
STATUTORY INSTRUMENTS

2013 No. 2196

The Contaminants in Food (England) Regulations 2013

PART 1

Introductory

Title, application and commencement

1. These Regulations may be cited as the Contaminants in Food (England) Regulations 2013, apply in relation to England only and come into force on 31st October 2013.

Interpretation

2.—(1) In these Regulations —

“the Act” means the Food Safety Act 1990;

“Directive 76/621” means Council [Directive 76/621/EEC](#) relating to the fixing of the maximum level of erucic acid in oils and fats intended as such for human consumption and in foodstuffs containing added oils or fats(1);

“Directive 80/891” means Commission [Directive 80/891/EEC](#) relating to the Community method of analysis for determining the erucic acid content in oils and fats intended to be used as such for human consumption and in foodstuffs containing added oils or fats(2);

“Regulation 1881/2006” means [Commission Regulation \(EC\) No. 1881/2006](#) setting maximum levels for certain contaminants in foodstuffs(3);

“Regulation 629/2008” means [Commission Regulation \(EC\) No. 629/2008](#) amending [Regulation \(EC\) No 1881/2006](#) setting maximum levels for certain contaminants in foodstuffs(4);

“Regulation 124/2009” means [Commission Regulation \(EC\) No. 124/2009](#) setting maximum levels for the presence of coccidiostats or histomonostats in food resulting from the unavoidable carry-over of these substances in non-target feed(5);

“Regulation 165/2010” means [Commission Regulation \(EU\) No. 165/2010](#) amending [Regulation \(EC\) No. 1881/2006](#) setting maximum levels for certain contaminants in foodstuffs as regards aflatoxins(6);

(1) OJ No. L202, 28.7.1976, p.35. This Directive was last amended by Council Regulation [\(EC\) No. 807/2003](#) (OJ No. L122, 16.5.2003, p.36).

(2) OJ No. L254, , 27.9.1980, p.35.

(3) OJ No. L364, 20.12.2006, p.5. This Regulation has been amended by Commission Regulations (EC) No’s 1126/2007 (OJ No. L255, 29.9.2007, p.14), 565/2008 (OJ No. L160, 19.6.2008, p.20), 629/2008 (OJ No. L173, 3.7.2008, p.6), and by Commission Regulations (EU) No’s 105/2010 (OJ No.L35, 6.2.2010, p.7), 165/2010 (OJ No. L50, 27.2.2010, p.8), 420/2011 (OJ No. L111, 30.4.2011, p.3), 835/2011 (OJ No. L215, 20.8.2011, p.4), 1258/2011 (OJ No. L320, 3.12.2011, p.15), 1259/2011 (OJ No. L320, 3.12.2011, p.18), 594/2012 (OJ No. L176, 6.7.2012, p.43) and 1058/2012 (OJ No. L313, 13.11.2012, p.14).

(4) OJ No. L173, 3.7.2008, p.6.

(5) OJ No. L40, 11.2.2009, p.7. This Regulation has been amended by Commission Regulation (EU) No. 610/2012 (OJ No. L178, 10.7.2012, p.1).

(6) OJ No. L50, 27.2.2010, p.8.

“authorised officer” means any person who is authorised in writing, either generally or specially, by a food authority to act in matters arising under these Regulations;

“food authority” has the meaning given by section 5 of the Act except that it does not include the appropriate Treasurer of the Inner Temple and the Middle Temple.

(2) Any other expression used in these Regulations and in Directive 76/621, Directive 80/891, Regulation 1881/2006 or Regulation 124/2009 has the same meaning in these Regulations as it bears in the Directive or Regulation concerned.

(3) Any reference to an Article of or Annex to Directive 76/621, Directive 80/891, Regulation 1881/2006 or Regulation 124/2009 is a reference to that Article or Annex as it may be amended from time to time, and any reference to any of those Directives or Regulations is to be construed accordingly.

(4) Where any functions under the Act are assigned —

- (a) by an order under section 2 or 7 of the Public Health (Control of Disease) Act 1984⁽⁷⁾, to a port health authority;
- (b) by an order under section 6 of the Public Health Act 1936⁽⁸⁾, to a joint board for a united district; or
- (c) by an order under paragraph 15(6) of Schedule 8 to the Local Government Act 1985⁽⁹⁾, to a single authority for a metropolitan county,

any reference in these Regulations to a food authority is to be construed, so far as relating to those functions, as a reference to the authority to which they are so assigned.

(7) 1984 c.22; section 7(3)(d) was substituted by paragraph 27 of Schedule 3 to the Food Safety Act 1990.

(8) 1936 c.49; section 6 is to be read with paragraph 1 of Schedule 3 to the Food Safety Act 1990.

(9) 1985 c.51; paragraph 15(6) was amended by paragraph 31(b) of Schedule 3 to the Food Safety Act 1990.