
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make, in relation to England only, amendments to the food legislation specified below which are necessitated by amendments to the European Community food legislation implemented by those Regulations made by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded (OJNo. L236, 23.9.2003, p.33) (“the Act”).

The Regulations –

- (a) in regulation 5 (labelling of quick-frozen foodstuffs) of the Quick-Frozen Foodstuffs Regulations 1990 (S.I. [1990/2615](#) as already amended) —
 - (i) add a definition of “Council Directive [89/108/EEC](#)”, and
 - (ii) thereby add to the list of languages in which (under paragraphs (2) and (3) of that regulation) it may be indicated that the food concerned is quick-frozen, the languages of certain of the States which, by virtue of the Act, become new Member States of the European Community (regulation 2);
- (b) amend sub-paragraph (2) of paragraph 1 of Schedule 10 (marking of egg products) to the Egg Products Regulations 1993 (S.I. [1993/1520](#) as already amended) by substituting revised particulars for the particulars which (under paragraphs (a) (ii) and (b) (iii) of that sub-paragraph) are required, for each consignment of egg products leaving an establishment, to be specified in a label relating to the consignment concerned (regulation 3);
- (c) in paragraph (1) of regulation 2 (interpretation) of the Food Labelling Regulations 1996 (S.I. [1996/1499](#) as already amended) —
 - (i) update the definition of “Directive 2000/13” by including in the list of legislation which amends Directive [2000/13/EC](#) (OJ No. L109, 6.5.2000, p.29) reference to the Act, and
 - (ii) thereby extend the coverage of the exports defence in regulation 47 of those Regulations by making it apply where the offence charged relates to the labelling requirement in the Regulations concerning the “use by” date or to the labelling requirement concerning irradiated food, the destination State is an EEA State and its legislation complies with the corresponding requirement laid down in Directive [2000/13/EC](#) (as amended by the Act so as to provide that the labelling concerned may be in the language of one of certain of the new member States) (regulation 4);
- (d) amend sub-paragraph (1) of paragraph 2 of Schedule 3 (production and placing on the market conditions for fishery products (based on the corresponding provisions of the Annex to the Fishery Products Directive)) to the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998 (S.I. [1998/994](#) as already amended) by substituting revised particulars for the particulars which (under the first and third indents of that sub-paragraph) are required, for each consignment of fishery products despatched from an establishment, to be specified in a label relating to the consignment concerned or in the accompanying documents (regulation 5);

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (e) in regulation 2 (interpretation) of the Medical Food (England) Regulations 2000 (S.I. [2000/845](#)) update the definition of “the Directive” by including in the list of legislation which amends Commission Directive [1999/21/EC](#) on dietary foods for special medical purposes (OJ No. L91, 7.4.1999, p.29) reference to the Act (regulation 6); and
- (f) in paragraph (b) of regulation 8 (defence in relation to exports) of the Condensed Milk and Dried Milk (England) Regulations 2003 (S.I. [2003/1596](#)) —
 - (i) update the reference to Council Directive 2001/114 EC relating to certain partly or wholly dehydrated preserved milk for human consumption (OJ No. L15, 17.1.2002, p.19) by adding reference to the amendment of that Directive by the Act, and
 - (ii) thereby extend the coverage of the exports defence in regulation 8 of those Regulations by making it apply where the offence charged relates to one of the labelling requirements in regulations 4 and 5 of those Regulations concerning the use of reserved descriptions, the destination State is an EEA State and its legislation complies with the corresponding requirement laid down in Directive [2001/14/EC](#) (as amended by the Act so as to provide that the labelling concerned may be in the language of one of certain of the new member States) (regulation 7).

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.