

# **S.I. No. 193/2005 — European Communities (Additives, Colours and Sweeteners in Foodstuffs) (Amendment) (No. 3) Regulations 2005**

**Statutory Instrument**

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(Amendment) (No. 3) Regulations 2005**

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**European Communities (Additives, Colours and Sweeteners in Foodstuffs)  
(Amendment) (No. 3) 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 Commission Directive 2004/47/EC<sup>1</sup> of 16 April 2004 amending Directive 95/45/EC<sup>2</sup> as regards mixed carotenes (E 160 a (i)) and beta-carotene (E 160 a (ii)), hereby make the following regulations:

1. (1) These Regulations may be cited as the European Communities (Additives, Colours and Sweeteners in Foodstuffs) (Amendment) (No. 3) Regulations 2005.  
  
(2) The collective citation “the European Communities (Additives, Colours and Sweeteners in Foodstuffs) Regulations 2000 to 2005” includes these Regulations.
2. In these Regulations “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 amended -

(a) in Regulation 2(1), in the definition of “the Directives”, by substituting

“Commission Directive 95/45/EC<sup>8</sup> of 26 July 1995 (as amended by

Commission Directive 1999/75/EC of 22 July 1999 and Commission Directive 2001/50/EC<sup>9A</sup> of 3 July 2001 and Commission Directive 2004/47/EC<sup>9B</sup> of 16 April 2004)”

for

“Commission Directive 95/45/EC<sup>8</sup> of 26 July 1995 (as amended by Commission Directive 1999/75/EC<sup>9</sup> of 22 July 1999 and Commission Directive 2001/50/EC<sup>9A</sup> of 3 July 2001)”

and by the addition of the following footnote to the definition of “the Directives”:

<sup>9B</sup> OJ L 113, 20.4.2004, p. 24,

(b) in Regulation 2(1), by substituting for the definition of “Directive 95/45/EC” the following definition:

““Directive 95/45/EC’ means Commission Directive 95/45/EC<sup>8</sup> of 26 July 1995 laying down specific purity criteria concerning colours for use in foodstuffs (as amended by Commission Directive 1999/75/EC<sup>9</sup> of 22 July 1999 and Commission Directive 2001/50/EC<sup>9A</sup> of 3 July 2001 and Commission Directive 2004/47/EC<sup>9B</sup> of 16 April 2004)”,

(c) in Regulation 21, by deleting the words “(as amended by Directive 1995/75/EC and as amended by Directive 2001/50/EC)” in each place where they occur.

4. (1) Products on the market or labelled before 1 April 2005 which do not comply with the provisions of Directive 2004/47/EC may be marketed until stocks are exhausted.
- (2) Such provisions of these Regulations as give effect to Directive 2004/47/EC shall not apply to the stocks referred to in paragraph (1).
- (3) In this Regulation, “Directive 2004/47/EC” means Commission Directive 2004/47/EC<sup>1</sup> of 16 April 2004 amending Directive 95/45/EC<sup>2</sup> as regards mixed carotenes (E 160 a (i)) and beta-carotene (E 160 a (ii)).

GIVEN under my Official Seal,

This 12<sup>TH</sup> 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 (Additives, Colours and Sweeteners in Foodstuffs) Regulations 2000 ( S.I. No. 437 of 2000 ). These Regulations may be cited as the European Communities (Additives, Colours and Sweeteners in Foodstuffs) (Amendment) (No. 3) Regulations 2005.

These Regulations implement Commission Directive 2004/47/EC<sup>1</sup> of 16 April 2004 amending Directive 95/45/EC<sup>2</sup> laying down specific purity criteria concerning colours for use in foodstuffs.

Purity criteria concern the specification and analytical techniques for all approved additives. These Regulations replace the purity criteria specification for all colours mixed carotenes (E 160 a (i)) and beta-carotene (E 160 a (ii)) which had been laid down in Directive 95/45/EC.<sup>2</sup>

<sup>1</sup> OJ L 113, 20.4.2004, p. 24.

<sup>2</sup> OJ L 226, 22.9.1995, p. 1.

<sup>1</sup> OJ L 113, 20.4.2004, p. 24.

<sup>2</sup> OJ L 226, 22.9.1995, p. 1.

<sup>1</sup> OJ L 113, 20.4.2004, p. 24.

<sup>2</sup> OJ L 226, 22.9.1995, p. 1.

<sup>2</sup> OJ L 226, 22.9.1995, p. 1.