

*Draft Regulations laid before Parliament under section 62(3) of the Regulatory Enforcement and Sanctions Act 2008 for approval by resolution of each House of Parliament.*

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DRAFT STATUTORY INSTRUMENTS

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**2021 No. 0000**

**FOOD, ENGLAND**

**The Calorie Labelling (Out of Home Sector) (England) Regulations 2021**

*Made* - - - - **\*\*\***  
*Coming into force* - - *6th April 2022*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 6(4), 16(1)(e) and (f), 26(3) and 48(1) of the Food Safety Act 1990(1), and by sections 36, 39, 52, 54, 55 and 62(2) of the Regulatory Enforcement and Sanctions Act 2008(2).

The Secretary of State has had regard to relevant advice given by the Food Standards Agency in accordance with section 48(4A) of the Food Safety Act 1990(3).

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, during the preparation and evaluation of these Regulations.

The Secretary of State has carried out consultation in accordance with section 60 of the Regulatory Enforcement and Sanctions Act 2008.

The Secretary of State is satisfied, in accordance with section 66 of that Act, that food authorities(4) (who are the regulators for the purpose of these Regulations) will act in accordance with the principles referred to in section 5(2) of that Act in exercising a power to impose civil sanctions conferred by these Regulations.

In accordance with section 62(3) of that Act, a draft of these Regulations has been laid before, and approved by resolution of, each House of Parliament.

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(1) 1990 c. 16. Sections 16 and 48(1) were amended by paragraphs 7 and 8 of Schedule 5 to the Food Standards Act 1999 (c. 28). There are other amendments to section 16 not relevant to these Regulations. Section 26(3) was amended by Schedule 6 to that Act.

(2) 2008 c. 13. Section 39 was amended by S.I. 2015/664. There is an amendment to section 36 which is not relevant to these Regulations.

(3) Subsection (4A) was inserted by paragraph 21 of Schedule 5 to the Food Standards Act 1999.

(4) "Food authority" is defined in section 5 of the Food Safety Act 1990. There are amendments to the definition which are not relevant to these Regulations.