
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement, in relation to England, Directive (EU) 2015/2203 of the European Parliament and of the Council on the approximation of the laws of the member States relating to caseins and caseinates intended for human consumption and repealing Council Directive [83/417/EEC](#) (OJ L 314, 1.12.2015, p.1). That Directive is referred to in this note as the “2015 Caseins Directive”.

Regulation 2 defines terms used in the Regulations, in particular “edible acid casein”, “edible caseinate”, and “edible rennet casein” and in doing so introduces Schedules 1 to 3 which set out the applicable technical standards for those products.

Regulation 3 imposes requirements in respect of the marketing of products as an edible acid casein, edible caseinate and edible rennet casein, including requiring a product marketed as such a casein or caseinate to be labelled in accordance with regulation 4. In doing so it implements Article 3(a) and Article 4 of the 2015 Caseins Directive.

Regulation 5 prohibits the use of a casein or caseinate which does not comply with the contaminants and impurities standards (as set out in Schedule 4) in the preparation of food and requires that such a casein or caseinate, if lawfully marketed for purposes other than the preparation of food, is marketed in a way that is not misleading as to the product's nature, quality or intended use. In doing so, regulation 5 implements Article 3(b) of the 2015 Caseins Directive. Regulations 6 and 7, and Schedule 5 (introduced by regulation 7), make provision about the enforcement of these Regulations.

Regulation 8 revokes the Regulations which implemented the predecessor of the 2015 Caseins Directive. That Directive (Council Directive [83/417/EEC](#) of 25 July 1983 on the approximation of the laws of the member States relating to certain lactoproteins (caseins and caseinates) intended for human consumption – OJ L 237, 26.08.1983 p. 25) is repealed by Article 8 of the 2015 Caseins Directive.

The 2015 Caseins Directive was implemented for Scotland by the Caseins and Caseinates (Scotland) (No. 2) Regulations 2016 (S.S.I 2016/422), for Wales by the Caseins and Caseinates (Wales) Regulations 2016 (S.I. 2016/1130 W. 270) and for Northern Ireland by the Caseins and Caseinates Regulations (Northern Ireland) 2016 (S.R. (NI) 2016 No 415).

The Explanatory Memorandum for the Regulations is published alongside the Regulations on www.legislation.gov.uk or may be obtained by writing to the Department for the Environment, Food and Rural Affairs at Nobel House, 17 Smith Square, Westminster, London SW1P 3JR. This Explanatory Note contains the information that would otherwise be included in a Transposition Note. An Impact Assessment has not been prepared for this instrument. This is because no significant impact on business, charities or voluntary bodies is foreseen.

Changes to legislation:

There are currently no known outstanding effects for the The Caseins and Caseinates (England) Regulations 2017.