

# **S.I. No. 892/2004 — European Communities (Purity Criteria on Food Additives Other Than Colours and Sweeteners) (Amendment) Regulations 2004**

STATUTORY INSTRUMENTS.

**S.I. No. 892 of 2004 .**

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EUROPEAN COMMUNITIES (PURITY CRITERIA ON FOOD ADDITIVES  
OTHER THAN COLOURS AND SWEETENERS) (AMENDMENT)  
REGULATIONS 2004.

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EUROPEAN COMMUNITIES (PURITY CRITERIA ON FOOD ADDITIVES  
OTHER THAN COLOURS AND SWEETENERS) (AMENDMENT)  
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I, MARY HARNEY, 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 2003/95/EC<sup>1</sup> of 27 October 2003 amending Directive 96/77/EC laying down specific purity criteria on food additives other than colours and sweeteners, hereby make the following regulations:

1. (1) These Regulations may be cited as the European Communities (Purity Criteria on Food Additives other than Colours and Sweeteners) (Amendment) Regulations 2004.

(2) The Principal Regulations, the Regulations of 2000, 2001, 2002 and 2003, and these Regulations may be cited together as the European Communities (Purity Criteria on Food Additives other than Colours and Sweeteners) Regulations 1998 to 2004.

2. In these Regulations—

“Principal Regulations” means the European Communities (Purity Criteria on Food Additives other than Colours and Sweeteners) Regulations 1998 ( S.I. No. 541 of 1998 );

“Regulations of 2000” means the European Communities (Purity Criteria on Food Additives other than Colours and Sweeteners) (Amendment) Regulations 2000 ( S.I. No. 438 of 2000 );

“Regulations of 2001” means the European Communities (Purity Criteria on Food Additives other than Colours and Sweeteners) (Amendment) Regulations 2001 ( S.I. No. 343 of 2001 );

“Regulations of 2002” means the European Communities (Purity Criteria on Food Additives other than Colours and Sweeteners) (Amendment) Regulations 2002 ( S.I. No. 260 of 2002 ), and

“Regulations of 2003” means the European Communities (Purity Criteria on Food Additives other than Colours and Sweeteners) (Amendment) Regulations 2003 (S.L No. 488 of 2003).

3. The Principal Regulations are amended—

(1) in Regulation 2(1), by substituting for the definition of “the Commission Directive” the following definition:

“ ‘the Commission Directive‘ means Commission Directive 96/77/EC<sup>2</sup> of 2 December 1996, as amended by Commission Directive 98/86/EC<sup>4</sup> of 11 November 1998, Commission Directive 2000/63/EC<sup>5</sup> of 5 October 2000, Commission Directive 2001/30/EC<sup>6</sup> of 2 May 2001, Commission Directive 2002/82/EC<sup>7</sup> of 15 October 2002 and Commission Directive 2003/95/EC<sup>8</sup> of 27 October 2003;’ ”

and by the addition of the following footnotes thereto:

“4 O.J. No. L334, 9.12.98, p.1

5 O.J. No. L277.30.10.00, p.1

6 O.J. No. L146, 31.5.01, p.1

7 O.J. No. L292, 28.10.02, p.1

8 O.J. No. L283,31.10.03, p.71”

(2) by substituting for Regulation 3 the following:

“3. Products put on the market or labelled before 1 November 2004, which do not comply with Commission Directive 2003/95/EC of 27 October 2003, may be marketed until stocks are exhausted and such provisions of these Regulations as give effect to Commission Directive 2003/95/EC shall not apply to such stocks.”

GIVEN under my Official Seal, This 22nd day of December 2004.

MARY HARNEY,

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 (Purity Criteria on Food Additives other than Colours and Sweeteners) Regulations 1998 ( S.I. No. 541 of 1998 ) and may be cited as the European Communities (Purity Criteria on Food Additives other than Colours and Sweeteners) (Amendment) Regulations 2004.

These Regulations implement Commission Directive 2003/95/EC which amend the Annex to Commission Directive 96/77/EC laying down specific purity criteria on food additives other than colours and sweeteners.

They adapt, due to technical progress, existing purity criteria set out in Directive 96/77/EC and also establish new purity criteria for those food additives for which purity criteria set out in Directive 96/77/EC were not sufficient.

<sup>1</sup> O.J. L283, 31.10.2003, p. 71.