

PROSPECTIVE

SCHEDULE

Regulation 2(1)

SPECIFIED REGULATION 1333/2008 PROVISIONS

Commencement Information

II Sch. in force at 20.1.2010, see [reg. 1\(1\)](#)

| <i>Provision of Regulation 1333/2008</i> | <i>Subject – matter</i> |
|---|---|
| Article 4.1 (as read with Articles 11.3 and 4, 12, 13.2, 15, 16 and 18.1(a), 2 and 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 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, enzyme or flavouring and has no technological function in the final food. |

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

| <i>Provision of Regulation 1333/2008</i> | <i>Subject – matter</i> |
|---|--|
| 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 21.1 | 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 22.1 (as read with Article 22.4 and 5 and the second paragraph of Article 31) | Requirement that food additives not intended for sale to the final consumer be sold only if their packaging or containers bear specified information. |
| Article 22.2 (as read with Article 22.4 and 5 and the second paragraph of Article 31) | Requirement that food additives mixed with each other and/or with other food ingredients be sold only if their packaging or containers bear a list of ingredients in descending order of their percentage by weight of the total. |
| Article 22.3 (as read with Article 22.4 and 5 and the second paragraph of Article 31) | Requirement that, where substances (including food additives or other food ingredients) are added to food additives to facilitate their storage, sale, standardisation or dissolution, their packaging or containers bear a list of all such substances in descending order of their percentage by weight of the total. |
| Article 23.1 (as read with Article 23.2 and 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 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. |

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| <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. |

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Changes and effects yet to be applied to :

- Sch. coming into force by [S.S.I. 2009/436 reg. 1\(1\)](#)
- Sch. Table words inserted by [S.S.I. 2012/119 reg. 2\(6\)](#)
- Regulations revoked in part by [S.S.I. 2013/266 Sch. 5](#)