



STATUTORY INSTRUMENTS.

S.I. No. 638 of 2021

EUROPEAN UNION (OFFICIAL CONTROLS IN RELATION TO FOOD
LEGISLATION) (IMPORTS OF FOOD OF NON-ANIMAL ORIGIN)
(AMENDMENT) (NO. 2) 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) 2021/1900 of 27 October 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) (No. 2) Regulations 2021.

(2) The Principal Regulations, the Regulations of 2021 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 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);

“Regulations of 2021” means 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).

3. Regulation 2(1) (as amended by Regulation 3 of the Regulations of 2021) 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) 2021/1900 of 27 October 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

¹ OJ No. L 387, 3.11.2021, p. 78.

² OJ No. L 277, 29.10.2019, p. 89.

October 2019² as amended by Commission Implementing Regulation (EU) 2021/1900 of 27 October 2021¹;”,

- (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 Commission Implementing Regulation (EU) 2019/1793 of 22 October 2019² as amended by Commission Implementing Regulation (EU) 2021/1900 of 27 October 2021¹;”, 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 2019² as amended by Commission Implementing Regulation (EU) 2020/625 of 6 May 2020³, Commission Implementing Regulation (EU) 2020/1540 of 22 October 2020⁴, Commission Implementing Regulation (EU) 2021/608 of 14 April 2021⁵ and Commission Implementing Regulation (EU) 2021/1900 of 27 October 2021¹;”.

4. Regulation 24 of the Principal Regulations is amended by inserting after paragraph (2) the following paragraph:

“(3) Notwithstanding the provisions of Regulation 20(4), an operator is not guilty of an offence where he or she imports into the State from a third country a consignment of—

- (a) Sesamum seeds from Ethiopia, or
- (b) peppers of the genus Capsicum (sweet or other than sweet) from Sri Lanka,

without complying with the requirement in Regulation 8(1)(m)(ii)(II) or (IV), before 14 January 2022.”.

GIVEN under my Official Seal,
26 November, 2021.

STEPHEN DONNELLY,
Minister for Health.

³ OJ No. L 144, 7.5.2020, p. 13.

⁴ OJ No. L 353, 23.10.2020, p. 4.

⁵ OJ No. L 129, 15.4.2021, p. 119.

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) 2021/1900 of 27 October 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) (No. 2) Regulations 2021.

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