

L.N. 213 of 2004

**FOOD SAFETY ACT
(CAP. 449)**

Honey Regulations, 2004

IN exercise of the powers conferred by article 10 of the Food Safety Act, the Minister of Health, the Elderly and Community Care has made the following regulations:-

Citation and coming into force.

1. The title of these regulations is the Honey Regulations, 2004.

1.1 These regulations implement the provisions of Council Directive 2001/110/EEC relating to honey.

2. These regulations shall come into force on 10th May, 2004 provided that:

2.1 products falling within the scope of these regulations which do not conform with these regulations but which conform with the provisions of the Honey Order (L.N. 78 of 1999), may be placed on the market until the 1st August, 2004;

2.2 products falling within the scope of these regulations which do not conform with these regulations but which conform with the provisions of the Honey Order (L.N. 78 of 1999), and which were labelled before the 1st August, 2004, may continue to be marketed until stocks are exhausted.

Applicability

3. These regulations shall apply to the products defined in the First Schedule. These products shall meet the requirements set out in the Second Schedule.

Labelling of honey

4. The Labelling, Presentation and Advertising of Foodstuffs Regulations, 2002 (L.N. 5 of 2002) shall apply to the products defined in the First Schedule, subject to the following conditions:

4.1 the term 'honey' shall be applied only to the product defined in point 1 of the First Schedule, and shall be used in trade to designate that product

4.2 the product names referred to in points 2 and 3 of the First Schedule shall apply only to the products defined therein and shall be used in trade to designate them. These names may be replaced by the simple product name 'honey', except in the case of filtered honey, comb honey, chunk honey or cut comb in honey and baker's honey. However,

(a) in the case of baker's honey, the words 'intended for cooking only' shall appear on the label in close proximity to the product name;

(b) except in the case of filtered honey and baker's honey, the product names may be supplemented by information referring to:

— floral or vegetable origin, if the product comes wholly or mainly from the indicated source and possesses the organoleptic, physico-chemical and microscopic characteristics of the source,

— regional, territorial or topographical origin, if the product comes entirely from the indicated source,

— specific quality criteria;

4.3 Where baker's honey has been used as an ingredient in a compound foodstuff, the term 'honey' may be used in the product name of the compound food instead of the term 'baker's honey'. However, in the list of ingredients, the term as referred to in point 3 of the First Schedule shall be used.

4.4 The country or countries of origin where the honey has been harvested shall be indicated on the label. However, if the honey originates in more than one Member State of the European Community or third country that indication may be replaced with one of the following, as appropriate:

- 'blend of EC honeys',
- 'blend of non-EC honeys',
- 'blend of EC and non-EC honeys'.

4.5 For the purpose of the Labelling, Presentation and Advertising of Foodstuffs Regulations, 2002, and in particular regulation 14 thereof, the particulars to be indicated according to regulation 4.4 of these regulations shall be

considered as indications according to regulation 5.1 of the Labelling, Presentation and Advertising of Foodstuffs Regulations, 2002.

4.6 In the case of filtered honey and baker's honey, bulk containers, packs and trade documents shall clearly indicate the full product name, as referred to in point 2(b)(viii) and point 3 of the First Schedule.

Verification of
compliance

5. Verification of compliance of honey with the provisions of these regulations shall be carried out using the methods adopted by the European Commission in accordance with the procedure laid down in Article 7(2) of Council Directive 2001/110/EC¹, or, in the absence of such methods, using, whenever possible, internationally validated methods such as those approved by Codex Alimentarius.

FIRST SCHEDULE

Names, Product Descriptions and Definitions

1. Honey is the natural sweet substance produced by *Apis mellifera* bees from the nectar of plants or from secretions of living parts of plants or excretions of plant-sucking insects on the living parts of plants, which the bees collect, transform by combining with specific substances of their own, deposit, dehydrate, store and leave in honeycombs to ripen and mature.

2. The main types of honey are as follows:

(a) *according to origin:*

(i) **blossom honey** or **nectar honey**

Honey obtained from the nectar of plants;

(ii) **honeydew honey**

Honey obtained mainly from excretions of plant sucking insects (*Hemiptera*) on the living part of plants or secretions of living parts of plants

(b) *according to mode of production and/or presentation:*

(iii) **comb honey**

Honey stored by bees in the cells of freshly built broodless combs or thin comb foundation sheets made solely of beeswax and sold in sealed whole combs or sections of such combs;

(iv) **chunk honey** or **cut comb in honey**

Honey which contains one or more pieces of comb honey

(v) **drained honey**

Honey obtained by draining decapped broodless combs

(vi) **extracted honey**

Honey obtained by centrifuging decapped broodless combs

(vii) **pressed honey**

Honey obtained by pressing broodless combs with or without the application of moderate heat not exceeding 45 °C

(viii) **filtered honey**

Honey obtained by removing foreign inorganic or organic matter in such a way as to result in the significant removal of pollen.

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3. Baker's honey

Honey which is:

(a) suitable for industrial uses or as an ingredient in other foodstuffs which are then processed and

(b) may:

- have a foreign taste or odour, or
- have begun to ferment or have fermented, or
- have been overheated.

ANNEX II

Composition Criteria For Honey

Honey consists essentially of different sugars, predominantly fructose and glucose as well as other substances such as organic acids, enzymes and solid particles derived from honey collection. The colour of honey varies from nearly colourless to dark brown. The consistency can be fluid, viscous or partly to entirely crystallised. The flavour and aroma vary, but are derived from the plant origin.

When placed on the market as honey or used in any product intended for human consumption, honey shall not have added to it any food ingredient, including food additives, nor shall any other additions be made other than honey. Honey must, as far as possible, be free from organic or inorganic matters foreign to its composition. With the exception of point 3 of the First Schedule, it must not have any foreign tastes or odours, have begun to ferment, have an artificially changed acidity or have been heated in such a way that the natural enzymes have been either destroyed or significantly inactivated.

Without prejudice to point 2(b)(viii) of the First Schedule, no pollen or constituent particular to honey may be removed except where this is unavoidable in the removal of foreign inorganic or organic matter.

When placed on the market as honey or used in any product intended for human consumption, honey must meet the following composition criteria:

1. **Sugar content**

1.1. Fructose and glucose content (sum of both)

- blossom honey not less than 60 g/100 g
- honeydew honey, blends of honeydew honey with blossom honey not less than 45 g/100 g

1.2. Sucrose content

- in general not more than 5 g/100 g
- false acacia (*Robinia pseudoacacia*), alfalfa (*Medicago sativa*), Menzies Banksia (*Banksia menziesii*), French honeysuckle (*Hedysarum*), red gum (*Eucalyptus camadulensis*), leatherwood (*Eucryphia lucida*, *Eucryphia milliganii*), *Citrus* spp. not more than 10 g/100 g
- lavender (*Lavandula* spp.), borage (*Borago officinalis*) not more than 15 g/100 g

2. **Moisture content**

- in general not more than 20 %
- heather (*Calluna*) and baker's honey in general not more than 23 %
- baker's honey from heather (*Calluna*) not more than 25 %

3. Water-insoluble content

- in general not more than 0,1 g/100 g
- pressed honey not more than 0,5 g/100 g

4. Electrical conductivity

- honey not listed below, and blends of these honeys not more than 0,8 mS/cm
- honeydew and chestnut honey and blends of these except with those listed below not more than 0,8 mS/cm
- exceptions: strawberry tree (*Arbutus unedo*), bell heather (*Erica*), eucalyptus, lime (*Tilia* spp.), ling heather (*Calluna vulgaris*), manuka or jelly bush (*leptospermum*), tea tree (*Melaleuca* spp.)

5. Free acid

- in general not more than 50 milli-equivalents acid per 1 000 grammes
- baker's honey not more than 80 milli-equivalents acid per 1 000 grammes

6. Diastase activity and hydroxymethylfurfural content (HMF) determined after processing and blending

- (a) Diastase activity (Schade scale)
 - in general, except baker's honey not less than 8
 - honeys with low natural enzyme content (e.g. citrus honeys) and an HMF content of not more than 15 mg/kg not less than 3
- (b) HMF
 - in general, except baker's honey not more than 40 mg/kg (subject to the provisions of (a), second indent)
 - honeys of declared origin from regions with tropical climate and blends of these honeys not more than 80 mg/kg

¹ OJ L 10, 12.1.2002, p.47