

EXPLANATORY MEMORANDUM TO

THE FOOD ADDITIVES (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2011

2011 No. 39

1. Introduction

- 1.1 This explanatory memorandum has been prepared by the Food Standards Agency in Northern Ireland to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2 The Statutory Rule is made under Articles 15(1)(a), and (f), 16(1) and 47(2) of the Food Safety (Northern Ireland) Order 1991.

2. Purpose of the Rule

- 2.1 These Regulations provide for the implementation of two new Commission Directives which amend existing European Union rules governing the purity criteria for miscellaneous additives and sweeteners.

3. Legislative Context

- 3.1 These Regulations amend in relation to Northern Ireland the Food Additives Regulations (Northern Ireland) 2009 (S.R. 2009 No. 416).

4. Parity or Replicatory Measure

- 4.1 This Rule applies to Northern Ireland only. Parallel legislation is being made in England, Scotland and Wales.

5. European Convention on Human Rights

- 5.1 As this Rule is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

6. Policy background

- What is being done and why
- 6.1 The new Directives amend the existing legislation on purity criteria for miscellaneous additives and sweeteners set out in (respectively) Commission Directives 2008/84/EC and 2008/60/EC. The aim of the purity criteria legislation is to ensure that each additive meets specified compositional criteria for the manufacture and production of the substance concerned.
 - 6.2 The main purpose of the two new Directives is to introduce purity criteria for four new additives and one sweetener recently permitted to be used within the EU. In addition, minor amendments have been made to the existing specifications to bring them into line with international safety standards and update them to take account of new technological developments.

7. Consultation

7.1 A four week consultation has been carried out on the draft implementing regulations. A full 12 week consultation was not considered necessary as UK industry has been consulted on the new and revised purity criteria at each stage of EU negotiations and their views taken into account.

8. Guidance

8.1 It is not intended to issue guidance as the measure is straightforward.

9. Equality Impact

9.1 These regulations will apply in equal measure to all Section 75 groups. It is not expected that any of these changes will impact differentially across any of the section 75 groups.

10. Impact

10.1 There will be no impact on business, charities or voluntary bodies as there are no identifiable costs.

10.2 There is no impact on the public sector as there are no identifiable costs.

10.3 An Impact Assessment has not been prepared for this Rule.

11. Regulating small business

11.1 The legislation on purity criteria will apply to all businesses, small and large.

11.2 There will be no impact on small businesses as there are no identifiable costs to industry

12. Monitoring and review

12.1 District Authorities in Northern Ireland routinely monitor foodstuffs on sale to the public to ensure compliance with the Regulations. The European Commission carries out regular reviews of the purity criteria for additives to ensure that they meet the latest international safety standards, and compliance with the Regulations will contribute to improved food safety.

13. Contact

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