



STATUTORY INSTRUMENTS.

S.I. No. 338 of 2023

EUROPEAN UNION (OFFICIAL CONTROLS IN RELATION TO FOOD
LEGISLATION) (IMPORTS OF FOOD OF NON-ANIMAL ORIGIN)
(AMENDMENT) (NO. 2) 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) 2023/1110 of 6 June 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) (No. 2) Regulations 2023.

(2) The citation “the European Union (Official Controls in relation to Food Legislation) (Imports of Food of Non-Animal Origin) Regulations 2020 to 2023” includes these Regulations.

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 2023” means the European Union (Official Controls in relation to Food Legislation) (Imports of Food of Non-Animal Origin) (Amendment) Regulations 2023 (S.I. No. 50 of 2023).

3. Regulation 2(1) (as amended by Regulation 4 of the Regulations of 2023) 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(3) of Commission Implementing Regulation (EU) 2023/1110 of 6 June 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(3) of Commission Implementing Regulation (EU) 2023/1110 of 6 June 2023¹;”, and

¹ OJ No. L 147, 7.6.2023, p. 111, as affected by Corrigendum of 22 June 2023 (OJ No. L 159, 22.6.2023, p.127).

- (c) 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) 2021/608 of 14 April 2021⁴, Commission Implementing Regulation (EU) 2021/1900 of 27 October 2021⁵, Commission Implementing Regulation (EU) 2022/913 of 30 May 2022⁶, Commission Implementing Regulation (EU) 2023/174 of 26 January 2023⁷ and Commission Implementing Regulation (EU) 2023/1110 of 6 June 2023¹.”.

4. The Principal Regulations are amended by substituting for Regulation 24 (as amended by Regulation 5 of the Regulations of 2023) the following:

“Transitional provision

24. Notwithstanding the provisions of Regulation 20(4), until 27 August 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—

- (a) unprocessed apricot kernels from Türkiye intended to be placed on the market for the final consumer, which has been dispatched to the State, before 27 June 2023, from Türkiye, or from another third country if that country is different from the country of origin, or
- (b) pistachios and derived products originating in the United States, which has been dispatched, before 27 June 2023, to the State from Türkiye.”.



GIVEN under my Official Seal,
27 June, 2023.

STEPHEN DONNELLY,
Minister for Health.

² OJ No. L 277, 29.10.2019, p. 89.

³ OJ No. L 144, 7.5.2020, p. 13.

⁴ OJ No. L 129, 15.4.2021, p. 119.

⁵ OJ No. L 387, 3.11.2021, p. 78.

⁶ OJ No. L 158, 13.06.2022, p. 1.

⁷ OJ No. L 25, 27.1.2023, p. 36.

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) 2023/1110 of 6 June 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) (No. 2) Regulations 2023 and come into operation on the date of signing.

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