

SCHEDULE 1 **E+W**

Regulations 2(1), 5(3) and 8(1)(d)

PROCESSED CEREAL-BASED FOODS

PART I **E+W**

Categories of processed cereal-based foods

1. Simple cereals which are or have to be reconstituted with milk or other appropriate nutritious liquids.
2. Cereals with an added high protein food which are or have to be reconstituted with water or other protein-free liquid.
3. Pastas which are to be used after cooking in boiling water or other appropriate liquids.
4. Rusks and biscuits which are to be used either directly or, after pulverisation, with the addition of water, milk or other suitable liquids.

PART II **E+W**

Essential composition of processed cereal-based foods

E+W

The requirements concerning nutrients refer to the products ready for use, marketed as such or reconstituted as instructed by the manufacturer.

Cereal content

- 1.—(1) Processed cereal-based foods are prepared primarily from one or more milled cereals and/or starchy root products.
(2) The amount of cereal and/or starchy root shall not be less than 25 per cent of the final mixture on a dry weight for weight basis.

Protein

- 2.—(1) For products mentioned in paragraphs 2 and 4 of Part I, the protein content shall not exceed 1.3 g / 100 kJ (5.5 g / 100 kcal).
(2) For products mentioned in paragraph 2 of Part I, the added protein shall not be less than 0.48 g / 100 kJ (2 g / 100 kcal).
(3) For biscuits mentioned in paragraph 4 of Part I made with the addition of a high protein food, and presented as such, the added protein shall not be less than 0.36 g / 100 kJ (1.5 g / 100 kcal).
(4) The chemical index of the added protein shall be equal to at least 80 per cent of that of the reference protein (casein as defined in Schedule 2), or the protein efficiency ratio (PER) of the protein in the mixture shall be equal to at least 70 per cent of that of the reference protein. In all cases, the addition of amino acids is permitted solely for the purpose of improving the nutritional value of the protein mixture, and only in the proportions necessary for that purpose.

Changes to legislation: There are currently no known outstanding effects for the The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (England) Regulations 2003. (See end of Document for details)

Carbohydrates

3.—(1) If sucrose, fructose, glucose, glucose syrups or honey are added to products mentioned in paragraphs 1 and 4 of Part I—

- (a) the amount of added carbohydrates from these sources shall not exceed 1.8 g / 100 kJ (7.5 g / 100 kcal);
- (b) the amount of added fructose shall not exceed 0.9 g / 100 kJ (3.75 g / 100 kcal).

(2) If sucrose, fructose, glucose syrups or honey are added to products mentioned in paragraph 2 of Part I—

- (a) the amount of added carbohydrates from these sources shall not exceed 1.2 g / 100 kJ (5 g / 100 kcal);
- (b) the amount of added fructose shall not exceed 0.6 g / 100 kJ (2.5 g / 100 kcal).

Fat

4.—(1) For products mentioned in paragraphs 1 and 4 of Part I, the fat content shall not exceed 0.8 g / 100 kJ (3.3 g / 100 kcal).

(2) For products mentioned in paragraph 2 of Part I, the fat content shall not exceed 1.1 g / 100 kJ (4.5 g / 100 kcal). If the fat content exceeds 0.8 g / 100 kJ (3.3 g / 100 kcal)—

- (a) the amount of lauric acid shall not exceed 15 per cent of the total fat content;
- (b) the amount of myristic acid shall not exceed 15 per cent of the total fat content;
- (c) the amount of linoleic acid (in the form of glycerides = linoleates) shall not be less than 70 mg / 100 kJ (300 mg / 100 kcal) and shall not exceed 285 mg / 100 kJ (1200 mg / 100 kcal).

Minerals

5.—(1) Sodium

- (i) Sodium salts may only be added to processed cereal-based foods for technological purposes.
- (ii) The sodium content of processed cereal-based foods shall not exceed 25 mg / 100 kJ (100 mg / 100 kcal).

(2) Calcium

- (i) For products mentioned in paragraph 2 of Part I, the amount of calcium shall not be less than 20 mg / 100 kJ (80 mg / 100 kcal).
- (ii) For products mentioned in paragraph 4 of Part I manufactured with the addition of milk (milk biscuits) and presented as such, the amount of calcium shall not be less than 12 mg / 100 kJ (50 mg / 100 kcal).

Vitamins

6.—(1) For processed cereal-based foods the amount of thiamin shall not be less than 25 µg / 100 kJ (100 µg / 100 kcal).

(2) For products mentioned in paragraph 2 of Part I:

| <i>Per 100 kJ</i> | | <i>Per 100 kcal</i> | |
|-------------------|----------------|---------------------|----------------|
| <i>Minimum</i> | <i>Maximum</i> | <i>Minimum</i> | <i>Maximum</i> |

Changes to legislation: There are currently no known outstanding effects for the *The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (England) Regulations 2003*. (See end of Document for details)

| | | | | |
|----------------------|------|------|----|-----|
| Vitamin A (µg RE)(1) | 14 | 43 | 60 | 180 |
| Vitamin D (µg)(2) | 0.25 | 0.75 | 1 | 3 |

(1) RE = all trans retinol equivalents

(2) In the form of cholecalciferol, of which 10 µg = 400 i.u. of Vitamin D

These limits are also applicable if vitamins A and D are added to other processed cereal-based foods.

SCHEDULE 2 **E+W**

Regulation 5(3) and Schedule 1, Part II, paragraph 2.4

AMINO ACID COMPOSITION OF CASEIN

| <i>Amino acid</i> | <i>(g per 100 g of protein)</i> |
|-------------------|---------------------------------|
| Arginine | 3.7 |
| Cystine | 0.3 |
| Histidine | 2.9 |
| Isoleucine | 5.4 |
| Leucine | 9.5 |
| Lysine | 8.1 |
| Methionine | 2.8 |
| Phenylalanine | 5.2 |
| Threonine | 4.7 |
| Tryptophan | 1.6 |
| Tyrosine | 5.8 |
| Valine | 6.7 |

SCHEDULE 3 **E+W**

Regulations 5(4) and 8(1)(d)

ESSENTIAL COMPOSITION OF BABY FOODS

E+W

The requirements concerning nutrients refer to the products ready for use, marketed as such or reconstituted as instructed by the manufacturer.

Protein

1.—(1) If meat, poultry, fish, offal or other traditional source of protein are the only ingredients mentioned in the name of the product, then—

Changes to legislation: There are currently no known outstanding effects for the The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (England) Regulations 2003. (See end of Document for details)

- (a) the named meat, poultry, fish, offal or other traditional protein source, in total, shall constitute not less than 40 per cent by weight of the total product;
 - (b) each named meat, poultry, fish, offal or other traditional source of protein shall constitute not less than 25 per cent, by weight, of total named protein sources;
 - (c) the total protein from the named sources shall not be less than 1.7 g / 100 kJ (7 g / 100 kcal).
- (2) If meat, poultry, fish, offal or other traditional source of protein, singularly or in combination, are mentioned first in the name of the product, whether or not the product is presented as a meal, then—
- (a) the named poultry, fish, offal or other traditional protein source, in total, shall constitute not less than 10 per cent by weight of the total product;
 - (b) each named meat, poultry, fish, offal or other traditional source of protein shall constitute not less than 25 per cent by weight, of total named protein sources;
 - (c) the protein from the named sources shall not be less than 1 g / 100 kJ (4 g / 100 kcal).
- (3) If meat, poultry, fish, offal or other traditional source of protein, singularly or in combination are mentioned, but not first, in the name of the product, whether or not the product is presented as a meal, then—
- (a) the named meat, poultry, fish, offal or other traditional protein source, in total, shall constitute not less than 8 per cent by weight of the total product;
 - (b) each named meat, poultry, fish, offal or other traditional source of protein shall constitute not less than 25 per cent, by weight, of total named protein sources;
 - (c) the total protein from the named sources shall not be less than 0.5 g / 100 kJ (2.2 g / 100 kcal);
 - (d) the total protein in the product from all sources shall not be less than 0.7 g / 100 kJ (3 g / 100 kcal).
- (4) If cheese is mentioned together with other ingredients in the name of a savoury product, whether or not the product is presented as a meal, then—
- (a) the protein from the dairy sources shall not be less than 0.5 g / 100 kJ (2.2 g / 100 kcal);
 - (b) the total protein in the product from all sources shall not be less than 0.7 g / 100 kJ (3 g / 100 kcal).
- (5) If the product is designated on the label as a meal, but does not mention meat, poultry, fish, offal or other traditional source of protein in the name of the product, the total protein in the product from all sources shall not be less than 0.7 g / 100 kJ (3 g / 100 kcal).
- (6) Sauces presented as an accompaniment to a meal are exempt from the requirements of sub-paragraphs (1) to (5).
- (7) Sweet dishes that mention dairy products as the first or only ingredient in the name shall contain not less than 2.2 g dairy protein / 100 kcal. All other sweet dishes are exempt from the requirements in sub-paragraphs (1) to (5).
- (8) The addition of amino acids is permitted solely for the purpose of improving the nutritional value of the protein present, and only in the proportions necessary for that purpose.

Carbohydrates

2. The quantities of total carbohydrates present in fruit and vegetable juices and nectars, fruit-only dishes, and desserts or puddings shall not exceed—
- (a) 10 g / 100 ml for vegetable juices and drinks based on them;
 - (b) 15 g / 100 ml for fruit juices and nectars and drinks based on them;

Changes to legislation: There are currently no known outstanding effects for the The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (England) Regulations 2003. (See end of Document for details)

- (c) 20 g / 100 g for fruit-only dishes;
- (d) 25 g / 100 g for desserts and puddings;
- (e) 5 g / 100 g for other non-milk-based drinks.

Fat

3.—(1) For products referred to in paragraph 1(1) if meat or cheese are the only ingredients or are mentioned first in the name of a product, the total fat in the product from all sources shall not exceed 1.4 g / 100 kJ (6g / 100 kcal).

(2) For all other products the total fat in the product from all sources shall not exceed 1.1 g / 100 kJ (4.5 g / 100 kcal).

Sodium

4.—(1) The final sodium content in the product shall be either not more than 48 mg / 100 kJ (200 mg / 100 kcal) or not more than 200 mg per 100 g. However if cheese is the only ingredient mentioned in the name of the product, the final sodium content in the product shall not be more than 70 mg / 100 kJ (300 mg / 100 kcal).

(2) Sodium salts may not be added to products based on fruit, nor to desserts or puddings except for technological purposes.

Vitamins

5.—(1) Vitamin C—

In a fruit juice, nectar, or vegetable juice the final content of vitamin C in the product shall be either not less than 6 mg / 100 kJ (25 mg / 100 kcal) or not less than 25 mg per 100 g.

(2) Vitamin A—

(i) In vegetable juices, the final content of vitamin A in the product shall be not less than 25 µg RE/100 kJ (100 µg RE/100 kcal) and, for the purposes of this paragraph, RE = all trans retinol equivalents.

(ii) Vitamin A shall not be added to other baby foods.

(3) Vitamin D—

Vitamin D shall not be added to baby foods.

SCHEDULE 4 **E+W**

Regulations 6(1) and 8(2)

NUTRITIONAL SUBSTANCES

Vitamins

1. *Vitamin A*

Retinol

Retinyl acetate

Retinyl palmitate

Beta-carotene

Changes to legislation: There are currently no known outstanding effects for the The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (England) Regulations 2003. (See end of Document for details)

Vitamin D

Vitamin D₂ (= ergocalciferol)

Vitamin D₃ (= cholecalciferol)

Vitamin B1

Thiamin hydrochloride

Thiamin mononitrate

Vitamin B2

Riboflavin

Riboflavin-5'-phosphate, sodium

Niacin

Nicotinamide

Nicotinic acid

Vitamin B6

Pyridoxine hydrochloride

Pyridoxine-5-phosphate

Pyridoxine dipalmitate

Pantothenic acid

D-pantothenate, calcium

D-pantothenate, sodium

Dexpanthenol

Folate

Folic acid

[^{F1}Calcium-L-methylfolate]

Vitamin B12

Cyanocobalamin

Hydroxocobalamin

Biotin

D-biotin

Vitamin C

L-ascorbic acid

Sodium L-ascorbate

Calcium L-ascorbate

6-palmityl-L-ascorbic acid (ascorbyl palmitate)

Potassium ascorbate

Vitamin K

Phylloquinone (phytomenadione)

Vitamin E

D-alpha tocopherol

DL-alpha tocopherol

D-alpha tocopherol acetate

DL-alpha tocopherol acetate

Textual Amendments

F1 Word in [Sch. 4 para. 1](#) inserted (10.2.2023) by [The Food Supplements and Food for Specific Groups \(Miscellaneous Amendments\) Regulations 2023 \(S.I. 2023/28\)](#), regs. 1(2), **2(2)(a)** (as amended by [S.I. 2023/131](#), regs. 1(3), 2)

Amino acids

2. L-arginine}

L-cystine}

L-histidine} and their hydrochlorides

L-iso-leucine}

L-leucine}

L-lysine}

L-cysteine}

L-methionine

L-phenylalanine

L-threonine

L-tryptophan

L-tyrosine

L-valine

Others

3. Choline

Choline chloride

Choline citrate

Choline bitartrate

Inositol

L-carnitine

L-carnitine hydrochloride

Changes to legislation: There are currently no known outstanding effects for the The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (England) Regulations 2003. (See end of Document for details)

Salts of minerals and trace elements

4. Calcium

Calcium carbonate
Calcium chloride
Calcium salts of citric acid
Calcium gluconate
Calcium glycerophosphate
Calcium lactate
Calcium oxide
Calcium hydroxide
Calcium salts of orthophosphoric acid

Magnesium

Magnesium carbonate
Magnesium chloride
Magnesium salts of citric acid
Magnesium gluconate
Magnesium oxide
Magnesium hydroxide
Magnesium salts of orthophosphoric acid
Magnesium sulphate
Magnesium lactate
Magnesium glycerophosphate

Potassium

Potassium chloride
Potassium salts of citric acid
Potassium gluconate
Potassium lactate
Potassium glycerophosphate

Iron

Ferrous citrate
Ferric ammonium citrate
Ferrous gluconate
Ferrous lactate
Ferrous sulphate
Ferrous fumarate

Ferric diphosphate (ferric pyrophosphate)

Elemental iron (carbonyl + electrolytic + hydrogen-reduced)

Ferric saccharate

Sodium ferric diphosphate

Ferrous carbonate

[^{F2}Ferrous bisglycinate]

Copper

Copper-lysine complex

Cupric carbonate

Cupric citrate

Cupric gluconate

Cupric sulphate

Zinc

Zinc acetate

[^{F3}Zinc chloride]

Zinc citrate

Zinc lactate

Zinc sulphate

Zinc oxide

Zinc gluconate

Manganese

Manganese carbonate

Manganese chloride

Manganese citrate

Manganese gluconate

Manganese sulphate

Manganese glycerophosphate

Iodine

Sodium iodide

Potassium iodide

Potassium iodate

Sodium iodate

Changes to legislation: There are currently no known outstanding effects for the The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (England) Regulations 2003. (See end of Document for details)

Textual Amendments

- F2** Words in Sch. 4 para. 4 inserted (10.2.2023) by The Food Supplements and Food for Specific Groups (Miscellaneous Amendments) Regulations 2023 (S.I. 2023/28), regs. 1(2), **2(2)(b)(i)** (as amended by S.I. 2023/131, regs. 1(3), 2)
- F3** Words in Sch. 4 para. 4 inserted (10.2.2023) by The Food Supplements and Food for Specific Groups (Miscellaneous Amendments) Regulations 2023 (S.I. 2023/28), regs. 1(2), **2(2)(b)(ii)** (as amended by S.I. 2023/131, regs. 1(3), 2)

SCHEDULE 5 **E+W**

Regulation 6(2) and (3)

MAXIMUM LIMITS FOR VITAMINS, MINERALS AND TRACE ELEMENTS,
IF ADDED, IN PROCESSED CEREAL-BASED FOODS AND BABY FOODS

PART I **E+W**

General

| <i>Column 1</i> <i>Nutrient</i> | <i>Column 2</i> <i>Maximum limit per 100 kcal(1)</i> |
|------------------------------------|---|
| Vitamin E | 3 mg α -TE |
| Riboflavin | 0.4 mg |
| Niacin | 4.5 mg NE |
| Vitamin B ₆ | 0.35 mg |
| Folic acid | 50 μ g |
| Vitamin B ₁₂ | 0.35 μ g |
| Pantothenic acid | 1.5 mg |
| Biotin | 10 μ g |
| Potassium | 160 mg (of the food as sold) |
| Magnesium | 40 mg |
| Iron | 3 mg |
| Zinc | 2 mg |
| Copper | 40 μ g |
| Iodine | 35 μ g |
| Manganese | 0.6 mg |

PART II E+W

Specified foods

| <i>Column 1</i> Food | <i>Column 2</i> Nutrient | <i>Column 3</i> Maximum limit per 100 kcal(1) |
|--|------------------------------------|---|
| 1. Vegetable juices which are baby foods | Vitamin A | 180 µg RE(2) |
| 2. Food fortified with iron | Vitamin C | 25 mg |
| 3. Fruit-based dishes, fruit juices, nectars or vegetable juices | Vitamin C | 125 mg |
| 4. Food other than that within entry number 2 or 3 above | Vitamin C | 12.5 mg |
| 5. Processed cereal-based food | Thiamin | 0.5 mg |
| 6. Baby food | Thiamin | 0.25 mg |
| 7. Food within paragraph 1 or 2 of Part I of Schedule 1 | Calcium | 180 mg (of the food as sold) |
| 8. Food within paragraph 4 of Part I of Schedule 1 | Calcium | 100 mg (of the food as sold) |
| 9. Food other than that within entry number 7 or 8 above | Calcium | 80 mg (of the food as sold) |

E+W

(1) Unless otherwise stated in column 2 of Part I or column 3 of Part II, the maximum limits specified in those columns apply to food ready for use, whether marketed as such or reconstituted as instructed by the manufacturer.

E+W

(2) RE = all trans retinol equivalents.

SCHEDULE 6 E+W

Regulation 7(1) and (3)

PESTICIDES WHOSE RESIDUES MUST NOT BE PRESENT IN PROCESSED CEREAL-BASED FOODS OR BABY FOODS AT A LEVEL EXCEEDING 0.003 mg/kg

Chemical name

Changes to legislation: There are currently no known outstanding effects for the The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (England) Regulations 2003. (See end of Document for details)

SCHEDULE 7 **E+W**

Regulation 7(2) and (3)

SPECIFIC MAXIMUM RESIDUE LEVELS OF CERTAIN PESTICIDES
IN PROCESSED CEREAL-BASED FOODS OR BABY FOODS

| <i>Column 1</i> <i>Chemical name of the substance</i> | <i>Column 2</i> <i>Maximum residue level (mg/kg)</i> |
|--|---|
| Cadusafos | 0.006 |
| Demeton-S-methyl/demeton-S-methyl sulfone/ oxydemeton-methyl (individually or combined, expressed as demeton-S-methyl) | 0.006 |
| Ethoprophos | 0.008 |
| Fipronil (sum of fipronil and fipronil- desulfanyl, expressed as fipronil) | 0.004 |
| Propineb/propylenethiourea (sum of propineb and propylenethiourea) | 0.006 |

SCHEDULE 8 **E+W**

Regulation 8(3)

REFERENCE VALUES FOR NUTRITION LABELLING FOR
FOODS INTENDED FOR INFANTS AND YOUNG CHILDREN

| <i>Column 1</i> <i>Nutrient</i> | <i>Column 2</i> <i>Labelling reference value</i> |
|------------------------------------|---|
| Vitamin A | (µg) 400 |
| Vitamin D | (µg) 10 |
| Vitamin C | (mg) 25 |
| Thiamin | (mg) 0.5 |
| Riboflavin | (mg) 0.8 |
| Niacin equivalents | (mg) 9 |
| Vitamin B ₆ | (mg) 0.7 |
| Folate | (µg) 100 |
| Vitamin B ₁₂ | (µg) 0.7 |
| Calcium | (mg) 400 |
| Iron | (mg) 6 |
| Zinc | (mg) 4 |
| Iodine | (µg) 70 |
| Selenium | (µg) 10 |
| Copper | (mg) 0.4 |

[^{F4}SCHEDULE 9 E+W

Modification of the improvement notice provisions of the Act

Textual Amendments

- F4** Sch. 9 inserted (20.7.2016) by [The Food for Specific Groups \(Information and Compositional Requirements\) \(England\) Regulations 2016 \(S.I. 2016/688\)](#), reg. 1(3), **Sch. 3 para. 3(c)** (as amended (1.3.2017) by [The Food for Specific Groups \(Information and Compositional Requirements\) \(England\) \(Amendment\) Regulations 2017 \(S.I. 2017/62\)](#), regs. 1(3), 4)

PART 1 E+W

Modification of section 10(1)

1. For section 10(1) (improvement notices) substitute—

“(1) If an authorised officer of an enforcement authority ^{F5}... has reasonable grounds for believing that a person is failing to comply with regulation 4 of the *Processed Cereal-based Foods and Baby Foods for Infants and Young Children (England) Regulations 2003*, the authorised officer may, by a notice served on that person (in this Act referred to as an “improvement notice”)—

- (a) [^{F6}state the officer's grounds for believing] that the person is failing to comply or, as the case may be, that the food does not comply with the relevant provision;
- (b) specify the matters which constitute the failure to so comply;
- (c) specify the measures which, in the officer's opinion, the person must take in order to secure compliance; and
- (d) require the person to take those measures, or such measures that are at least equivalent to them, within such period as may be specified in the notice.”

Textual Amendments

- F5** Words in [Sch. 9 Pt. 1 para. 1](#) omitted (22.2.2020) by virtue of [The Food for Specific Groups \(Food for Special Medical Purposes for Infants, Infant Formula and Follow-on Formula\) \(Information and Compositional Requirements\) \(Amendment etc.\) \(England\) Regulations 2020 \(S.I. 2020/43\)](#), reg. 1(1), **Sch. 5 para. 3(2)(a)(i)**
- F6** Words in [Sch. 9 Pt. 1 para. 1](#) substituted (22.2.2020) by [The Food for Specific Groups \(Food for Special Medical Purposes for Infants, Infant Formula and Follow-on Formula\) \(Information and Compositional Requirements\) \(Amendment etc.\) \(England\) Regulations 2020 \(S.I. 2020/43\)](#), reg. 1(1), **Sch. 5 para. 3(2)(a)(ii)**

PART 2 E+W

Modification of section 32(1)

2. For paragraphs (a) to (c) of section 32(1) (powers of entry) substitute—

“(a) to enter any premises within the authority's area for the purpose of ascertaining whether there has been any contravention of regulation 4 of the *Processed Cereal-*

Changes to legislation: There are currently no known outstanding effects for the The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (England) Regulations 2003. (See end of Document for details)

based Foods and Baby Foods for Infants and Young Children (England) Regulations 2003; and

- (b) to enter any business premises, whether within or outside the authority's area, for the purpose of ascertaining whether there is on the premises any evidence of any contravention of that regulation;”.

- 3. Section 32(9) does not apply.

PART 3 E+W

Modification of section 35 (punishment of offences)

- 4. In section 35, after subsection (1A), insert—
 - “(1B) A person guilty of an offence under section 10(2), as applied by regulation 10A(1) of the Processed Cereal-based Foods and Baby Foods for Infants and Young Children (England) Regulations 2003, is liable, on summary conviction, to a fine.”.

PART 4 E+W

Modification of section 37(1) and (6)

- 5. For section 37(1) (appeals) substitute—
 - “(1) Any person who is aggrieved by a decision of an authorised officer of an enforcement authority to serve an improvement notice under section 10(1), as applied and modified by regulation 10A(1) of, and Part 1 of Schedule 9 to, the Processed Cereal-based Foods and Baby Foods for Infants and Young Children (England) Regulations 2003, may apply to the First-tier Tribunal”.
- 6. Section 37(2) does not apply.
- 7. For section 37(3) substitute—
 - “(3) The appeals procedure under the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 applies to appeals made under subsection (1)”.
- 8. For section 37(5) substitute—
 - “(5) The notice of appeal period under rule 22 of the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 applies to appeals made under subsection (1)”.
- 9. In section 37(6)—
 - (a) for “(3) or (4)” substitute “(1)”, and
 - (b) in paragraph (a), for “magistrates' court or to the sheriff” substitute “the First-tier Tribunal”.

PART 5 E+W

Modification of section 39(1) and (3)

- 10. For section 39(1) (appeals against improvement notices) substitute—
 - “(1) On an appeal against an improvement notice served under section 10(1), as applied and modified by regulation 10A(1) of, and Part 1 of Schedule 9 to, the Processed Cereal-

Changes to legislation: There are currently no known outstanding effects for the *The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (England) Regulations 2003*. (See end of Document for details)

based Foods and Baby Foods for Infants and Young Children (England) Regulations 2003, the First-tier Tribunal may [^{F7} either cancel or affirm the notice] and, if it affirms it, may do so either in its original form or with such modifications as the First-tier Tribunal may in the circumstances think fit.”

Textual Amendments

- F7** Words in *Sch. 9 Pt. 5 para. 10* substituted (22.2.2020) by *The Food for Specific Groups (Food for Special Medical Purposes for Infants, Infant Formula and Follow-on Formula) (Information and Compositional Requirements) (Amendment etc.) (England) Regulations 2020* (S.I. 2020/43), reg. 1(1), **Sch. 5 para. 3(2)(b)**

- 11.** in section 39(3), omit “for want of prosecution”.]

Changes to legislation:

There are currently no known outstanding effects for the The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (England) Regulations 2003.