
STATUTORY RULES OF NORTHERN IRELAND

2019 No. 66

The Marketing of Bananas Regulations (Northern Ireland) 2019

PART 1

Introduction

Interpretation

2.—(1) In these Regulations—

“authorised officer” means an officer appointed by the Department for the purposes of these Regulations;

“banana marketing standards” means the marketing standards for bananas laid down in Annex I to the Commission Implementing Regulation;

“bananas” means bananas, intended to be supplied fresh to the consumer after preparation and packaging, which falls within—

(a) CN code 0803 90 10 as provided for in Part XI of Annex I to the Single CMO Regulation; and

(b) the description in Article 1 of, and Point I of Annex I to, the Commission Implementing Regulation;

“Commission Implementing Regulation” means Commission Implementing Regulation (EU) No 1333/2011 laying down marketing standards for bananas, rules on the verification of compliance with those marketing standards and requirements for notifications in the banana sector, as amended from time to time;

“container” includes any basket, pail, tray, package or receptacle of any kind, whether open or closed;

“contravention” includes a failure to comply;

“controlled” in relation to bananas, means that the power conferred by regulation 12(1) (stop notice) has been exercised in relation to those bananas and that consent to their movement has been given under regulation 14(1) when the circumstances in regulation 14(2) or (3) apply;

“the Department” means the Department of Agriculture, Environment and Rural Affairs;

“exit day” has the same meaning as given in section 20 of the European Union (Withdrawal) Act 2018(1);

“inspection body” means a body of a member State responsible for carrying out conformity checks of the Commission Implementing Regulation;

“label” includes any device for conveying information particulars by written characters or symbols, and any characters or symbols stamped or otherwise placed directly on to any bananas or container, and references to the affixing of a label are construed accordingly;

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Bananas Regulations (Northern Ireland) 2019, Section 2. (See end of Document for details)

“non-compliance label”, in relation to any bananas, means a label indicating that the bananas do not comply with the banana marketing standards;

“notice” means notice in writing;

“premises” includes any place, vehicle or trailer, stall, vessel, container, moveable structure, aircraft, or hovercraft;

“Single CMO Regulation” means Council Regulation (EC) No 1308/2013 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation), as amended from time to time;

“stop notice” has the meaning given by regulation 12;

“stop notice label” has the meaning given by regulation 13.

(2) Expressions used in these Regulations which are also used in the Single CMO Regulation or Commission Implementing Regulation have the same meaning as they have in those Regulations.

^{F1}(3)

(4) The Interpretation Act (Northern Ireland) 1954(2), except section 20(2) and (3), applies to these Regulations as it applies to an Act of the Assembly.

F1 Reg. 2(3) revoked (31.12.2020 immediately before IP completion day) by [The Agriculture, Animals and Aquaculture \(Health, Identification, Welfare, Trade etc.\) \(Amendment\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/324\)](#), reg. 1(2), **Sch.**

Commencement Information

II Reg. 2 in operation at 29.3.2019, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Marketing of Bananas Regulations (Northern Ireland) 2019, Section 2.