

2005 No. 475

FOOD

**The Food Labelling (Amendment No. 2) (Amendment)
Regulations (Northern Ireland) 2005**

Made - - - - - *2nd November 2005*

Coming into operation *25th November 2005*

The Department of Health, Social Services and Public Safety(a) in exercise of the powers conferred on it by Articles 15(1)(e) and (f), 16(1), 25(1) and (3) and 47(2) of the Food Safety (Northern Ireland) Order 1991(b) and of all other powers enabling it in that behalf, having had regard in accordance with Article 47(3A) of the said order to the relevant advice given by the Food Standards Agency and after consultation as required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council(c) 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, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Food Labelling (Amendment No. 2) (Amendment) Regulations (Northern Ireland) 2005; they come into operation on 25th November 2005.

Amendment of the Food Labelling (Amendment No. 2) Regulations (Northern Ireland) 2005

2. The Food Labelling (Amendment No. 2) Regulations (Northern Ireland) 2005(d) shall be amended in accordance with regulations 3 and 4.

3. In regulation 3 (amendment of definition of “Directive 2000/13/EC” in regulation 2(1) of the Food Labelling Regulations (Northern Ireland) 1996(e) there shall be inserted at the end “which was itself amended by Commission Directive 2005/63/EC(f)”.

4. In the Schedule, in the text of the new Schedule 2A to be inserted in the Food Labelling Regulations 1996 (list of ingredients which originate from allergenic ingredients and in respect of which the allergen labelling requirements do not apply) in column 2 for “Fish gelatine used as carrier for vitamins and flavours” there shall be substituted “Fish gelatine used as a carrier for vitamin or carotenoid preparations and flavours”.

(a) Formerly the Department of Health and Social Services *see* S.I. 1999/283 (N.I.) Article 3
(b) S.I. 1991/762 (N.I. 7) as amended by S.I. 1996/1663 (N.I. 12) and paragraphs 26 to 42 of Schedule 5 and Schedule 6 to the Food Standards Act 1999 c. 28, S.R. 1999 No. 438 and S.R. 2004 No. 482
(c) O.J. No. L31, 1.2.2002, p. 1. That Regulation was last amended by Regulation (EC) No. 1642/2003 of the European Parliament and of the Council (O.J. No. L245, 29.9.2003, p. 4)
(d) S.R. 2005 No. 396
(e) S.R. 1996 No. 383, the relevant amending Regulations are S.R. 1998 No. 253, S.R. 2000 No. 303, S.R. 2003 No. 448, S.R. 2004 No. 469 and S.R. 2005 No. 396
(f) O.J. No. L258, 4.10.2005, p. 3

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety
on 2nd November 2005.

(L.S.)

N. A. Elliot

A senior officer of the Department of Health, Social Services and Public Safety

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations amend the Food Labelling (Amendment No. 2) Regulations (Northern Ireland) 2005 which implement Commission Directive 2005/26/EC establishing a list of food ingredients or substances provisionally excluded from Annex IIIa of Directive 2000/13/EC of the European Parliament and of the Council (OJ No. L75, 22.3.2005, p. 33). In accordance with the timetable in that Directive, those Regulations come into force on 25th November 2005. Those Regulations confer an exemption until 25th November 2007 from the allergen labelling requirements in regulation 34B of the Food Labelling Regulations (Northern Ireland) 1996 in the case of certain ingredients originating from allergenic ingredients.

2. These Regulations implement Commission Directive 2005/63/EC correcting Directive 2005/26/EC (OJ No. L258, 4.10.2005, p. 3).

3. These Regulations—

- (a) update the definition of “Directive 2000/13/EC” (Regulation 3);
- (b) confer an exemption until 25th November 2007 from the allergen labelling requirements in regulation 34B of the 1996 Regulations in the case of fish gelatine used as a carrier for carotenoid preparations (regulation 4).

4. A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.