.

- (a) groundnuts and products produced from groundnuts from Bolivia,
- (b) turnips (*Brassica rapa* ssp. *rapa*) from Lebanon, or
- (c) sesamum seeds from Nigeria,

which have been dispatched from the country of origin, or from another third country if that country is different from the country of origin, before 16 February 2023.”.



GIVEN under my Official Seal,
16 February, 2023.

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) 2023/174 of 26 January 2023 (as affected by Corrigendum of 2 February 2023) 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 2023.

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DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
MOUNTSHANNON ROAD,
KILMAINHAM, DUBLIN 8,
D08 XAO6

Tel: 046 942 3100
E-mail: publications@opw.ie

ISBN 978-1-3993-2199-0



€ 3.00

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