EUROPEAN COMMUNITIES (CERTAIN CONTAMINANTS IN FOODSTUFFS) (AMENDMENT) (NO. 2) REGULATIONS 2012
I, JAMES REILLY, 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 Regulation (EU) No. 594/2012 of 5 July 20121 hereby make the following regulations:

1. (1) These Regulations may be cited as the European Communities (Certain Contaminants in Foodstuffs) (Amendment) (No. 2) Regulations 2012.

(2) The collective citation “the European Communities (Certain Contaminants in Foodstuffs) Regulations 2010 and 2012” to which Regulation 1(2) of the European Communities (Certain Contaminants in Foodstuffs) (Amendment) Regulations 2012 (S.I. No. 276 of 2012) refers includes these Regulations.

2. In these Regulations—

“Principal Regulations” means the European Communities (Certain Contaminants in Foodstuffs) Regulations 2010 (S.I. No. 218 of 2010).

3. The Principal Regulations are amended—

(a) in Regulation 2(1), by substituting for the definition of “Commission Regulation (EC) No. 1881/2006” the following—


Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 18th September, 2012.

(b) in Regulation 2(1), by substituting for the definition of “EU Regulations” the following—


(c) in Regulation 6(1), by substituting the following—

\textsuperscript{11}OJ No. L 320, 3.12.2011, p. 15.
\textsuperscript{12}OJ No. L 320, 3.12.2011, p. 18.
\textsuperscript{13}OJ No. L 37, 13.2.1993, p. 1.
\textsuperscript{14}OJ No. L 70, 9.3.2006, p. 12.
\textsuperscript{15}OJ No. L 52, 3.3.2010, p. 32.
\textsuperscript{17}OJ No. L 88, 29.3.2007, p. 29.
\textsuperscript{19}OJ No. L 84, 23.3.2012, p. 1.

(d) in Regulation 11 by inserting after paragraph (2) the following—

“(2A) The prohibition in Regulation 6(2) shall not apply to foodstuffs that were placed on the market before:

(a) 1 January 2012 as regards the maximum levels for non-dioxin-like PCBs laid down in section 5 of the Annex;

(b) 1 January 2015 as regards the maximum level for Ochratoxin A in *Capsicum* spp. laid down in point 2.2.11. of the Annex,

provided that, in all such cases, such products were placed on the market in conformity with the provisions applicable thereto at the date of their placing on the market.”.

GIVEN under my Official Seal,
14 September 2012.

JAMES REILLY,
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. 594/2012 of 5 July 2012 amending Regulation (EC) 1881/2006 as regards the maximum levels of the contaminants Ochratoxin A, non dioxin-like PCBs and melamine in foodstuffs.

These Regulations amend the European Communities (Certain Contaminants in Foodstuffs) Regulations 2010 (S.I. No. 218 of 2010) in the manner specified in these Regulations.

These Regulations may be cited as the European Communities (Certain Contaminants in Foodstuffs) (Amendment) (No. 2) Regulations 2012.