

SCHEDULE 1

Regulations 3 and 7

Specified provisions of Regulation 1333/2008

Table 1

<i>Provision of Regulation 1333/2008</i>	<i>Subject matter</i>
Article 4.1 (as read with Articles 11.3 and 11.4, 12, 13.2, and 18.1(a), 18.2 and 18.3)	Requirement that only food additives included in the list in Annex II to Regulation 1333/2008 be placed on the market as such and that they be used in accordance with any conditions specified in that those Articles and that Annex.
Article 4.2 (as read with Articles 12, 13.2 and 18.3)	Requirement that only food additives included in the list in Annex III to Regulation 1333/2008 may be used in food additives, food enzymes, food flavourings and nutrients and under the conditions of use specified in that Annex.
Article 4.5	Requirement that food additives comply with the specifications referred to in Article 14 of Regulation 1333/2008.
Article 5	Prohibition on placing on the market of food additives or food containing food additives if the use of the food additive does not comply with Regulation 1333/2008.
Article 11.2	Requirement to use food additives in accordance with the <i>quantum satis</i> principle where no maximum numerical level fixed for the additive concerned.
Article 15	Prohibition on use of food additives in unprocessed foods except where provided for in Annex II to Regulation 1333/2008.
Article 16	Prohibition on use of food additives in foods for infants and young children (including dietary foods for infants and young children for special medical purposes) except where provided for in Annex II to Regulation 1333/2008.
Article 17	Requirement to use only food colours listed in Annex II to Regulation 1333/2008 for the purpose of health marking meat or meat products, decorative colouring of eggshells or stamping of eggshells.
Article 18.1(b) (as read with Article 18.2)	Requirement that food additives be present in food to which a food additive, food enzyme or food flavouring has been added, only if the additive is permitted in the additive, enzyme or flavouring under Regulation 1333/2008, has been carried over to the food via the additive,

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<i>Provision of Regulation 1333/2008</i>	<i>Subject matter</i>
	enzyme or flavouring and has no technological function in the final food.
Article 18.1(c) (as read with Article 18.2)	Requirement that food additives be present in foods to be used solely in the preparation of a compound food only if the compound food complies with Regulation 1333/2008.
Article 18.4	Requirement that food additives be used as sweeteners in compound foods with no added sugars, energy reduced compound foods with no added sugars, energy reduced compound foods, compound dietary foods intended for low calorie diets, non cariogenic compound foods and compound foods with an increased shelf life only if the sweetener is permitted in any of the ingredients of the compound food.
Article 26.1	Requirement that producers and users of food additives inform the Commission immediately of any new scientific or technical information which might affect the assessment of the safety of the food additive concerned.

Table 2

<i>Provision of Regulation 1333/2008</i>	<i>Subject matter</i>
Article 21.1 (as read with Article 22)	Requirement that food additives not intended for sale to the final consumer be labelled, in accordance with Article 22 of Regulation 1333/2008, visibly, clearly legibly and indelibly and in a language easily understandable to purchasers.
Article 23.1 (as read with Article 23.2 and 23.5)	Prohibition on marketing of food additives sold singly or mixed with each other and/or other food ingredients and intended for sale to the final consumer unless their packaging contains specified information.
Article 23.3 (as read with Article 23.5)	Requirement that the labelling of table-top sweeteners containing polyols and/or aspartame and/or aspartame – acesulfame salt bear specified warnings.
Article 23.4	Requirement that manufacturers of table top sweeteners make available by appropriate means the information necessary to allow safe use by consumers.
Article 24.1 (as read with Article 24.2)	Requirement that labelling of the food containing the colours listed in Annex V should contain the additional information specified in that Annex.

<i>Provision of Regulation 1333/2008</i>	<i>Subject matter</i>
Article 26.2	Requirement that producers and users of food additives, at the request of the Commission, inform it of the actual use of the food additive concerned.

SCHEDULE 2

Regulations 4 and 7

Specified provisions of Regulation 1334/2008

Table 1

<i>Provision of Regulation 1334/2008</i>	<i>Subject matter</i>
Article 4	Requirement that the use of flavourings or food ingredients with flavouring properties does not pose a safety risk or mislead the consumer.
Article 5	Prohibition on the placing on the market of non-compliant flavourings or non-compliant food.
Article 6.1 (as read with Part A of Annex III)	Prohibition on adding certain specified substances as such in foods.
Article 6.2 (as read with Part B of Annex III)	Requirement that certain substances naturally present in flavourings or food ingredients with flavouring properties should not exceed specified levels in compound foods as a result of the use of flavourings or food ingredients with flavouring properties
Article 7.1 (as read with Part A of Annex IV)	Prohibition on the use of certain source materials to produce flavourings or food ingredients with flavouring properties.
Article 7.2 (as read with Part B of Annex IV)	Restrictions on the use of flavourings or food ingredients with flavouring properties produced from certain source materials.
Article 10	Restriction on the placing on the market or use of flavourings and source materials that are not included on the Union list.
Article 19.2	Requirement that a producer or user of an approved flavouring that is prepared by production methods or using starting materials significantly different from those included in the risk assessment must submit the necessary data to the Commission to allow an evaluation with regard to the modified production method or characteristics before marketing the flavouring.
Article 19.3	Requirement on food business operators to inform the Commission immediately if they

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<i>Provision of Regulation 1334/2008</i>	<i>Subject matter</i>
	become aware of any new scientific or technical information that might affect the assessment of the safety of a flavouring substance.

Table 2

<i>Provision of Regulation 1334/2008</i>	<i>Subject matter</i>
Article 14.1 (as read with Articles 15 and 16)	Requirements for the labelling of flavourings not intended for sale to the final consumer.
Article 17 (as read with Articles 15.1(a) and 16)	Requirements for the labelling of flavourings intended for sale to the final consumer.

SCHEDULE 3

Regulations 5 and 7

Specified provisions of Regulation 2065/2003

Table 1

<i>Provision of Regulation 2065/2003</i>	<i>Subject matter</i>
Article 4.2	Prohibition on marketing a smoke flavouring not on the list of authorised smoke flavourings, or any food in or on which such a smoke flavouring is present
Article 4.2	Prohibition on marketing an authorised smoke flavouring, or any food in or on which such a smoke flavouring is present, otherwise than in accordance with any conditions of use laid down in the authorisation
Article 5.1, first subparagraph	Prohibition on using treated wood, unless it can be demonstrated by appropriate certification or documentation that the substance used in treatment does not give rise to potentially toxic substances during combustion
Article 5.1, second subparagraph	Requirement to be able to demonstrate by documentation or certification that the prohibition in the first paragraph of Article 5.1 has been observed
Article 5.2, first sentence	Requirement to observe conditions in Annex I during production of primary products (primary smoke condensates or primary tar fractions)
Article 5.2, second sentence	Prohibition on the use of water-insoluble oily phase during the production of smoke flavourings
Article 9.4	Requirement that an authorisation holder or any other food business operator using an authorised

<i>Provision of Regulation 2065/2003</i>	<i>Subject matter</i>
	product, or a derived smoke flavouring produced from an authorised product, must comply with any conditions or restrictions attached to the authorisation
Article 9.5	Requirement that an authorisation holder inform the Commission immediately of any new scientific or technical information relating to an authorised product which might influence the assessment of its safety

Table 2

<i>Provision of Regulation 2065/2003</i>	<i>Subject matter</i>
Article 13.1	Requirement that food business operators ensure the specified information is transmitted to the receiving food business operator when the product is first placed on the market
Article 13.2	Requirement that following the first placing on the market, on each subsequent occasion that the product is placed on the market, food business operators placing products on the market transmit the information specified in Article 13.1 to the receiving food business operators

SCHEDULE 4

Regulations 6 and 7

Specified provisions of Regulation 1332/2008

Table 1

<i>Provision of Regulation 1332/2008</i>	<i>Subject matter</i>
Article 4	Requirement that food enzymes may not be placed on the market as such or used in foods unless they appear in the Union list of authorised enzymes provided for in Article 17 and in accordance with the prescribed specifications and conditions of use.
Article 5	Prohibition on placing on the market of non-compliant food enzymes or foods containing such enzymes which do not comply with Regulation 1332/2008 and its implementing measures.
Article 14.1	Requirement that a producer or user of a food enzyme shall inform the Commission immediately of any new scientific or technical

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<i>Provision of Regulation 1332/2008</i>	<i>Subject matter</i>
	information that might affect its safety assessment.
Article 14.2	Requirement that a producer or user of an approved food enzyme that is prepared by production methods or using starting materials significantly different from those included in the risk assessment shall submit the necessary data to the Commission to allow an evaluation with regard to the modified production method or characteristics before marketing the enzyme.

Table 2

<i>Provision of Regulation 1332/2008</i>	<i>Subject matter</i>
Article 10.1 (as read with Article 11)	Requirements for labelling of food enzymes and preparations not intended for sale to the final consumer.
Article 12.1	Requirements for labelling of food enzymes and preparations intended for sale to the final consumer.

SCHEDULE 5

Regulation 19

Application and modification of other provisions of the Order

<i>Column 1</i>	<i>Column 2</i>
<i>Provision of the Order</i>	<i>Modifications</i>
Article 2(4)	Any reference to “the Order” is to be construed as including a reference to these Regulations and the EU Regulations
Article 4 (presumptions that food intended for human consumption)	References to “sold” and “sale” are deemed to include references to “placed on the market and “placing on the market” Any reference to “the Order” is to be construed as including a reference to these Regulations and the EU Regulations
Article 19 (offences due to fault of another person)	For “any of the preceding provisions of this part” substitute “the Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Northern Ireland) 2013 or Article 9(2) as applied by Regulation 7(1) of those Regulations
Article 20 (defence of due diligence)	In paragraph (1) for “any of the preceding provisions of this Part” substitute “Article 9(2), as applied by regulation 7(1) of the Food

<i>Column 1</i>	<i>Column 2</i>
<i>Provision of the Order</i>	<i>Modifications</i>
	<p>Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Northern Ireland) 2013.”</p> <p>In paragraph (2) for “Article 13 or 14” insert “or regulation 3,4,5,6 or 17(1) of the Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Northern Ireland) 2013</p> <p>In paragraph (4) references to “sale” include references to “placing on the market”</p>
Article 30(8) (which relates to documentary evidence)	For “this Order” (in each place occurring) substitute “the Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Northern Ireland) 2013”
Article 33	References in paragraph (1) to “the Order” are to be construed as including references to the EU Regulations and these Regulations
Article 34 (obstruction of officers)	Any reference to the “Order” in Article 34(1) is to be construed as including a reference to the EU Regulations and these Regulations.
Article 35 (time limit for prosecutions)	<p>In Article 34(2) the reference to “any such requirement as is mentioned in paragraph (1)(b)” is deemed to be a reference to any such requirement as is mentioned in that paragraph as applied by regulation 19 and this schedule</p> <p>Applies to offences under these Regulations as it applies to offences punishable under Article 36(2) of the Order</p>
Article 36(1) and (2) (punishment of offences)	<p>In paragraph (1), after “Article 34(1)”, insert “, as applied and modified by regulation 19 of, and Schedule 5, to, the Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Northern Ireland) 2013,”.</p> <p>After paragraph (1), insert—</p> <p>“(1A) A person guilty of an offence under Article 9(2), as applied by regulation 7(1) of the Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Northern Ireland) 2013, shall be liable, on summary conviction, to a fine not exceeding level 5 on the standard scale.”.</p> <p>In paragraph (2)—</p> <p>(a) for “any other offence under this Order”, substitute “an offence under Article 34(2), as applied by regulation 19, of and Schedule 5 to, the Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Northern Ireland) 2013,”; and</p> <p>(b) in paragraph (b), for “the relevant amount”, substitute “the statutory maximum”.</p>

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SCHEDULE 6

Regulation 21

Revocations

<i>Name of rule</i>	<i>Extent of revocation</i>
The Extraction Solvents in Food Regulations (Northern Ireland) 1993 (S.R. 1993 No. 330)	The whole Regulations
The Extraction Solvents in Food (Amendment) Regulations (Northern Ireland) 1995 (S.R. 1995 No. 263)	The whole Regulations
The Extraction Solvents in Food (Amendment) Regulations (Northern Ireland) 1998 (S.R. 1998 No. 345)	The whole Regulations
The Extraction Solvents in Food (Amendment) Regulations (Northern Ireland) 2011 (S.R. 2011 No. 284)	The whole Regulations
The Food (Suspension of the Use of E128 Red 2G as a Food Colour) Regulations (Northern Ireland) 2007 (S.R. 2007 No. 352)	The whole Regulations
The Smoke Flavourings Regulations (Northern Ireland) 2005 (S.R. 2005 No. 76)	The whole Regulations
The Food Enzymes Regulations (Northern Ireland) 2009 (S.R. 2009 No. 415)	Regulations 3, 4, 5, 6, 7(2)(b) and 8
The Food Additives Regulations (Northern Ireland) 2009 (S.R. 2009 No. 416)	All provisions except regulations 1, 2, 18(4) and 19
The Food Additives (Amendment) Regulations (Northern Ireland) 2011 (S.R. 2011 No. 39)	The whole Regulations
The Food Additives (Amendment) (No.2) Regulations (Northern Ireland) 2011 (S.R. 2011 No. 217)	The whole Regulations
The Food Additives (Amendment) and the Extraction Solvents in Food (Amendment) Regulations (Northern Ireland) 2012 (S.R. 2012 No. 180)	The whole Regulations
The Flavourings in Food Regulations (Northern Ireland) 2010 (S.R. 2010 No. 414)	All provisions except regulations 1, 2 and 7.