

# **S.I. No. 228/2005 — European Communities (Labelling, Presentation and Advertising of Foodstuffs) (Amendment) Regulations 2005**

## **Statutory Instrument**

### **S.I. No. 228 of 2005**

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#### **European Communities (Labelling, Presentation and Advertising of Foodstuffs) (Amendment) Regulations 2005**

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 Directive 2003/89/EC<sup>1</sup> of the European Parliament and of the Council of 10 November 2003, amending Directive 2000/13/EC<sup>2</sup> as regards indication of the ingredients present in foodstuffs, hereby make the following regulations:

1. (1) These Regulations may be cited as the European Communities (Labelling, Presentation and Advertising of Foodstuffs) (Amendment) Regulations 2005.
  - (2) The Principal Regulations, the Regulations of 2003 and these Regulations may be cited together as the European Communities (Labelling, Presentation and Advertising of Foodstuffs) Regulations 2002 to 2005.
  - (3) Subject to Regulation 4(2), these Regulations shall come into operation on 25 November 2005.
2. In these Regulations-

“Minister” means the Minister for Health and Children,

“Principal Regulations” means the European Communities (Labelling,

Presentation and Advertising of Foodstuffs) Regulations 2002 ( S.I. No. 483 of 2002 ),

“Regulations of 2003” means the European Communities (Labelling, Presentation and Advertising of Foodstuffs) (Amendment) Regulations 2003 ( S.I. No. 257 of 2003 ), the European Communities (Labelling, Presentation and Advertising of Foodstuffs) (Amendment) (No. 2) Regulations 2003 ( S.I. No. 451 of 2003 ) and the European Communities (Labelling, Presentation and Advertising of Foodstuffs) (Amendment) (No. 3) Regulations 2003 ( S.I. No. 528 of 2003 ).

3. The Principal Regulations are amended in Regulation 2(1) by-
  - (a) inserting in the definition of “Directive” after “18 July 2002” “and by Directive 2003/89/EC of the European Parliament and of the Council of 10 November 2003”, and
  - (b) inserting in the definition of “Directives” after “18 July 2002” “and by Directive 2003/89/EC of the European Parliament and of the Council of 10 November 2003”.
4.
  - (1) In this Regulation, “Directive” means Directive 2003/89/EC<sup>1</sup> of the European Parliament and of the Council of 10 November 2003, amending Directive 2000/13/EC<sup>2</sup> as regards indication of the ingredients present in foodstuffs.
  - (2) Products complying with the Directive may be placed on the market from the date these Regulations are signed by the Minister.
  - (3) Products placed on the market or labelled prior to 25 November 2005 may be sold while stocks last, notwithstanding that such stocks fail to comply with the Directive and such provisions of these Regulations as give effect to the Directive shall not apply to these stocks.

GIVEN under my Official Seal this 27 day of April 2005.



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 (Labelling, Presentation and Advertising of Foodstuffs) Regulations 2002 ( S.I. No 483 of 2002 ), as previously amended by the European Communities (Labelling, Presentation and Advertising of Foodstuffs) (Amendment) Regulations 2003 ( S.I. No. 257 of 2003 ), the European Communities (Labelling, Presentation and Advertising of Foodstuffs) (Amendment)

(No. 2) Regulations 2003 ( S.I. No. 451 of 2003 ) and the European Communities (Labelling, Presentation and Advertising of Foodstuffs) (Amendment) (No. 3) Regulations 2003 ( S.I. No. 528 of 2003 ).

These Regulations may be cited as the European Communities (Labelling, Presentation and Advertising of Foodstuffs) (Amendment) Regulations 2005.

These Regulations implement Directive 2003/89/EC of the European Parliament and of the Council of 10 November 2003 as regards indication of the ingredients present in foodstuffs. Directive 2003/89/EC amends Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs.

<sup>1</sup> OJ L 308, 25.11.2003, p. 15.

<sup>2</sup> OJ L 109, 6.5.2000, p. 29.

<sup>1</sup> OJ L 308, 25.11.2003, p. 15.

<sup>2</sup> OJ L 109, 6.5.2000, p. 29.