

S.I. No. 248/1985 - European Communities (Caseins and Caseinates) Regulations, 1985.

I, AUSTIN DEASY, Minister for Agriculture, in exercise of the powers conferred on me by section 3 of the European Communities Act, 1972 (No. 27 of 1972), and for the purpose of giving effect to Council Directive No. 83/417/EEC¹ of 25 July, 1983, hereby make the following Regulations:

¹ O.J.No.L237 of 26.8.1983, pp.25 to 31.

1. These Regulations may be cited as the European Communities (Caseins and Caseinates) Regulations, and shall come into operation on the 2nd day of August, 1985.

2. (1) In these Regulations—

"authorised officer" means an officer at the Minister authorised in writing by the Minister for the purposes of these Regulations;

"the Directive" means Council Directive No. 83/417/EEC of 25 July, 1983;

"the Minister" means the Minister for Agriculture.

(2) A word or expression that is used in these Regulations and is also used in the Directive has, unless the contrary intention appears, the meaning in these Regulations that it has in the Directive.

3. These Regulations apply to the following products, namely, edible caseins and edible caseinates (and mixtures thereof) as defined in the Annexes to the Directive and intended for human consumption, but not to such products intended for export to third countries.

4. Products to which these Regulations apply may be marketed only if they conform to the definitions and rules laid down in the Directive and the Annexes thereto.

5. Caseins and caseinates which do not satisfy the criteria laid down in the Annexes to the Directive shall be named and labelled in such a way that the buyer is not misled as to their nature, quality or use.

6. The descriptions "edible acid casein", "edible rennet casein" and "edible caseinates" shall be reserved for the products so defined in the Annexes to the Directive and shall be used commercially to designate those products.

7. (1) Notwithstanding the European Communities (Labelling, Presentation and Advertising of Foodstuffs) Regulations, 1982 (S.I. No. 205 of 1982), and without prejudice to the provisions to be adopted by the Community concerning the labeling of foodstuffs not intended for the ultimate consumer, products to which these Regulations apply shall have the particulars specified in subparagraphs (a) to (f) of this paragraph marked in clearly visible, easily legible and indelible characters on the packages, containers or labels of the products:—

(a) the descriptions reserved for the products under Regulation 6 of these Regulations and with, in the case of caseinates, an indication of the cation or cations;

(b) in the case of products marketed as mixtures,

— the words "mixture of "followed by the descriptions of the different products which make up the mixture, in decreasing order of weight,

— an indication of the cation or cations content in the case of caseinate or caseinates,

—the protein content in the case of mixtures containing caseinates;

(c) the net quantity expressed in—

(i) kilograms or grams, or

(ii) in imperial units of measurement until the date fixed by the State in accordance with Article 1(c) of Council Directive 80/181/EEC² on the approximation of the

² O.J. No. L39 of 15 February, 1980, p.40.

laws of the Member States relating to units of measurement and on the repeal of Directive 71/354/EEC³, calculated on the basis of the following conversion rates—

³ O.J. No. L243 to 29 October, 1971, p.29.

—1 ml = 0.0352 fluid ounces,

—1 l = 1.760 pints or 0.220 gallons,

—1 g = 0.0353 ounces (avoirdupois),

—1 kg = 2.205 pounds;

(*d*) the name or business name and the address of the manufacturer or packager or of a seller established within the Community;

(*e*) in the case of products imported from third countries, the name of the country of origin;

(*f*) the date of manufacture or the batch number.

(2) The requirements of paragraphs 7(1)(*b*) to 7(1)(*e*) of this Regulation (other than the first and second indents of paragraph 7(1)(*b*)) shall be deemed to be complied with if the particulars specified therein are set out in a document accompanying the product.

(3) The requirements of paragraphs 7(1)(*b*) to 7(1)(*f*) of this Regulations (other than the first indent of paragraph 7(1)(*b*)) shall be deemed to be complied with if the particulars specified therein are set out in a document accompanying the product transport in bulk.

8. The marketing in the State of products to which these Regulations apply is hereby prohibited unless—