STATUTORY RULES OF NORTHERN IRELAND

# 2015 No. 261

# FOOD

## The Honey Regulations (Northern Ireland) 2015

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| *Made - - - -* | *29th May 2015* |
| *Coming into operation* | *24th June 2015* |

The Department of Health, Social Services and Public Safety [F1] makes the following Regulations in exercise of the powers conferred by Articles 15 (1)(a) and (e), 16(1), 25(1) and (3), 26(3) and 47(2) of the Food Safety (Northern Ireland) Order 1991 [F2].

The Department of Health, Social Services and Public Safety has had regard to relevant advice given by the Food Standards Agency in accordance with Article 47(3) of the Food Safety (Northern Ireland) Order 1991.

There has been consultation, 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 [F3], during the preparation and evaluation of the following Regulations.

**F1** Formerly the Department of Health and Social Services; see S.I. 1999/283 (N.I.1) Article 3(6)

**F2** S.I. 1991/762 (N.I.7) as amended by S.I. 1996/1663 (N.I.12), **paragraphs 26 to 42** of Schedule 5 and Schedule 6 to the Food Standards Act 1999 c.23 and S.R. Nos. 482 and 505

**F3** OJ No L 31, 1.2.2002, p 1, last amended by Regulation (EU) No 652/2014 of the European Parliament and of the Council (OJ No L189, 27.6.2014, p 1)

## PART 1

### Introduction

#### Citation and commencement

**1.** These Regulations may be cited as the Honey Regulations (Northern Ireland) 2015 and come into operation on 24th June 2015.

#### Definition of "honey" and different types of honey

**2.**—(1) In these Regulations "honey" means the natural sweet substance produced by *Apis mellifera* bees from the nectar of plants or from secretions of living parts of plants or excretions of

plant-sucking insects on the living parts of plants which the bees collect, transform by combining with specific substances of their own, deposit, dehydrate, store and leave in honeycombs to ripen and mature.

(2) In these Regulations—

"baker's honey" means honey that is suitable for industrial use or as an ingredient in another foodstuff which is then processed;

"blossom honey" and "nectar honey" mean honeys obtained from the nectar of plants;

"chunk honey" and "cut comb in honey" mean honeys which contain one or more pieces of comb honey;

"comb honey" means honey stored by bees in the cells of freshly built broodless combs or thin comb foundation sheets made solely of beeswax and sold in sealed whole combs or sections of such combs;

"drained honey" means honey obtained by draining de-capped broodless combs;

"extracted honey" means honey obtained by centrifuging de-capped broodless combs;

"filtered honey" means honey obtained by removing foreign inorganic or organic matters in such a way to result in the significant removal of pollen;

"honeydew honey" means honey obtained mainly from excretions of plant sucking insects (*Hemiptera*) on the living part of plants or secretions of living parts of plants;

"pressed honey" means honey obtained by pressing broodless combs with or without the application of moderate heat not exceeding 45° Celsius.

**General interpretation**

**3.**—(1) In these Regulations—

"bulk containers" has the same meaning as in Article 3 of the Honey Directive;

"FIC" means Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004**[**[F4]as last amended by Regulation (EU) 2015/2283 of the European Parliament and of the Council**]**[F5];

"the Honey Directive" means Council Directive 2001/110/EC relating to honey **[**[F6]as last amended by Directive 2014/63/EU of the European Parliament and of the Council**]**[F7];

"ingredient" has the meaning given in Article 2(2)(f) of FIC, as read with Article 2(5) of the Honey Directive;

"in trade" has the same meaning as in the Honey Directive;

"label" has the meaning given in Article 2(2)(i) of FIC;

"the Order" means the Food Safety (Northern Ireland) Order 1991;

"packs" has the same meaning as in Article 3 of the Honey Directive;

"trade documents" has the same meaning as in Article 3 of the Honey Directive;

"specific quality criteria" has the same meaning as in the third indented paragraph of paragraph (b) of the second sub-paragraph of point 2 of Article 2 of the Honey Directive.

(2) Any other expression used in both these Regulations and in the Honey Directive has the same meaning in these Regulations as in that Directive.

**F4** Words in reg. 3 inserted (11.2.2019) by The Food (Miscellaneous Amendments and Revocations) Regulations (Northern Ireland) 2019 (S.R. 2019/5), regs. 1(1), **31(2)(a)**

**F5** OJ No L 304, 22.11.2011, p 18, last amended by Commission Delegated Regulation (EU) No 78/2014 (OJ No L 27, 30.1.2014, p 7)

**F6** Words in reg. 3 inserted (11.2.2019) by The Food (Miscellaneous Amendments and Revocations) Regulations (Northern Ireland) 2019 (S.R. 2019/5), regs. 1(1), **31(2)(b)**

**F7** OJ No L 10, 12.1.2002, p 47, last amended by Directive 2014/63/EU of the European Parliament and of the Council (OJ No 164, 3.6.2014, p 1)

### Limited scope of specified provisions

**4.**—(1) The following provisions only apply in relation to a product intended for supply to a final consumer or mass caterer—

(a) Part 2, except for regulations 14(4) and 15(4) and (5);

(b) regulation 16(1) and (2);

(c) Part 4.

(2) Regulation 16(3) and (4) only apply where the products intended for human consumption specified in those paragraphs (the products to which honey is added as an ingredient) are intended for supply to a final consumer or mass caterer.

(3) In this regulation—

"final consumer" has the meaning given in point 18 of Article 3 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;

"mass caterer" has the meaning given in Article 2(2)(d) of FIC.

### Application of requirements relating to product names

**5.** Where two or more provisions of these Regulations apply in determining the name to be used in respect of a particular honey, a person trading in that honey must use a name or combination name which complies with the requirements of each of those provisions.

## PART 2

Product names and descriptions

### Honey

**6.**—(1) A person trading in a honey, except a honey to which paragraph (2) applies, must use the name "honey" in trade as the name of the product.

(2) This paragraph applies to—

(a) baker's honey;

(b) comb honey;

(c) drained honey;

(d) extracted honey;

(e) filtered honey;

(f) honeydew honey;

(g) honey that contains one or more pieces of comb honey (chunk honey and cut comb in honey);

(h) honey that is obtained from the nectar of plants (blossom honey and nectar honey); and

(i) pressed honey.

(3) A person must not use the name "honey" in trade as the name of a product if the product is not honey.

**Blossom honey and nectar honey**

**7.**—(1) A person trading in honey obtained from the nectar of plants must use the name "honey", "blossom honey" or "nectar honey" in trade as the name of the product.

(2) A person must not use the name "blossom honey" or "nectar honey" in trade as the name of a product if the product is not honey obtained from the nectar of plants.

**Honeydew honey**

**8.**—(1) A person trading in a honeydew honey must use the name "honey" or "honeydew honey" in trade as the name of the product.

(2) A person must not use the name "honeydew honey" in trade as the name of a product if the product is not honeydew honey.

**Comb honey**

**9.**—(1) A person trading in a comb honey must use the name "comb honey" in trade as the name of the product.

(2) A person must not use the name "comb honey" in trade as the name of a product if the product is not comb honey.

**Chunk honey and cut comb in honey**

**10.**—(1) A person trading in a honey that contains one or more pieces of comb honey must use the name "chunk honey" or "cut comb in honey" in trade as the name of the product.

(2) A person must not use the name "chunk honey" or "cut comb in honey" in trade as the name of a product if the product does not contain one or more pieces of comb honey.

**Drained honey**

**11.**—(1) A person trading in drained honey must use the name "honey" or "drained honey" in trade as the name of the product.

(2) A person must not use the name "drained honey" in trade as the name of a product if the product is not drained honey.

**Extracted honey**

**12.**—(1) A person trading in extracted honey must use the name "honey" or "extracted honey" in trade as the name of the product.

(2) A person must not use the name "extracted honey" in trade as the name of a product if the product is not extracted honey.

**Pressed honey**

**13.**—(1) A person trading in pressed honey must use the name "honey" or "pressed honey" in trade as the name of the product.

(2) A person must not use the name "pressed honey" in trade as the name of a product if the product is not pressed honey.

**Filtered honey**

**14.**—(1) A person trading in filtered honey must use the name "filtered honey" in trade as the name of the product.

(2) A person must not use the name "filtered honey" in trade as the name of a product if the product is not filtered honey.

(3) A person trading in filtered honey must not provide information relating to the floral, vegetable, regional, territorial or topographical origin of the product or specific quality criteria for the product.

(4) A person must not trade in filtered honey in bulk containers or packs unless the product name "filtered honey" is clearly indicated—

(a) on those containers and packs; and

(b) on the trade documents relating to the product.

**Baker's honey**

**15.**—(1) A person trading in baker's honey must use the name "baker's honey", in trade, as the name of the product.

(2) A person must not use the name "baker's honey" in trade as the name of a product if the product is not baker's honey.

(3) A person trading in baker's honey must not provide information relating to the floral, vegetable, regional, territorial or topographical origin of the product or specific quality criteria for the product.

(4) A person must not trade in baker's honey unless the words "intended for cooking only" appear on the label of the product in close proximity to the product name.

(5) A person must not trade in baker's honey in bulk containers or packs unless the product name "baker's honey" is clearly indicated—

(a) on those containers and packs; and

(b) on the trade documents relating to the product.

(6) Where baker's honey is used as an ingredient in a compound foodstuff, the product name "honey" may be used, in trade, in the product name of the compound foodstuff instead of "baker's honey".

(7) Where baker's honey is used as an ingredient in a compound foodstuff and the name "honey" is used in the product name of the compound foodstuff, a person must not trade in that foodstuff unless the list of ingredients for that foodstuff identifies that honey ingredient using the name "baker's honey".