



Genetic Technology (Precision Breeding) Act 2023

2023 CHAPTER 6

PART 3

FOOD AND FEED PRODUCED FROM PRECISION BRED ORGANISMS

26 Regulation of food and feed produced from precision bred organisms

- (1) Regulations may make provision for regulating the placing on the market in England of food and feed produced from precision bred organisms.
- (2) Regulations under subsection (1) may, in particular—
 - (a) prohibit any person from placing food or feed produced from a precision bred organism on the market in England except in accordance with a marketing authorisation issued by the Secretary of State under the regulations in relation to the organism, and
 - (b) impose requirements for the purpose of securing traceability in relation to food or feed produced from precision bred organisms that is placed on the market in England.
- (3) Regulations made by virtue of subsection (2)(a) may, in particular, prescribe requirements that must be satisfied in order for the Secretary of State to issue a food and feed marketing authorisation in relation to a precision bred organism which may include requirements—
 - (a) that the precision bred organism—
 - (i) is a marketable precision bred organism, or
 - (ii) is the qualifying progeny of a marketable precision bred organism;
 - (b) for securing that—
 - (i) any food or feed produced from the organism and covered by the authorisation will not have adverse effects on human or animal health;
 - (ii) the way in which any such food or feed will be placed on the market will not mislead consumers;

Changes to legislation: There are currently no known outstanding effects for the Genetic Technology (Precision Breeding) Act 2023, Section 26. (See end of Document for details)

- (iii) the production of any such food or feed will not have adverse effects on the environment;
 - (iv) consuming any such food or feed in place of other food or feed that it might reasonably be expected to replace will not be nutritionally disadvantageous to humans or animals.
- (4) Regulations made by virtue of subsection (2)(a) may also make provision, in particular—
- (a) about the procedure for determining applications for food and feed marketing authorisations;
 - (b) for food and feed marketing authorisations to be issued subject to conditions and limitations;
 - (c) for varying or cancelling conditions or limitations that apply to food and feed marketing authorisations, or imposing new ones;
 - (d) about revocation of food and feed marketing authorisations;
 - (e) about publication of information relating to applications for food and feed marketing authorisations.
- (5) In subsection (4), references to applications for food and feed marketing authorisations include references to applications to vary or cancel conditions or limitations that apply to marketing authorisations.
- (6) Provision that may be made by virtue of subsection (4) includes provision conferring functions on the Food Standards Agency, which may include provision—
- (a) for requiring the Food Standards Agency, in carrying out a function conferred by the regulations—
 - (i) to obtain advice or information from, or consult, persons of prescribed descriptions;
 - (ii) to carry out risk assessments;
 - (b) relating to any risk assessment required by the regulations.
- (7) Regulations which, by virtue of subsection (6)(a)(i), impose an obligation on any person other than the Food Standards Agency may provide that the obligation is not a Part 3 obligation (see section 29).
- (8) Regulations made by virtue of subsection (2)(a)—
- (a) may prescribe who is authorised to place food and feed on the market by virtue of a food and feed marketing authorisation, which may, in particular, be—
 - (i) only the person who applied for the authorisation,
 - (ii) any person, or
 - (iii) any person of a prescribed description, and
 - (b) may provide for any provision made by virtue of paragraph (a) to be subject, in the case of a particular food and feed marketing authorisation, to any limitation to which the authorisation is subject.
- (9) Regulations under this section are subject to the affirmative procedure.

Commencement Information

II S. 26 in force at Royal Assent for specified purposes, see s. 48(3)(a)

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