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STATUTORY INSTRUMENTS

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**2011 No. 452**

**FOOD, ENGLAND**

**The Poultrymeat (England) Regulations 2011**

*Made* - - - - *16th February 2011*  
*Laid before Parliament* *23rd February 2011*  
*Coming into force* - - *21st March 2011*

The Secretary of State is a Minister designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to the common agricultural policy of the European Union.

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Secretary of State that it is expedient for references in these Regulations to the following Regulations to be construed as references to those Regulations as amended from time to time—

- (a) Part B of Annex XIV to Council Regulation (EC) No 1234/2007<sup>(3)</sup> establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation); and
- (b) Commission Regulation (EC) No 543/2008<sup>(4)</sup> laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the marketing standards for poultrymeat.

Insofar as these Regulations are made in exercise of powers under the Food Safety Act 1990<sup>(5)</sup>, the Secretary of State has had regard to relevant advice given by the Food Standards Agency as required by section 48(4A)<sup>(6)</sup> of the Food Safety Act 1990.

There has been open and transparent public consultation during the preparation of the following Regulations as required by Article 9 of Regulation (EC) No 178/2002 of the European Parliament and of the Council<sup>(7)</sup> laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.

The Secretary of State, in whom the powers conferred by sections 6(4), 16(1), 17, 26(2) and (3), 45(1) and 48(1)<sup>(8)</sup> of the Food Safety Act 1990 are now vested<sup>(9)</sup>, makes these Regulations in exercise

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(1) S.I. 1972/1811. The functions of the Minister of Agriculture, Fisheries and Food were transferred to the Secretary of State by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

(2) 1972 c. 68. Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c.51) and Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7).

(3) OJ No L 299, 16.11.2007, p 1, last amended by Commission Regulation (EU) No 513/2010 (OJ No L 150, 16.6.2010, p 40).

(4) OJ No L 157, 17.6.2008, p 46, last amended by Commission Regulation (EU) No 557/2010 (OJ No L 159, 25.6.2010, p 13).

(5) 1990 c. 16.

(6) Sub-section (4A) of section 48 was inserted by paragraph 21 of Schedule 5 to the Food Standards Act 1999 (c. 28).

(7) OJ No L 31, 1.2.2002, p 1, last amended by Regulation (EC) No 596/2009 (OJ No L 188, 18.7.2009, p 14).

(8) Section 6(4) was amended by paragraph 6 of Schedule 9 to the Deregulation and Contracting Out Act 1994 (c. 40), paragraphs 7, 10(1) and (3) of Schedule 5, and Schedule 6, to the Food Standards Act 1999 (“the 1999 Act”) and S.I. 2002/794. Section 16(1) was amended by paragraphs 7 and 8 of Schedule 5 to the 1999 Act. Section 17 was amended by paragraphs 7, 8 and

of those powers and the powers conferred by section 2(2) of, and paragraph 1A(10) of Schedule 2 to, the European Communities Act 1972.

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12 of Schedule 5 to the 1999 Act. Section 26(2) was amended by paragraph 13 of Schedule 8, and Part 1 of Schedule 23, to the Tribunals, Courts and Enforcement Act 2007 (c. 15). Section 26(3) has been partially repealed by Schedule 6 to the 1999 Act. Section 45(1) was amended by paragraphs 8 and 20 of Schedule 5 to the 1999 Act. Section 48(1) was amended by paragraphs 7 and 8 of Schedule 5 to the 1999 Act.

- (9) Functions formerly exercisable by “the Ministers” (being, in relation to England and Wales and acting jointly, the Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with health in England and food and health in Wales and, in relation to Scotland, the Secretary of State) are now exercisable in relation to England by the Secretary of State pursuant to paragraph 8 of Schedule 5 to the Food Standards Act 1999.
- (10) Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c. 51).