
EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations, which extend to Scotland only, are made under section 2(2) of the European Communities Act 1972. They implement the Commission Decision dated 13th April 2004 suspending the placing on the market and import of jelly mini-cups containing the food additives E400 alginic acid, E401 sodium alginate, E402 potassium alginate, E403 ammonium alginate, E404 calcium alginate, E405 propane 1, 2-diol alginate, E406 agar, E407 carrageenan, E407a processed eucheama seaweed, E410 locust bean gum, E412 guar gum, E413 tragacanth, E414 acacia gum, E415 xanthan gum, E417 tara gum or E418 gellan gum (“the prohibited additives”).

The Regulations—

- (a) prohibit the carrying out of commercial operations with regard to jelly mini-cups which contain any of the prohibited additives (regulation 3(1));
- (b) prohibit the use of any of the prohibited additives in the manufacture of jelly mini-cups (regulation 3(2));
- (c) specify the enforcement authority and make consequential provisions relating to the execution and enforcement of the Regulations by a food authority (regulation 4);
- (d) provide powers of seizure and inspection to authorised officers of food authorities in relation to suspected jelly mini-cups (regulation 5); and
- (e) apply, with modifications, certain provisions of the Food Safety Act 1990 (regulation 6) and regulation 9(1) of the Food Safety (Sampling and Qualifications) Regulations 1990 (regulation 7).

No regulatory impact assessment has been prepared in relation to these Regulations.