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STATUTORY INSTRUMENTS

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**2003 No. 2243**

**The Honey (England) Regulations 2003**

**Interpretation**

2.—(1) In these Regulations—

“the Act” means the Food Safety Act 1990;

“the Agency” means the Food Standards Agency;

“brood” means any immature stage of the honeybee including the egg, larva and pupa and any honeybee which has not emerged from its cell in a honeycomb;

“catering establishment” means a restaurant, canteen, club, public house, school, hospital or similar establishment (including a vehicle or a fixed or mobile stall) where, in the course of a business, food is prepared for delivery to the ultimate consumer and is ready for consumption without further preparation;

“Directive 2001/110” means Council Directive [2001/110/EC](#) relating to honey<sup>(1)</sup>;

“EEA Agreement” means the Agreement on the European Economic Area<sup>(2)</sup> signed at Oporto on 2nd May 1992 as adjusted by the Protocol<sup>(3)</sup> signed at Brussels on 17th March 1993;

“EEA State” means a State which is a Contracting Party to the EEA Agreement;

“food authority” does not include—

- (a) the council of a district in a non-metropolitan county in England except where the county functions have been transferred to that council pursuant to a structural change; or
- (b) the appropriate Treasurer referred to in section 5(1)(c) of the Act (which deals with the Inner Temple and the Middle Temple);

“honey” means 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;

“ingredient” has the meaning assigned to it by the 1996 Regulations;

“labelling” has the meaning assigned to it by the 1996 Regulations;

“preparation” includes manufacture and any form of processing or treatment; and

“the 1996 Regulations” means the Food Labelling Regulations 1996<sup>(4)</sup>;

“reserved description”, as regards any specified honey product means any description specified in relation to that product in column 1 of Schedule 1 (as read with the Notes relating to that Schedule);

“sell” includes offer or expose for sale and includes have in possession for sale, and “sale” shall be construed accordingly;

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(1) OJNo. L10, 12.1.2002, p.47, as adopted by EEA Joint Committee Decision 99/2002.

(2) OJ No. L1, 3.1.94, p.1.

(3) OJ No. L1, 3.1.94, p.571.

(4) S.I.1996/1499; the relevant amending instrument is S.I. 1998/1398.

“specified honey product”, subject to paragraph (2) means any food specified in column 2 of Schedule 1;

“ultimate consumer” means any person who buys food otherwise than—

- (a) for the purpose of resale,
- (b) for the purposes of a catering establishment, or
- (c) for the purposes of a manufacturing business.

(2) Notwithstanding the fact that a food is specified in Column 2 of Schedule 1, it will only be treated as a specified honey product for the purpose of these Regulations—

- (i) if it meets the relevant specifications contained in Schedule 2 as read with the notes relating to that Schedule, and
- (ii) there has not been added to it any other ingredient and it is as far as possible free from organic or inorganic matters foreign to its composition.

(3) Any other expression used in both these Regulations and in Directive 2001/110 has the same meaning in these Regulations as in that Directive.