
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 261

FOOD

The Honey Regulations (Northern Ireland) 2015

Made - - - - *29th May 2015*

Coming into operation *24th June 2015*

The Department of Health, Social Services and Public Safety⁽¹⁾ makes the following Regulations in exercise of the powers conferred by Articles 15 (1)(a) and (e), 16(1), 25(1) and (3), 26(3) and 47(2) of the Food Safety (Northern Ireland) Order 1991⁽²⁾.

The Department of Health, Social Services and Public Safety has had regard to relevant advice given by the Food Standards Agency in accordance with Article 47(3) of the Food Safety (Northern Ireland) Order 1991.

There has been consultation, as required by Article 9 of Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety⁽³⁾, during the preparation and evaluation of the following Regulations.

PART 1

Introduction

Citation and commencement

1. These Regulations may be cited as the Honey Regulations (Northern Ireland) 2015 and come into operation on 24th June 2015.

Definition of “honey” and different types of honey

2.—(1) In these Regulations “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

(1) Formerly the Department of Health and Social Services; see [S.I. 1999/283 \(N.I.1\)](#) Article 3(6)
(2) [S.I. 1991/762 \(N.I.7\)](#) as amended by [S.I. 1996/1663 \(N.I.12\)](#), paragraphs 26 to 42 of Schedule 5 and Schedule 6 to the Food Standards Act 1999 [c.23](#) and S.R. Nos. [482](#) and [505](#)
(3) OJ No L 31, 1.2.2002, p 1, last amended by Regulation (EU) No 652/2014 of the European Parliament and of the Council (OJ No L189, 27.6.2014, p 1)

with specific substances of their own, deposit, dehydrate, store and leave in honeycombs to ripen and mature.

(2) In these Regulations—

“baker’s honey” means honey that is suitable for industrial use or as an ingredient in another foodstuff which is then processed;

“blossom honey” and “nectar honey” mean honeys obtained from the nectar of plants;

“chunk honey” and “cut comb in honey” mean honeys which contain one or more pieces of comb honey;

“comb honey” means 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;

“drained honey” means honey obtained by draining de-capped broodless combs;

“extracted honey” means honey obtained by centrifuging de-capped broodless combs;

“filtered honey” means honey obtained by removing foreign inorganic or organic matters in such a way to result in the significant removal of pollen;

“honeydew honey” means honey obtained mainly from excretions of plant sucking insects (*Hemiptera*) on the living part of plants or secretions of living parts of plants;

“pressed honey” means honey obtained by pressing broodless combs with or without the application of moderate heat not exceeding 45° Celsius.

General interpretation

3.—(1) In these Regulations—

“bulk containers” has the same meaning as in Article 3 of the Honey Directive;

“FIC” means Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004(4);

“the Honey Directive” means Council Directive 2001/110/EC relating to honey(5);

“ingredient” has the meaning given in Article 2(2)(f) of FIC, as read with Article 2(5) of the Honey Directive;

“in trade” has the same meaning as in the Honey Directive;

“label” has the meaning given in Article 2(2)(i) of FIC;

“the Order” means the Food Safety (Northern Ireland) Order 1991;

“packs” has the same meaning as in Article 3 of the Honey Directive;

“trade documents” has the same meaning as in Article 3 of the Honey Directive;

“specific quality criteria” has the same meaning as in the third indented paragraph of paragraph (b) of the second sub-paragraph of point 2 of Article 2 of the Honey Directive.

(4) OJ No L 304, 22.11.2011, p 18, last amended by Commission Delegated Regulation (EU) No 78/2014 (OJ No L 27, 30.1.2014, p 7)

(5) OJ No L 10, 12.1.2002, p 47, last amended by Directive 2014/63/EU of the European Parliament and of the Council (OJ No 164, 3.6.2014, p 1)

(2) Any other expression used in both these Regulations and in the Honey Directive has the same meaning in these Regulations as in that Directive.

Limited scope of specified provisions

4.—(1) The following provisions only apply in relation to a product intended for supply to a final consumer or mass caterer—

- (a) Part 2, except for regulations 14(4) and 15(4) and (5);
- (b) regulation 16(1) and (2);
- (c) Part 4.

(2) Regulation 16(3) and (4) only apply where the products intended for human consumption specified in those paragraphs (the products to which honey is added as an ingredient) are intended for supply to a final consumer or mass caterer.

(3) In this regulation—

“final consumer” has the meaning given in point 18 of Article 3 of Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety;

“mass caterer” has the meaning given in Article 2(2)(d) of FIC.

Application of requirements relating to product names

5. Where two or more provisions of these Regulations apply in determining the name to be used in respect of a particular honey, a person trading in that honey must use a name or combination name which complies with the requirements of each of those provisions.

PART 2

Product names and descriptions

Honey

6.—(1) A person trading in a honey, except a honey to which paragraph (2) applies, must use the name “honey” in trade as the name of the product.

(2) This paragraph applies to—

- (a) baker’s honey;
- (b) comb honey;
- (c) drained honey;
- (d) extracted honey;
- (e) filtered honey;
- (f) honeydew honey;
- (g) honey that contains one or more pieces of comb honey (chunk honey and cut comb in honey);
- (h) honey that is obtained from the nectar of plants (blossom honey and nectar honey); and
- (i) pressed honey.

(3) A person must not use the name “honey” in trade as the name of a product if the product is not honey.

Blossom honey and nectar honey

7.—(1) A person trading in honey obtained from the nectar of plants must use the name “honey”, “blossom honey” or “nectar honey” in trade as the name of the product.

(2) A person must not use the name “blossom honey” or “nectar honey” in trade as the name of a product if the product is not honey obtained from the nectar of plants.

Honeydew honey

8.—(1) A person trading in a honeydew honey must use the name “honey” or “honeydew honey” in trade as the name of the product.

(2) A person must not use the name “honeydew honey” in trade as the name of a product if the product is not honeydew honey.

Comb honey

9.—(1) A person trading in a comb honey must use the name “comb honey” in trade as the name of the product.

(2) A person must not use the name “comb honey” in trade as the name of a product if the product is not comb honey.

Chunk honey and cut comb in honey

10.—(1) A person trading in a honey that contains one or more pieces of comb honey must use the name “chunk honey” or “cut comb in honey” in trade as the name of the product.

(2) A person must not use the name “chunk honey” or “cut comb in honey” in trade as the name of a product if the product does not contain one or more pieces of comb honey.

Drained honey

11.—(1) A person trading in drained honey must use the name “honey” or “drained honey” in trade as the name of the product.

(2) A person must not use the name “drained honey” in trade as the name of a product if the product is not drained honey.

Extracted honey

12.—(1) A person trading in extracted honey must use the name “honey” or “extracted honey” in trade as the name of the product.

(2) A person must not use the name “extracted honey” in trade as the name of a product if the product is not extracted honey.

Pressed honey

13.—(1) A person trading in pressed honey must use the name “honey” or “pressed honey” in trade as the name of the product.

(2) A person must not use the name “pressed honey” in trade as the name of a product if the product is not pressed honey.

Filtered honey

14.—(1) A person trading in filtered honey must use the name “filtered honey” in trade as the name of the product.

(2) A person must not use the name “filtered honey” in trade as the name of a product if the product is not filtered honey.

(3) A person trading in filtered honey must not provide information relating to the floral, vegetable, regional, territorial or topographical origin of the product or specific quality criteria for the product.

(4) A person must not trade in filtered honey in bulk containers or packs unless the product name “filtered honey” is clearly indicated—

- (a) on those containers and packs; and
- (b) on the trade documents relating to the product.

Baker’s honey

15.—(1) A person trading in baker’s honey must use the name “baker’s honey”, in trade, as the name of the product.

(2) A person must not use the name “baker’s honey” in trade as the name of a product if the product is not baker’s honey.

(3) A person trading in baker’s honey must not provide information relating to the floral, vegetable, regional, territorial or topographical origin of the product or specific quality criteria for the product.

(4) A person must not trade in baker’s honey unless the words “intended for cooking only” appear on the label of the product in close proximity to the product name.

(5) A person must not trade in baker’s honey in bulk containers or packs unless the product name “baker’s honey” is clearly indicated—

- (a) on those containers and packs; and
- (b) on the trade documents relating to the product.

(6) Where baker’s honey is used as an ingredient in a compound foodstuff, the product name “honey” may be used, in trade, in the product name of the compound foodstuff instead of “baker’s honey”.

(7) Where baker’s honey is used as an ingredient in a compound foodstuff and the name “honey” is used in the product name of the compound foodstuff, a person must not trade in that foodstuff unless the list of ingredients for that foodstuff identifies that honey ingredient using the name “baker’s honey”.

PART 3

Compositional requirements

Compositional requirements

16.—(1) A person must not place any product on the market as “honey” unless it meets the appropriate compositional criteria for “honey” specified in Schedule 1.

(2) A person must not place any product on the market using a product name listed in paragraph (5) unless it meets the appropriate compositional criteria for that type of honey specified in Schedule 1.

(3) A person must not use a product (“the honey ingredient”) as “honey” in a product intended to be placed on the market for human consumption unless the honey ingredient meets the appropriate compositional criteria for “honey” specified in Schedule 1.

(4) A person must not use a product (“the honey ingredient”) as honey of a type listed in paragraph (5) in a product intended to be placed on the market for human consumption unless the honey ingredient meets the appropriate compositional criteria for that type of honey specified in Schedule 1.

(5) The product names and types of honey are—

- (a) baker’s honey;
- (b) blossom honey;
- (c) chunk honey;
- (d) comb honey;
- (e) cut comb in honey;
- (f) drained honey;
- (g) extracted honey;
- (h) filtered honey;
- (i) honeydew honey;
- (j) nectar honey;
- (k) pressed honey.

PART 4

Additional labelling requirements

Additional labelling requirements

17.—(1) A person may not trade in honey unless the country of origin where the honey has been harvested is indicated on the label except that, if the honey originates in more than one member State or third country, the countries of origin may be replaced with one of the following indications as appropriate—

- “blend of EU honeys”;
- “blend of non-EU honeys”; or
- “blend of EU and non-EU honeys”.

(2) In paragraphs (3) to (5), “relevant honey” means all honey except for baker’s honey and filtered honey.

(3) The product name of a relevant honey may be supplemented by information relating to its floral or vegetable origin but a person may not trade in a relevant honey for which such supplemental information is provided unless the product comes wholly or mainly from the indicated source and possesses the organoleptic, physico-chemical and microscopic characteristics of the source.

(4) The product name of a relevant honey may be supplemented by information relating to its regional, territorial or topographical origin but a person may not trade in a relevant honey for which such supplemental information is provided unless the product comes entirely from the indicated origin.

(5) The product name of a relevant honey may be supplemented by information relating to its specific quality criteria.

PART 5

Enforcement and miscellaneous provisions

Enforcement

18. Each district council must enforce and execute these Regulations within its district.

Application of provisions of the Order

19. The provisions of the Order specified in column 1 of the table in Schedule 2 apply, with the modifications specified in column 2 of that table, for the purposes of these Regulations.

Revocations

20.—(1) The following Regulations are revoked—

- (a) the Honey Regulations (Northern Ireland) 2003(6);
- (b) the Honey (Amendment) Regulations (Northern Ireland) 2005(7); and
- (c) the Honey (Amendment) Regulations (Northern Ireland) 2008(8).

(2) Omit the following provisions of the Food Information Regulations (Northern Ireland) 2014(9)—

- (a) entry 12 of the table in Part 1 of Schedule 6; and
- (b) paragraph 9 of Part 2 of Schedule 7.

Amendment of the Food Information Regulations (Northern Ireland) 2014

21. Schedule 3 has effect.

Transitional provision

22.—(1) An authorised officer of an enforcement authority must not serve an improvement notice under Article 9(1) of the Order, as applied and modified by regulation 19, as read with Schedule 2, if—

- (a) the improvement notice would relate to a product that was placed on the market or labelled before 24th June 2015; and
- (b) the matters constituting the alleged contravention would not have constituted an offence under the Honey Regulations (Northern Ireland) 2003 as they stood immediately before 24th June 2015.

(2) In this regulation “authorised officer” has the same meaning as in Article 2(2)(a) of the Order.

(6) S.R. 2003 No. 383, amended by S.R. 2005 No. 385, S.R. 2008 No.126 and S.R. 2014 No. 223

(7) S.R. 2005 No. 385

(8) S.R. 2008 No. 126

(9) S.R. 2014 No. 223

Sealed with the official seal of the Department of Health, Social Services and Public Safety on
29th May 2015.



Linda Devlin
A senior officer of the Department of Health,
Social Services and Public Safety

SCHEDULE 1

Regulation 16

Compositional criteria

1. The honey consists essentially of different sugars, predominantly fructose and glucose as well as other substances such as organic acids, enzymes and solid particulars derived from honey collection.
2. The colour varies from nearly colourless to dark brown.
3. The consistency can be fluid, viscous or partly or entirely crystallised.
4. The flavour and aroma vary but are derived from the plant origin.
5. No food ingredient has been added, including any food additive.
6. No other additions have been made to the honey except for other honey.
7. It must, as far as possible, be free from organic or inorganic matters foreign to its composition.
8. It must not—
 - (a) have any foreign tastes or odours;
 - (b) have begun to ferment;
 - (c) have an artificially changed acidity;
 - (d) have been heated in such a way that the natural enzymes have been either destroyed or significantly inactivated.
9. Paragraph 8 does not apply to baker's honey.
10. No pollen or constituent particular to honey may be removed except where this is unavoidable in the removal of foreign inorganic or organic matter.
11. Paragraph 10 does not apply to filtered honey.
12. The additional compositional criteria set out in the following table apply—

<i>Criteria</i>	<i>Amount</i>
Sugar content	
1.—(1) Fructose and glucose content (sum of both)—	
(a) blossom honey	not less than 60g/100g
(b) honeydew honey and a blend of honeydew honey with blossom honey	not less than 45g/100g
(2) Sucrose content—	
(a) all honey except for honey specified in paragraph (b) or (c)	not more than 5g/100g
(b) false acacia (<i>Robinia pseudoacacia</i>) honey, alfalfa (<i>Medicago sativa</i>) honey, Menzies Banksia (<i>Banksia menziesii</i>) honey, French honeysuckle (<i>Hedysarum</i>) honey, red gum (<i>Eucalyptus camadulensis</i>) honey, leatherwood (<i>Eucryphia lucida</i> , <i>Eucryphia milliganii</i>) honey, <i>Citrus</i> spp. honey	not more than 10g/100g
(c) lavender (<i>Lavandula</i> spp.) honey, borage (<i>Borago officinalis</i>) honey	not more than 15g/100g

Moisture content

Status: This is the original version (as it was originally made).

<i>Criteria</i>	<i>Amount</i>
2. Moisture content—	
(a) all honey except for honey specified in paragraph (b), (c) or (d)	not more than 20%
(b) honey from heather (<i>Calluna</i>)	not more than 23%
(c) baker's honey except for baker's honey from heather (<i>Calluna</i>)	not more than 23%
(d) baker's honey from heather (<i>Calluna</i>)	not more than 25%
Water-insoluble content	
3. Water-insoluble content—	
(a) all honey except pressed honey	not more than 0.1g/100g
(b) pressed honey	not more than 0.5g/100g
Electrical conductivity	
4. Electrical conductivity—	
(a) all honey except for bell heather (<i>Erica</i>) honey, chestnut honey, eucalyptus honey, honeydew honey, lime (<i>Tilia</i> spp.) honey, ling heather (<i>Calluna vulgaris</i>) honey, manuka or jelly bush (<i>Leptospermum</i>) honey, strawberry tree (<i>Arbutus unedo</i>) honey and tea tree (<i>Melaleuca</i> spp.) honey	not more than 0.8mS/cm
(b) blends of honeys to which paragraph (a) applies	not more than 0.8mS/cm
(c) honeydew honey	not less than 0.8mS/cm
(d) blends of honeydew honey except blends of that honey with bell heather (<i>Erica</i>) honey, eucalyptus honey, lime (<i>Tilia</i> spp.) honey, ling heather (<i>Calluna vulgaris</i>) honey, manuka or jelly bush (<i>Leptospermum</i>) honey, strawberry tree (<i>Arbutus unedo</i>) honey and tea tree (<i>Melaleuca</i> spp.) honey	not less than 0.8mS/cm
(e) chestnut honey	not less than 0.8mS/cm
(f) blends of chestnut honey except blends of that honey with bell heather (<i>Erica</i>) honey, eucalyptus honey, lime (<i>Tilia</i> spp.) honey, ling heather (<i>Calluna vulgaris</i>) honey, manuka or jelly bush (<i>Leptospermum</i>) honey, strawberry tree (<i>Arbutus unedo</i>) honey and tea tree (<i>Melaleuca</i> spp.) honey	not less than 0.8mS/cm
Free acid	
5. Free acid—	
(a) all honey except for baker's honey	not more than 50 milliequivalents acid per 1,000 grams
(b) baker's honey	not more than 80 milliequivalents acid per 1,000 grams
Diastase activity and hydroxymethylfurfural content	
6. Diastase activity and hydroxymethylfurfural content (HMF) determined after processing and blending—	

<i>Criteria</i>	<i>Amount</i>
(a) diastase activity (Schade scale) —	
(i) all honey except baker’s honey and honey specified in sub-paragraph (ii)	not less than 8
(ii) honey with a low natural enzyme content (e.g. citrus honey) and an HMF content of not more than 15mg/kg	not less than 3
(b) HMF—	
(i) all honey except baker’s honey and honey specified in sub-paragraph (ii)	not more than 40mg/kg
(ii) honey of a declared origin from a region with a tropical climate and blends of these honeys	not more than 80mg/kg

SCHEDULE 2

Regulation 19

Application and modification of provisions of the Order

<i>Column 1</i>	<i>Column 2</i>
<i>Provision of the Order</i>	<i>Modifications</i>
Article 4 (presumptions that food intended for human consumption)	For “this Order” substitute “the Honey Regulations (Northern Ireland) 2015”
Article 9(1) and (improvement notices)	(2) For paragraph (1) (improvement notices) substitute— “(1) If an authorised officer has reasonable grounds for believing that a person is failing to comply with any of regulations 6 to 17 of the Honey Regulations (Northern Ireland) 2015, the authorised officer may, by a notice served on that person (in this Order referred to as an “improvement notice”)— (a) state the officer’s grounds for believing that the person is failing to comply with the relevant provision; (b) specify the matters which constitute the person’s failure so to comply; (c) specify the measures which, in the officer’s opinion, the person must take in order to secure compliance; and (d) require the person to take those measures, or measures that are at least equivalent to them, within such period (not being less than 14 days) as may be specified in the notice.”
Article 19 (offences due to fault of another person)	For “any of the preceding provisions of this Part” substitute “Article 9(2), as applied by regulation 19 of, and Schedule 2 to, the Honey Regulations (Northern Ireland) 2015,”

Status: This is the original version (as it was originally made).

<i>Column 1</i>	<i>Column 2</i>
<i>Provision of the Order</i>	<i>Modifications</i>
Article 20 (1) and (5) (defence of due diligence)	In paragraph (1), for “any of the preceding provisions of this Part” substitute “Article 9(2), as applied by regulation 19 of, and Schedule 2 to, the Honey Regulations (Northern Ireland) 2015”
Article 30(8) (evidence of certificates given by a food analyst or examiner)	For “this Order” substitute “the Honey Regulations (Northern Ireland) 2015”
Article 34 (obstruction etc. of officers)	In paragraph (1), for “this Order” (in each place occurring) substitute “the Honey Regulations (Northern Ireland) 2015”
Article 36(1) and (2) (punishment of offences)	In paragraph (1), after “Article 34(1) insert “, as applied and modified by regulation 19 of, and Schedule 2 to, the Honey Regulations (Northern Ireland) 2015,” After paragraph (1), insert— “(1A) A person guilty of an offence under Article 9(2), as applied by regulation 19 of, and Schedule 2 to, the Honey Regulations (Northern Ireland) 2015, shall be liable, to a fine not exceeding level 5 on the standard scale.” In paragraph (2) for “any other offence under this Order” substitute “an offence under Article 34(2), as applied by regulation 19 of, and Schedule 2 to, the Honey Regulations (Northern Ireland) 2015,”
Article 37 (appeals)	For paragraph (1) substitute— “(1) Any person who is aggrieved by a decision of an authorised officer to serve an improvement notice under Article 9(1), as applied and modified by regulation 19 of, and Schedule 2 to, the Honey Regulations (Northern Ireland) 2015, may appeal to a court of summary jurisdiction.” In paragraph (2A)(b) for “(1)(a)” substitute “(1) as applied by regulation 19 of, and Schedule 2 to, the Honey Regulations (Northern Ireland) 2015.”
Article 38 (appeals against improvement notices)	In paragraphs (1) and (2) insert “as applied by regulation 19 and Schedule 2 to the Honey Regulations (Northern Ireland) 2015” after “improvement notice”.

SCHEDULE 3

Regulation 21

Amendment of the Food Information Regulations (Northern Ireland) 2014

1. The Food Information Regulations 2014 are amended as follows.

2. In the table in Part 2 of Schedule 5 (FIC provisions in relation to which an improvement notice may be served on and from 13th December 2014)—

- (a) in the third column of entry number 26 at the end insert “and point 4(b) of Article 2 of Council Directive [2001/110/EC](#) relating to honey”; and
- (b) in the third column of entry number 27 at the end insert “and point 4(b) of Article 2 of Council Directive [2001/110/EC](#)”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Council Directive [2001/110/EC](#) relating to honey (OJ No L 10, 12.1.2002, p 47). They revoke and replace the Honey Regulations (Northern Ireland) 2003 ([S.R. 2003 No. 383](#)).

The Regulations regulate the use of the names “honey” (regulation [6](#)), “blossom honey” and “nectar honey” (regulation [7](#)), “honeydew honey” (regulation [8](#)), “comb honey” (regulation [9](#)), “chunk honey” and “cut comb in honey” (regulation [10](#)), “drained honey” (regulation [11](#)), “extracted honey” (regulation [12](#)), “pressed honey” (regulation [13](#)), “filtered honey” (regulation [14](#)) and “baker’s honey” (regulation [15](#)).

Regulation [16](#) and Schedule 1 prescribe compositional criteria with which such products must comply when placed on the market as honey and when used as honey in a product intended for human consumption.

Regulation [17](#) prescribes additional labelling requirements for the honey products regulated by these Regulations.

Regulation [18](#) imposes an obligation on district councils to enforce the Regulations.

Regulation [19](#) and Schedule 2 apply certain provisions of the Food Safety (Northern Ireland) Order [1991 \(1991 N.I.7\)](#), with modifications. This includes the application (with modifications) of Article 9(1), enabling an improvement notice to be served requiring compliance with specified provisions of the Regulations.

The provisions, as applied, make the failure to comply with an improvement notice an offence.

As well as revoking the Honey Regulations (Northern Ireland) 2003, regulation [20](#) revokes the Honey (Amendment) Regulations (Northern Ireland) 2005 ([S.R. 2005 No.385](#)), the Honey (Amendment) Regulations (Northern Ireland) 2008 ([S.R. 2008 No. 126](#)) and specified provisions of the Food Information Regulations (Northern Ireland) 2014 ([S.R. 2014 No. 223](#)) relating to the Honey Regulations (Northern Ireland) 2003.

Regulation [21](#) and Schedule 3 amend the Food Information Regulations (Northern Ireland) 2014.

Regulation [22](#) makes a transitional provision in respect of food placed on the market or labelled before 24th June 2015, prohibiting an improvement notice from being served in relation to such food if it would have been compliant with the Honey Regulations (Northern Ireland) 2003.