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STATUTORY RULES OF NORTHERN IRELAND

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**2001 No. 46**

**FOOD**

**Miscellaneous Food Additives (Amendment)  
Regulations (Northern Ireland) 2001**

*Made - - - - 7th February 2001*

*Coming into operation 30th March 2001*

The Department of Health, Social Services and Public Safety<sup>(1)</sup> in exercise of the powers conferred on it by Articles 15(1)(a), 16(1), 25(1) and (3), 26(3) and 47(2) of, and paragraph 1 of Schedule 1 to, the Food Safety (Northern Ireland) Order 1991<sup>(2)</sup> and of all other powers enabling it in that behalf, having had regard in accordance with Article 47(3A) of the said Order to relevant advice given by the Food Standards Agency and after consultation in accordance with Article 47(3) and (3B) of the said Order, hereby makes the following Regulations:—

**Citation, commencement and interpretation —**

1.—(1) These Regulations may be cited as the Miscellaneous Food Additives (Amendment) Regulations (Northern Ireland) 2001 and shall come into operation on 30th March 2001.

(2) In these Regulations “the principal Regulations” means the Miscellaneous Food Additives Regulations (Northern Ireland) 1996<sup>(3)</sup>.

**Amendment of the principal Regulations**

2. The principal Regulations shall be amended in accordance with regulations 3 to 5.

3. In regulation 2(1) (interpretation), in the definition of “Directive 96/77/EC” there shall be inserted at the end “and Commission Directive 2000/63/EC”<sup>(4)</sup>.

4. In regulation 11 (transitional provisions and exemptions) there shall be inserted after paragraph (1B) the following paragraph—

“(1C) In any proceedings for an offence under these Regulations in respect of any food additive or food, it shall be a defence to prove that—

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(1) Formerly the Department of Health and Social Services; see S.I. 1999/283 (N.I. 1), Article 3

(2) S.I. 1991/762 (N.I. 7) as amended by S.I. 1996/1633 (N.I. 12) and paragraphs 26 to 42 of Schedule 5 and Schedule 6 to the Food Standards Act 1999 c. 28

(3) S.R. 1996 No. 50 as amended by S.R. 1997 No. 340 and S.R. 1999 No. 244

(4) O.J. No. L277, 30.10.2000, p. 1

- (a) the food additive or food concerned was put on the market or labelled before 31st March 2001; and
- (b) the matter constituting the offence would not have constituted an offence under these Regulations if the amendments made by regulations 3 and 5 of the Miscellaneous Food Additives (Amendment) Regulations (Northern Ireland) 2001 had not been made when that matter occurred.”.

5. In Schedule 5 (purity criteria) the entries relating to the miscellaneous additives listed in the Schedule to these Regulations shall be omitted.

### **Consequential amendments**

6. In the following Regulations, references to the principal Regulations shall be construed as references to those Regulations as amended by the Miscellaneous Food Additives (Amendment) Regulations (Northern Ireland) 1997, the Miscellaneous Food Additives (Amendment) Regulations (Northern Ireland) 1999 and these Regulations:—

- (a) the Mineral Hydrocarbons in Food Regulations (Northern Ireland) 1966(5);
- (b) the Specified Sugar Products Regulations (Northern Ireland) 1976(6);
- (c) the Cocoa and Chocolate Products Regulations (Northern Ireland) 1976(7);
- (d) the Fruit Juices and Fruit Nectars Regulations (Northern Ireland) 1977(8);
- (e) the Condensed Milk and Dried Milk Regulations (Northern Ireland) 1977(9);
- (f) the Jam and Similar Products Regulations (Northern Ireland) 1982(10);
- (g) the Meat Products and Spreadable Fish Products Regulations (Northern Ireland) 1984(11);
- (h) the Food Additives Labelling Regulations (Northern Ireland) 1992(12);
- (i) the Food Labelling Regulations (Northern Ireland) 1996(13).

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 7th February 2001.

L.S.

*John McGrath*  
Senior Officer of the  
Department of Health, Social Services and  
Public Safety

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(5) S.R. & O. (N.I.) 1966 No. 200; the relevant amending Regulations are S.R. 1996 No. 50  
(6) S.R. 1976 No. 165; the relevant amending Regulations are S.R. 1996 No. 50  
(7) S.R. 1976 No. 183; the relevant amending Regulations are S.R. 1996 No. 50  
(8) S.R. 1977 No. 182; the relevant amending Regulations are S.R. 1996 No. 50  
(9) S.R. 1977 No. 196; the relevant amending Regulations are S.R. 1996 No. 50  
(10) S.R. 1982 No. 105; the relevant amending Regulations are S.R. 1996 No. 50  
(11) S.R. 1984 No. 408; the relevant amending Regulations are S.R. 1996 No. 50  
(12) S.R. 1992 No. 417; the relevant amending Regulations are S.R. 1996 No. 50  
(13) S.R. 1996 No. 383; the relevant amending Regulations are S.R. 1998 No. 253 and S.R. 1999 No. 143

## SCHEDULE

Regulation 5

Miscellaneous additives for which specific purity criteria specified or referred to in Schedule 5 to the principal Regulations are omitted

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E 296	Malic acid
E 297	Fumaric acid
E 350(i)	Sodium malate
E 350(ii)	Sodium hydrogen malate
E 351	Potassium malate
E 352(i)	Calcium malate
E 352(ii)	Calcium hydrogen malate
E 355	Adipic acid
E 363	Succinic acid
E 380	Triammonium citrate
E 500(i)	Sodium carbonate
E 500(ii)	Sodium hydrogen carbonate
E 500(iii)	Sodium sesquicarbonate
E 501(i)	Potassium carbonate
E 501(ii)	Potassium hydrogen carbonate
E 503(i)	Ammonium carbonate
E 503(ii)	Ammonium hydrogen carbonate
E 507	Hydrochloric acid
E 509	Calcium chloride
E 513	Sulphuric acid
E 514(i)	Sodium sulphate
E 515(i)	Potassium sulphate
E 516	Calcium sulphate
E 522	Aluminium potassium sulphate
E 524	Sodium hydroxide
E 525	Potassium hydroxide
E 526	Calcium hydroxide
E 527	Ammonium hydroxide
E 528	Magnesium hydroxide
E 529	Calcium oxide
E 530	Magnesium oxide
E 535	Sodium ferrocyanide

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E 536	Potassium ferrocyanide
E 541	Sodium aluminium phosphate, acidic
E 551	Silicon dioxide
E 552	Calcium silicate
E 553a(i)	Magnesium silicate
E 553a(ii)	Magnesium trisilicate
E 575	Glucono-delta-lactone
E 576	Sodium gluconate
E 577	Potassium gluconate
E 578	Calcium gluconate
E 640	Glycine
E 900	Dimethylpolysiloxane
E 901	Beeswax, white and yellow
E 903	Carnauba wax
E 904	Shellac
E 941	Nitrogen
E 942	Nitrous oxide
E 948	Oxygen
E 999	Extract of quillaia
E 1200	Polydextrose
	Propane-1,2-diol (propylene glycol)

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## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations amend the Miscellaneous Food Additives Regulations (Northern Ireland) 1996, as amended (“the principal Regulations”).

The Regulations implement Commission Directive [2000/63/EC](#) amending Directive [96/77/EC](#) laying down specific purity criteria on food additives other than colours and sweeteners (O.J. No. L277, 30.10.2000, p. 1).

Subject to a transitional provision, the Regulations amend the existing requirements in the principal Regulations as regards the purity criteria for butylated hydroxyanisole (BHA) and specify new purity criteria in relation to the additives specified in Annex II to Commission Directive [2000/63/EC](#) (regulations 3 to 5).

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The Regulations also make consequential amendments to the Regulations specified in regulation 6, as regards references in those Regulations to the principal Regulations (regulation 6).