

S.I. No. 34/2008 — European Communities (Additives, Colours and Sweeteners in Foodstuffs) (Amendment) Regulations 2008

S.I. No. 34 of 2008

EUROPEAN COMMUNITIES (ADDITIVES, COLOURS AND SWEETENERS IN
FOODSTUFFS) (AMENDMENT) REGULATIONS 2008

Notice of the making of this Statutory Instrument was published in

“Iris Oifigiúil” of 22nd February, 2008.

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 partial effect to Directive 2006/52/EC ¹ of the European Parliament and of the Council of 5 July 2006 amending Directive 95/2/EC ² on food additives other than colours and sweeteners and Directive 94/35/EC ³ on sweeteners for use in foodstuffs, hereby make the following regulations—

1. (1) These Regulations may be cited as the European Communities (Additives, Colours and Sweeteners in Foodstuffs) (Amendment) Regulations 2008.

(2) The Principal Regulations, the Regulations of 2001, the Regulations of 2002, the Regulations of 2005, the Regulations of 2007 and these Regulations may be cited together as the European Communities (Additives, Colours and Sweeteners in Foodstuffs) Regulations 2000 to 2008.

(3) Subject to Regulation 4(3), these Regulations shall come into operation on 15 August 2008.

2. In these Regulations—

“Minister” means the Minister for Health and Children;

“Principal Regulations” means the European Communities (Additives, Colours and Sweeteners in Foodstuffs) Regulations 2000 (S.I. No. 437 of 2000);

“Regulations of 2001” means the European Communities (Additives, Colours and Sweeteners in Foodstuffs) (Amendment) Regulations 2001 (S.I. No. 342 of 2001);

“Regulations of 2002” means the European Communities (Additives, Colours and Sweeteners in Foodstuffs) (Amendment) Regulations 2002 (S.I. No. 344 of 2002) and the European Communities (Additives, Colours and Sweeteners in Foodstuffs) (Amendment No. 3) Regulations 2002 (S.I. No. 380 of 2002);

“Regulations of 2005” means the European Communities (Additives, Colours and Sweeteners in Foodstuffs) (Amendment) Regulations 2005 (S.I. No. 61 of 2005), the European Communities (Additives, Colours and Sweeteners in Foodstuffs) (Amendment) (No. 2) Regulations 2005 (S.I. No. 192 of 2005) and the European Communities (Additives, Colours and Sweeteners in Foodstuffs) (Amendment) (No. 3) Regulations 2005 (S.I. No. 193 of 2005), and

“Regulations of 2007” means the European Communities (Additives, Colours and Sweeteners in Foodstuffs) (Amendment) Regulations 2007 (S.I. No. 171 of 2007).

3. The Principal Regulations are amended—

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

“European Parliament and Council Directive 94/35/EC 3 of 30 June 1994 (as amended by Directive 96/83/EC 4 of the European Parliament and of the Council of 19 December 1996, and Directive 2003/115/EC 4A of the European Parliament and of the Council of 22 December 2003 and Directive 2006/52/EC 4B of the European Parliament and of the Council of 5 July 2006)”

for

“European Parliament and Council Directive 94/35/EC 3 of 30 June 1994 (as amended by Directive 96/83/EC 4 of the European Parliament and of the Council of 19 December 1996, and Directive 2003/115/EC 4A of the European Parliament and of the Council of 22 December 2003)”

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

“ 4B OJ L 204, 26.7.2006, p. 10,”

(b) in Regulation 2(1), by substituting for the definition of “Directive 94/35/EC” the following definition:

““Directive 94/35/EC’ means European Parliament and Council Directive 94/35/EC 3 of 30 June 1994 on sweeteners for use in foodstuffs (as amended by Directive 96/83/EC 4 of the European Parliament and of the Council of 19 December 1996, Directive 2003/115/EC 4A of the European Parliament and of the Council of 22 December 2003 and Directive 2006/52/EC 4B of the European Parliament and of the Council of 5 July 2006)”.

4. (1) Products placed on the market or labelled before 15 August 2008 which do not comply with the provisions of Directive 2006/52/EC ¹ relating to sweeteners may be marketed until stocks are exhausted.

(2) Such provisions of these Regulations as give effect to Directive 2006/52/EC ¹ shall not apply to the stocks referred to in paragraph (1).

(3) Products complying with Directive 2006/52/EC 1 may be used and placed on the market from the date these Regulations are signed by the Minister.

(4) In this Regulation, “Directive 2006/52/EC” means Directive 2006/52/EC 1 of the European Parliament and of the Council of 5 July 2006 amending Directive 95/2/EC ² on food additives other than colours and sweeteners and Directive 94/35/EC ³ on sweeteners for use in foodstuffs.

GIVEN under my Official Seal,

19 February 2008

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) Regulations 2008.

These Regulations give effect to Directive 2006/52/EC of the European Parliament and of the Council of 5 July 2006 insofar as it amends Directive 94/35/EC on sweeteners for use in foodstuffs.

1 OJ L 204, 26.7.2006, p. 10.

2 OJ L 61, 18.3.1995, p. 1.

3 OJ L 237, 10.9.1994, p. 3.

1 OJ L 204, 26.7.2006, p. 10.

1 OJ L 204, 26.7.2006, p. 10.

2 OJ L 61, 18.3.1995, p. 1.

3 OJ L 237, 10.9.1994, p. 3.

© Government of Ireland. Oireachtas Copyright Material is reproduced with the permission of the House of the Oireachtas