
EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations further amend the Miscellaneous Food Additives Regulations (Northern Ireland) 1996 ([S.R. 1996 No. 50](#)) as already amended and implement Directive [2003/114](#) of the European Parliament and of the Council amending Directive [95/2/EC](#) on food additives other than colours and sweeteners (O.J. No. L24, 29.1.2004, p. 58).

2. These Regulations amend the Miscellaneous Food Additives Regulations (Northern Ireland) 1996 by –

- (a) inserting a definition of flavouring, as the Regulations now apply to control the use of miscellaneous additives in flavourings (*regulation 3(a) and (c)*);
- (b) bringing up to date the definition of “Directive [95/2/EC](#)” to cover the amendment of that Directive by Directive [2003/114/EC](#) (*regulation 3(b)*);
- (c) substituting a new definition for the term “stabiliser” to include substances which increase the binding capacity of food (*regulation 3(d)*);
- (d) making an amendment to regulation 4 to ensure that a flavouring which lawfully has in or on it a permitted miscellaneous additive can be used as an ingredient in a compound food (*regulation 4*);
- (e) providing that where a permitted miscellaneous additive used in a flavouring performs a technological function in the final food in which that flavouring is an ingredient, it is to be regarded as an additive of the final food (*regulation 5*);
- (f) prohibiting the use of additives in flavourings in quantities greater than the minimum necessary, or in circumstances where they would be a hazard to human health or misleading to the consumer, and making contravention an offence (*regulation 5*);
- (g) making transitional provision to allow the marketing of additives, flavourings or foods marketed or labelled before 27th January 2006, which are legal under existing rules (*regulation 6*);
- (h) permitting standardisation of E407a, in addition to E407 and E440 with sugars, provided this is stated in addition to the number and designation of the additive (*regulation 7(a)*);
- (i) substituting “calcium carbonate” as the name for E170 (*regulations 7(b), 13(b) and 14(b)*);
- (j) adding to the acceptable names for E446, E468 and E469 (*regulations 7(c) and (d) and 12(a)*);
- (k) permitting a new additive, E907 to be used as a glazing agent in sugar confectionery and dried fruit (*regulation 11(j)*);
- (l) substituting new definitions of food categories in which permitted miscellaneous additives may be used (*regulations 8(a) and 10(b)*);
- (m) prohibiting the use of E230 as a permitted preservative for surface treatment of citrus fruits (*regulation 9(a)*);
- (n) extending food categories in which permitted miscellaneous additives can be used (*regulations 8(b)(i), 9(b), 11(d), 13(a) and (c) – (f), 14(d)*);
- (o) prohibiting the use of phosphates in cider and perry (*regulation 11(a)(ii)*);
- (p) providing numerical limits to restrict the use of E903 (*regulation 11(h) – (i)*);

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- (q) making provision for the restricted use of additives in flavourings (*regulations 8(b)(ii), 10(a), 11(a)(i), (b) – (c), (e) – (g) and (k)*);
- (r) inserting a definition of spice oleoresins in Schedule 3 (*regulation 11(l)*);
- (s) permitting a new carrier solvent, E555 to be used in certain specified colours (*regulation 12(b)*);
- (t) clarifying the extent to which E1450 may be carried over into formulae and weaning foods for infants (*regulation 14(a)*);
- (u) bringing up to date the title of Part IV of Schedule 8 to take account of Commission Directive [1999/21/EC](#) on dietary foods for special medical purposes (O.J. No. L91, 7.4.1999, p. 29) (*regulation 14(c)*).