

Statutory Instrument

S.I. No. 380 of 2002

European Communities (Additives, Colours and Sweeteners in Foodstuffs) (Amendment No.3) Regulations, 2002

I, Micheál Martin, Minister for Health and Children, in exercise of the powers conferred on me by section 3 of the European Communities Act, 1972 (No. 27 of 1972), and for the purpose of giving effect to Commission Directive 2001/50/EC¹ of 3 July 2001 amending Directive 95/45/EC² laying down specific purity criteria concerning colours for use in foodstuffs hereby make the following Regulations :

² OJ No L226, 22.9.1995, p.1

¹ OJ No L190, 12.7.2001, p.14

1. (1) These Regulations may be cited as the European Communities (Additives, Colours and Sweeteners in Foodstuffs) (Amendment No. 3) Regulations, 2002.

(2) The European Communities (Additives, Colours and Sweeteners in Foodstuffs) Regulations, 2000, 2001 and these Regulations may be cited together as the European Communities (Additives, Colours and Sweeteners) Regulations, 2000 to 2002.

2. In these Regulations, "the Principal Regulations" means the European Communities (Additives, Colours and Sweeteners in Foodstuffs) Regulations, 2000 (S.I. No. 437 of 2000).

3. The Principal Regulations are hereby amended by:

(1) in Regulation 2(1),

(a) by the substitution for the definition of "the Directives" of the following:

"the Directives" means Council Directive 89/107/EEC¹⁰ of 21 December 1988 (as amended by European Parliament and Council Directive 94/34/EC of 30 June 1994), European Parliament and Council Directive 94/35/EC of 30 June 1994 (as amended by Directive 96/83/EC of the European Parliament and of the Council of 19 December 1996), European Parliament and Council Directive 94/36/EC of 30 June 1994, Commission Directive 95/31/EC of 5 July 1995 (as amended by Commission Directive 98/66/EC of 4 September 1998 and Commission Directive 2000/51/EC^{10A} of 26 July 2000) and Commission Directive 95/45/EC of 26 July 1995 (as amended by Commission Directive 1999/75/EC of 22 July 1999 and Commission Directive 2001/50/EC^{10B} of 3 July 2001)"

and by the addition of the following footnote thereto:

"10B OJ No. L190, 12.7.2001, p.14";

(b) by the substitution for the definition of "Directive 95/45/EC" of the following:

" 'Directive 95/45/EC' means Commission Directive 95/45/EC of 26 July 1995 laying down specific purity criteria concerning colours for use in foodstuffs as amended by Commission Directive 1999/75/EC of 22 July 1999, and Commission Directive 2001/50/EC of 3 July 2001."

(c) by the substitution for Regulation 21 of the following:

"(1) The manufacturer of a colour shall comply with the purity criteria for the relevant colour as set out in the Annex to Directive 95/45/EC (as amended by Directive 1995/75/EC and as amended by Directive 2001/50/EC).

(2) A person shall not place on the market any product which contains a colour which, he or she knows or in the circumstances ought to know, does not comply with the purity criteria for the colour as set out in the Annex to Directive 95/45/EC (as amended by Directive 1995/75/EC and as amended by Directive 2001/50/EC)."

L.S.

GIVEN under the Official Seal of the Minister for Health and Children this 23rd day of July, 2002

Michael Martin, T. D.

Minister for Health and Children

Explanatory Note

(This note is not part of the Instrument and does not purport to be a legal interpretation).

These Regulations amend the European Communities (Additives, Colours and Sweeteners in Foodstuffs) Regulations, 2000 (S.I. No. 437 of 2000) and may be cited as the European Communities (Additives, Colours and Sweeteners in Foodstuffs) (Amendment No.3) Regulations, 2002.