



STATUTORY INSTRUMENTS.

**S.I. No. 453 of 2014**



EUROPEAN COMMUNITIES (HYGIENE OF FOODSTUFFS)  
(AMENDMENT) REGULATIONS 2014

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I, LEO VARADKAR, 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 effect to Commission Regulation (EU) No. 579/2014 of 28 May 2014<sup>1</sup> and for the purpose of giving further effect to Commission Directive 98/28/EC of 29 April 1998<sup>2</sup> hereby make the following regulations:

1. (1) These Regulations may be cited as the European Communities (Hygiene of Foodstuffs) (Amendment) Regulations 2014.

(2) The Principal Regulations, the European Communities (Hygiene of Foodstuffs) (Amendment) Regulations 2009 (S.I. No. 380 of 2009), the European Communities (Hygiene of Foodstuffs) (Amendment) Regulations 2010 (S.I. No. 497 of 2010) and these Regulations may be cited together as the European Communities (Hygiene of Foodstuffs) Regulations 2006 to 2014.

2. In these Regulations “Principal Regulations” means the European Communities (Hygiene of Foodstuffs) Regulations 2006 (S.I. No. 369 of 2006).

3. The Principal Regulations are amended by substituting for Regulation 4(2) the following:

“(2) Notwithstanding paragraph (1), a food business operator shall not be guilty of an offence for failure to comply with the requirement laid down in point 4 of Chapter IV of Annex II to the EC Regulation—

(a) in the case of the transportation of liquid oils or fats by sea, which are intended for or likely to be used for human consumption, provided that the conditions for transportation under Article 2 of Commission Regulation (EU) No. 579/2014 of 28 May 2014<sup>1</sup> and the obligations of record keeping and provision of documentary evidence by the captain of a sea going vessel to the official agency under Article 3 of that Regulation, are complied with, and

(b) in the case of the bulk transportation by sea of raw sugar which is not intended for use as a food or food ingredient without a full and effective refining process, provided that the conditions for transportation under Article 2 of Commission Directive 98/28/EC of 29 April 1998<sup>2</sup>, the obligations of record keeping and provision of documentary evidence to the official agency under Article 3 of

<sup>1</sup>OJ No. L 160, 29.5.2014, p. 14.

<sup>2</sup>OJ No. L 140, 12.5.98, p. 10.

that Directive and the processing requirements under Article 4 of that Directive, are complied with.”



GIVEN under my Official Seal,  
8 October 2014.

LEO VARADKAR,  
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 effect to Commission Regulation (EU) No. 579/2014 of 28 May 2014 granting derogation from certain provisions of Annex II to Regulation (EC) No. 852/2004 of the European Parliament and of the Council as regards the transport of liquid oils and fats by sea. These Regulations also give further effect to Commission Directive 98/28/EC of 29 April 1998 granting a derogation from certain provisions of Directive 93/43/EEC on the hygiene of foodstuffs as regards the transport by sea of bulk raw sugar.

These Regulations amend the European Communities (Hygiene of Foodstuffs) Regulations 2006 (S.I. No. 369 of 2006) in the manner specified in these Regulations.

These Regulations may be cited as the European Communities (Hygiene of Foodstuffs) (Amendment) Regulations 2014.

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