A.L. tal-2014

ATT DWAR IS-SIGURTÀ FL-IKEL
(KAP. 449)

Regolamenti tal-2014 dwar l-Istabbiliment ta' Skema Nazzjonali tal-'Prodotti ta' Kwalità'

BIS-SAĦĦA tas-setgħat mogħtija bl-artikolu 10 tal-Att dwar is-Sigurtà fl-Ikel, is-Segretarju Parlamentari għas-Saħħa, wara konsultazzjoni mal-Ministru għall-Iżvilupp Sostenibbli, l-Ambjent u Tibdil fil-Klima, għamel ir-regolamenti li ġejjin:-

Titolu u skop.

1. (1) It-titolu ta' dawn ir-regolamenti hu r-Regolamenti tal-2014 dwar l-Istabbiliment ta' Skema Nazzjonali tal-'Prodotti ta' Kwalità'.

(2) Dawn ir-regolamenti għandhom japplikaw għall-prodotti agrikoli u prodotti agri-alimentari, li jaqgħu taħt it-tifsira ta' "prodott" f'dawn ir-regolamenti.

(3) L-iskop ta' dawn ir-regolamenti huwa sabiex tiġi stabbilita skema nazzjonali għall-għanijiet tar-Regolament (UE) Nru 1305/2013 dwar appoġġ għall-Iżvilupp Rurali mill-Fond Agrikolu Ewropew għall-Iżvilupp Rurali (FAEŻR) u li jħassar ir-Regolament tal-Kunsill (KE) Nru 1698/2005, liema skema għandha tippromovi, tikkwalifika u xxerred prodotti kif imfissra f'dawn ir-regolamenti.

Tifsir.

2. F'dawn ir-regolamenti, sakemm ir-rabta tal-kliem ma teħtieġx xort'oħra:

"attur" tfisser kull persuna fiżika jew ġuridika involuta fil-katina tal-valur agrikolu;

"Direttur" tfisser id-Direttur responsabbli għall-Agrikoltura;

"katina tal-valur agrikolu" tfisser grupp ta' persuni li l-attivitajiet tagħhom jgħollu l-valur kummerċjali ta' prodott bażiku tal-industrija agrikola. Katina tal-valur agrikolu tista' tinvolvi l-ipproċessar, l-ippakkjar, il-ħażna, it-trasport u d-distribuzzjoni:

Iżda l-produzzjoni primarja, il-biedja u l-ipproċessar ta' dan il-prodott trid tkun magħmula f'territorju wieħed;

"katina tal-valur agrikolu rikonoxxuta" tfisser katina tal-valur agrikolu li hija rikonoxxuta mill-Ministru u ppubblikata fil-Gazzetta;

"kwalità superjuri" tfisser karatteristika kwalitattiva superjuri mill-i*standards* minimi stabbiliti bil-liġi fis-seħħ, li tista’ tiġi oġġetivament identifkata;

"Ministru" tfisser il-Ministru responsabbli għall-Agrikoltura;

"operatur" tfisser attur li jappartjeni lil katina tal-valur agrikolu rikonoxxuta u li jipparteċipa fl-Iskema Nazzjonali tal-‘Prodotti ta’ Kwalità’;

"prodott" tfisser prodott agrikolu u agri-alimentari ta’ oriġni annimali u, jew veġetali, li l-produzzjoni tiegħu tikkonsisti f’metodi ta’ produzzjoni u. jew biedja li huma b’mod sinifikattiv ogħla mir-rekwiżiti legali minimi rigward saħħa pubblika, tal-annimali jew tal-pjanti, trattament xieraq tal-annimali jew protezzjoni ambjentali u li l-karatteristiċi tiegħu huma ukoll b’mod sinifikattiv ogħla mir-rekwiżiti legali minimi;

"Prodotti ta’ Skema Nazzjonali ta’ Kwalità" tfisser skema ta’ kwalità rikonoxxuta fuq livell nazzjonali skont l-Artikolu 16(1)(b) tar-Regolament (UE) Nu 1305/2013 dwar appoġġ għall-Iżvilupp Rurali mill-Fond Agrikolu Ewropew għall-Iżvilupp Rurali (FAEŻR) u li jħassar ir-Regolament tal-Kunsill (KE) Nru 1698/2005;

"skema” tfisser l-Iskema Nazzjonali tal-‘Prodotti ta’ Kwalità’;

"territorju" tfisser unità territorjali li taqa’ taħt il-klassifikazzjoni tan-Nomenklatura ta’ unitajiet territorjali għall-istatistika 2 (NUTS 2) kif stabbilita bir-Regolament (KE) 1059/2003 dwar l-istabbiliment ta’ klassifikazzjoni komuni ta’ unitajiet territorjali għall-istatistika (NUTS);

"tikketta tal-oriġini" tfisser tikketta mwaħħla ma’ prodott li tindika t-territorju fejn saret l-produzzjoni primarja, l-biedja u l-ipproċessar tal-prodott.

Stabbiliment tal-Iskema.

3. (1) Għandu jkun hemm skema, li tkun imsejħa l-Iskema Nazzjonali tal-‘Prodotti ta’ Kwalità’.

(2) L-iskema tkun miftuħa għall-atturi kollha interessati li jifformaw parti minn katina tal-valur agrikolu rikonoxxuta.

(3) Id-Direttur għandu jagħmel regoli dwar l-implimentazzjoni tal-iskema, li għandhom jinkludu, iżda ma jkunux limitati għal, d-dispożizzjonijiet dwar:

(a) prodott vinkolanti u, jew speċifikazzjonijiet tal-metodu għal kull prodott li jidentifikaw il-produzzjoni u. jew il-

metodi tal-biedja u l-elementi li jikkaratterizzaw il-kwalità superjuri tal-prodott;

(b) id-disinn tat-tikketta tal-oriġini;

(ċ) sistema ta' kontroll sabiex tissorvelja l-prodott vinkolanti u, jew l-ispeċifikazzjonijiet tal-metodu; u

(d) sistema ta' traċċabilità obbligatorja li tiggarantixxi t-trasparenza tal-iskema u tiżgura traċċabilità sħiħa tal-prodotti.

(4) Id-Direttur għandu jagħmel ħiltu biex jikkonsulta mar-rappreżentanti tal-katini tal-valur agrikolu rikonoxxuti qabel jagħmel ir-regoli msemmija fis-subregolament (3).

(5) Ir-regoli msemmija fis-subregolament (3) għandhom jiġu ppubblikati fil-Gazzetta u jorbtu lill-atturi kollha li jifformaw parti minn katina tal-valur agrikolu rikonoxxuta.

Rikonoxximent tal-katini tal-valur agrikolu.

4. Il-Ministru jista', permezz ta' avviż fil-Gazzetta jirrikonoxxi katini tal-valur agrikolu fuq parir li jirċievi mid-Direttur.

Speċifikazzjonijiet vinkolanti tal-prodott.

5. (1) L-ipeċifikazzjonijiet tal-prodott stabbiliti mid-Direttur huma vinkolanti.

(2) L-ispeċifikazzjonijiet tal-prodott għandhom jinkludu, iżda ma jkunux limitati għal, dan li ġej:

(a) l-isem u t-tipoloġija tal-prodott rikonoxxut mill-iskema;

(b) l-ispeċifikazzjonijiet u l-karatteristiċi tal-prodott li jiggarantixxu kwalità superjuri; u

(ċ) ir-regoli li għandhom x'jaqsmu mat-traċċabilita, l-awto-kontroll, il-kontroll u l-ittikkettjar.

Kontroll.

6. L-operaturi ikunu taħt il-kontroll ta' awtorità pubblika jew korp ta' spezzjon indipendenti maħtura għal dan il-għan mill-Ministru fil-Gvern.

Parteċipazzjoni ta' prodotti agri-alimentari tradizzjonali approvati.

7. L-iskema tkun miftuħa ukoll għall-atturi li huma produtturi ta' prodotti agri-alimentari tradizzjonali approvati skont ir-Regolamenti tal-2014 dwar it-Twaqqif ta' Reġistru ta' Prodotti Agri-alimentari Tradizzjonali ta' Malta, u li huma parti minn katina tal-valur agrikolu rikonoxxuta.

L.N. of 2014

FOOD SAFETY ACT (CAP. 449)

Establishment of the 'Products of Quality' National Scheme Regulations, 2014

IN exercise of the powers conferred by article 10 of the Food Safety Act, the Parliamentary Secretary for Health, in consultation with the Minister for Sustainable Development, the Environment and Climate Change, has made the following regulations:-

Citation and scope.

1. (1) The title of these regulations is the Establishment of the 'Product of Quality' National Scheme Regulations, 2014.

(2) These regulations shall apply to agricultural and agro-food products, which fall within the definition of "product" in these regulations.

(3) The scope of these regulations is to establish a national scheme for the purposes of Regulation (EU) No 1305/2013 on support for Rural Development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005, which scheme shall promote, qualify and diffuse products as defined in these regulations.

Interpretation.

2. In these regulations, unless the context otherwise requires:

"actor" means any natural or legal person involved in an agricultural value chain;

"agricultural value chain" means a set of people whose activities increases the commercial value of a basic product of the agricultural industry. An agricultural value chain may involve processing, packaging, storage, transport and distribution:

Provided that the primary production, farming and processing of the product is made within one territory;

"Director" means the Director responsible for Agriculture;

"Minister" means the Minister responsible for Agriculture;

"operator" means an actor belonging to a recognised agricultural value chain and who participates in the 'Product of Quality' National Scheme;

"origin label" means a label attached to a product indicating the territory in which the primary production, farming and processing of the product has been made;

"product" means an agricultural and agro-food product of animal and, or plant origin, the production of which consists of production and, or farming methods which are significantly higher than the minimum legal requirements with regards to public, animal or plant health, animal welfare or environmental protection and which final characteristics are also significantly higher than the minimum legal requirements;

"Products of Quality National Scheme" means a quality scheme recognised at the national level in terms of Article 16(1)(b) of Regulation (EU) No 1305/2013 on support for Rural Development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005;

"recognised agricultural value chain" means an agricultural value chain which is recognised by the Minister and published in the Gazette;

"scheme" means the 'Products of Quality' National Scheme;

"superior quality" means a qualitative characteristic superior to the minimum standards established by the law in force, which can be objectively identified;

"territory" means a territorial unit falling under the classification of a Nomenclature of territorial units for statistics 2 (NUTS 2) as established by Regulation (EC) 1059/2003 on the establishment of a common classification of territorial units for statistics (NUTS).

Establishment of the scheme.

3. (1) There shall be a scheme, to be called the 'Products of Quality' National Scheme.

(2) The scheme shall be open to all interested actors who form part of a recognised agricultural value chain.

(3) The Director shall make rules for the implementation of the scheme, which shall include but shall not be limited to provisions on:

(a) binding product and, or method specifications for each product which identify the production and, or farming methods and the elements that characterize the superior quality of the product;

(b) the design of the origin label;

(c) a control system in order to monitor the binding product and, or method specifications; and

(d) a compulsory traceability system which guarantees the transparency of the scheme and assures complete traceability of products.

(4) The Director shall endeavour to consult with representatives of the recognised agricultural value chains before making the rules mentioned in sub-regulation (3).

(5) The rules referred to in sub-regulation (3) shall be published in the Gazette and shall be binding on all actors who form part of a recognised agricultural value chain.

Recognition of agricultural value chains.

4. The Minister may, by notice in the Gazette recognize agricultural value chains upon receiving advice from the Director.

Binding product specifications.

5. (1) Product specifications established by the Director shall be binding.

(2) Product specifications shall include, but shall not be limited to, the following:

(a) the name and the typology of the product recognised by the scheme;

(b) the specifications and characteristics of the product which guarantee superior quality; and

(c) the rules concerning traceability, auto-control, the control and the labelling.

Control.

6. Operators shall be under the control of a public authority or an independent inspection body designated for this purpose by the Minister in the Gazette.

Participation of approved traditional agro-food products.

7. The scheme shall also be open to actors who are producers of approved traditional agro-food products in terms of the Establishments of the Register of Traditional Agro-food Products of Malta Regulations, 2014, and who are part of a recognised agricultural value chain.