

SCOTTISH STATUTORY INSTRUMENTS

2009 No. 436

The Food Additives (Scotland) Regulations 2009

PROSPECTIVE

Consequential amendments

18.—(1) In the Mineral Hydrocarbons in Food Regulations 1966(1) in regulation 3 (exemptions), for sub-paragraph (d) of paragraph (1), there is substituted the following sub-paragraph:—

“(d) any food containing mineral hydrocarbon that is used in the food as a miscellaneous additive as defined in the Food Additives (Scotland) Regulations 2009 in compliance with the provisions of those Regulations.”.

(2) In the Fruit Juices and Fruit Nectars (Scotland) Regulations 2003(2), for paragraph 2 of Schedule 3 (additional ingredients permitted in particular designated products) there is substituted the following paragraph:—

“**2.** In any designated product, any substance permitted pursuant to Regulation (EC) No. 1333/2008 of the European Parliament and of the Council on food additives may be added.”.

(3) In the Condensed Milk and Dried Milk (Scotland) Regulations 2003(3) for note 2 to Schedule 1 (partly or wholly dehydrated preserved milk products and their reserved descriptions) there is substituted the following note:—

“(a) Any designated product may contain—

- (i) any substance permitted pursuant to Regulation (EC) No. 1333/2008 of the European Parliament and of the Council on food additives, and
- (ii) vitamins and minerals in accordance with the requirements or Regulation (EC) No. 1925/2006 of the European Parliament and of the Council on the addition of vitamins and minerals and of certain other substances to foods(4).”.

(4) In the Meat Products (Scotland) Regulations 2004(5), for the first note to Schedule 3 (added ingredients which are not required to be indicated in the name of the food in the case of a meat product to which regulation 5 applies) there is substituted the following note:—

“For the purposes of item 1 of this Schedule, “additive” means any substance permitted for use in food by Regulation (EC) No. 1333/2008 of the European Parliament and of the Council on food additives or Regulation (EC) No. 1334/2008 of the European Parliament and of the Council on flavourings and certain food ingredients with flavouring properties for use

(1) S.I. 1966/1073, relevantly amended by S.I. 1982/1727, 1985/67, 1990/2486, 1991/1426, 1992/2597 and 1995/3187.

(2) S.S.I. 2003/293, amended by S.S.I. 2005/616.

(3) S.S.I. 2003/311, amended by S.S.I. 2003/492, 2004/395, 2005/616, 2006/3 and 2008/12.

(4) O.J. No. L 404, 30.12.2006, p.26, as amended by Regulation (EC) No. 108/2008 of the European Parliament and of the Council amending Regulation (EC) No. 1925/2006 on the addition of vitamins and minerals and of certain other substances to foods (O.J. No. L 39, 13.2.2008, p.11).

(5) S.S.I. 2004/6, amended by S.S.I. 2005/616, 2006/530 and 2008/97.

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Food Additives (Scotland) Regulations 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

in and on foods and amending [Council Regulation \(EEC\) No. 1601/91](#), Regulations (EC) [No. 2232/96](#) and [\(EC\) No. 110/2008](#) and Directive [2000/13/EC](#).⁽⁶⁾

(5) In the Jam and Similar Products (Scotland) Regulations 2004⁽⁷⁾—

(a) in paragraph (1) of regulation 2 (interpretation) for the definition of “permitted sweetener” there is substituted the following definition:—

““permitted sweetener” means any sweetener in so far as its use is permitted in specified jam or similar product by the Food Additives (Scotland) Regulations 2009;” and

(b) in Schedule 2 (permitted additional ingredients and authorised treatments for products described in items 1 to 7 of Schedule 1), for sub-paragraph (m) of paragraph (1) there is substituted the following sub-paragraph:—

“(m) any substance permitted pursuant to Regulation [\(EC\) No. 1333/2008](#) of the European Parliament and of the Council on food additives.”.

Commencement Information

11 Reg. 18 in force at 20.1.2010, see [reg. 1\(1\)](#)

⁽⁶⁾ O.J. No. L 354, 31.12.2008, p. 34.

⁽⁷⁾ [S.S.I. 2004/133](#), amended by [S.S.I. 2005/616](#).

Status:

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Changes to legislation:

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Changes and effects yet to be applied to :

- Regulations revoked in part by [S.S.I. 2013/266 Sch. 5](#)
- reg. 18 coming into force by [S.S.I. 2009/436 reg. 1\(1\)](#)
- reg. 18(1) substituted by [S.S.I. 2012/119 reg. 2\(5\)](#)
- reg. 18(4) revoked by [S.S.I. 2014/289 reg. 8\(c\)](#)