

2001 No. 3442

FOOD, ENGLAND

**The Colours in Food (Amendment) (England)
Regulations 2001**

Made - - - - - 17th October 2001

Laid before Parliament 22nd October 2001

Coming into force - - 15th January 2002

The Secretary of State, in exercise of the powers conferred on him by sections 16(1)(a) and (e), 17(1), 26(1) and (3) and 48(1) of, and paragraph 1 of Schedule 1 to, the Food Safety Act 1990(a), and of all other powers enabling him in that behalf, having had regard, in accordance with section 48(4A) of that Act, to relevant advice given by the Food Standards Agency, and after consultation in accordance with section 48(4) and (4B) of that Act, makes the following Regulations:

Title, commencement and extent

1. These Regulations may be cited as the Colours in Food (Amendment) (England) Regulations 2001, shall come into force on 15th January 2002 and shall extend to England only.

Amendment of the Colours in Food Regulations 1995

2. The Colours in Food Regulations 1995(b) shall be amended, in so far as they extend to England, in accordance with regulation 3.

3. In paragraph (1) of regulation 2 (interpretation), in the definition of “Directive 95/45/EC”, there shall be added at the end the words “and Directive 2001/50/EC”(c).

Consequential amendments

4.—(1) Regulation 3 of the Colours in Food (Amendment) (England) Regulations 2000(d) shall be omitted.

(2) In the provisions listed in paragraph (3), references to the Colours in Food Regulations 1995 shall, in so far as those provisions apply to England, be taken to be references to those Regulations as amended by the Colours in Food (Amendment) (England) Regulations 2000 and by these Regulations.

(a) 1990 c. 16. Functions formerly exercisable by “the Ministers” 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 (1999 c. 28). Functions formerly exercisable by “the Ministers”, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by S.I. 1999/672 as read with section 40(3) of the 1999 Act. Those functions, so far as exercisable in relation to Scotland, were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (1998 c. 46) as read with section 40(2) of the 1999 Act. Section 17(1) was amended by paragraph 12(a), and section 48 by paragraph 21, of Schedule 5 to the 1999 Act. Regulation 13(4) of S.I. 2000/656 expressly authorises the Secretary of State to amend existing Regulations made by the Minister of Agriculture, Fisheries and Food (whether with others or not) under the Food Safety Act 1990.

(b) S.I. 1995/3124, amended by S.I. 2000/481.

(c) The reference for Directive 2001/50/EC is OJ No. L190, 12.7.2001, p.14.

(d) S.I. 2000/481.

- (3) The provisions to which paragraph (2) refers are—
- (a) the definition of “permitted colour” in regulation 2(1) (interpretation) of the Jam and Similar Products Regulations 1981(a);
 - (b) the definition of “additive” in regulation 2(1) (interpretation) of the Meat Products and Spreadable Fish Products Regulations 1984(b);
 - (c) the definition of “colour” in Part II of Schedule 1 (categories of food additives) to the Food Additive Labelling Regulations 1992(c);
 - (d) the definition of “colour” in regulation 2(1) (interpretation) of the Miscellaneous Food Additives Regulations 1995(d); and
 - (e) the definition of “the additives Regulations” in regulation 2(1) (interpretation) of the Food Labelling Regulations 1996(e).

Signed by authority of the Secretary of State for Health

17th October 2001

Hazel Blears
Parliamentary Under Secretary of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which extend to England only, further amend the Colours in Food Regulations 1995, which extend to Great Britain, by bringing up to date a reference to Commission Directive 95/45/EC on specific purity criteria so as to cover its amendment, as regards the specifications for mixed carotenes and beta-carotene, by Commission Directive 2001/50/EC amending Directive 95/45/EC laying down specific purity criteria concerning colours for use in food stuffs (OJ No. L190, 12.7.2001, p.14) and by bringing up to date references to the 1995 Regulations in other Regulations.

No regulatory impact assessment has been prepared in relation to these Regulations.

- (a) S.I. 1981/1063; the relevant amending instrument is S.I. 1995/3124.
- (b) S.I. 1984/1566; relevant amending instruments are S.I. 1995/3123, 1995/3124 and 1995/3187.
- (c) S.I. 1992/1978; the relevant amending instrument is S.I. 1995/3124.
- (d) S.I. 1995/3187; to which there are amendments not relevant to these Regulations.
- (e) S.I. 1996/1499; to which there are amendments not relevant to these Regulations; see also S.I. 1999/1136.

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