

2008 No. 517

FOOD, ENGLAND

COMPOSITION AND LABELLING

The Meat Products (England) (Amendment) Regulations 2008

<i>Made</i> - - - -	<i>26th February 2008</i>
<i>Laid before Parliament</i>	<i>5th March 2008</i>
<i>Coming into force</i> - -	<i>6th April 2008</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred on him by sections 16(1)(e) and 48(1) of the Food Safety Act 1990(a) and now vested in him(b).

In accordance with section 48(4A) of that Act, he has had regard to relevant advice given by the Food Standards Agency.

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(c) there has been open and transparent public consultation during the preparation and evaluation of these Regulations.

Title and commencement

1. These Regulations may be cited as the Meat Products (England) (Amendment) Regulations 2008 and come into force on 6th April 2008.

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- (a) 1990 c. 16. Section 1(1) and (2) (definition of “food”) was substituted by S.I. 2004/2990. Section 48 was amended by paragraph 21 of Schedule 5 to the Food Standards Act 1999 (1999 c.28), “the 1999 Act”. Section 48 was also amended by S.I. 2004/2990. Section 53(2) was amended by paragraph 19 of Schedule 16 to the Deregulation and Contracting Out Act 1994 (1994 c.40), Schedule 6 to the 1999 Act and S.I. 2004/2990.
- (b) Functions formerly exercisable by “the Ministers” (being, in relation to England and Wales and acting jointly, the Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with health in England and food and health in Wales and, in relation to Scotland, the Secretary of State) are now exercisable in relation to England by the Secretary of State pursuant to paragraph 8 of Schedule 5 to the 1999 Act. Functions of “the Ministers” so far as exercisable in relation to Wales were transferred to the National Assembly for Wales by S.I. 1999/672 as read with section 40(3) of the 1999 Act and thereafter transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (2006 c.32). Those functions, so far as exercisable in relation to Scotland, were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (1998 c. 46) as read with section 40(2) of the 1999 Act.
- (c) OJ No. L31, 1.2.2002, p.1, as last amended by Commission Regulation (EC) No. 575/2006 amending Regulation (EC) No. 178/2002 of the European Parliament and of the Council as regards the number and names of the permanent Scientific Panels of the European Food Safety Authority (OJ No. L100, 8.4.2006, p.3).

Amendment of the Meat Products (England) Regulations 2003

2. The Meat Products (England) Regulations 2003^(a) are amended as provided in regulations 3 and 4.

3. For paragraph (2)(b) of regulation 5 (name of the food for certain meat products) there is substituted the following provision —

“(b) any added ingredient to which sub-paragraph (a) does not apply, other than starch, protein or an ingredient specified in Schedule 3.”

4. In Schedule 3 (added ingredients which are not required to be indicated in the name of the food in the case of a meat product to which regulation 5 applies), items 6 and 7 and the note relating to those items are deleted.

Signed by authority of the Secretary of State for Health

26th February 2008

Dawn Primarolo
Minister of State,
Department of Health

(a) S.I. 2003/2075, amended by S.I. 2005/2626.

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations amend the Meat Products (England) Regulations 2003 (S.I. 2003/2075, as already amended).

2. In implementation of Council Directive 77/99/EEC on health problems affecting the production and marketing of meat products and certain other products of animal origin (the text of which was replaced by the text annexed to Council Directive 92/5/EEC, OJ No. L57, 2.3.92, p.1), a provision was included in the Meat Products (England) Regulations 2003 to the effect that where meat products of a specified appearance are sold, for the purposes of the Food Labelling Regulations 1996 (S.I. 1996/1449, as amended) the name used as the name of the food in the labelling of the products must include an indication of any starch or protein added other than for a technological purpose only. Following the repeal of Council Directive 77/99/EEC, these Regulations remove that requirement (*regulations 3 and 4*).

3. A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Labelling Standards and Allergy Division of the Food Standards Agency at Aviation House, 125 Kingsway, London WC2B 6NH and is annexed to the Explanatory Memorandum that is available alongside the instrument on the OPSI website.

STATUTORY INSTRUMENTS

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