STATUTORY RULES OF NORTHERN IRELAND

2005 No. 19

FOOD

The Miscellaneous Food Additives (Amendment) Regulations (Northern Ireland) 2005

Made - - - -	*14th January 2005*
Coming into operation	*17th February 2005*

The Department of Health, Social Services and Public Safety(**1**) in exercise of the powers conferred on it by Articles 15(1)(a), 16(1), 25(1) and (3), 26(3) and 47(2) of, and paragraph 1 of Schedule 1 to the Food Safety (Northern Ireland) Order 1991(**2**), and of all other powers enabling it in that behalf, having had regard in accordance with Article 47(3A) of the said Order to relevant advice given by the Food Standards Agency, and after consultation both 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(**3**) and in accordance with Article 47(3) and (3B) of the said Order, hereby makes the following Regulations:

Citation and Commencement

1. These Regulations may be cited as The Miscellaneous Food Additives (Amendment) Regulations (Northern Ireland) 2005 and shall come into operation on 17th February 2005.

Amendment of the Miscellaneous Food Additives Regulations (Northern Ireland) 1996

2. The Miscellaneous Food Additives Regulations (Northern Ireland) 1996(**4**) shall be amended in accordance with regulation 3.

3. In regulation 11, for paragraph (1E)(**5**) there shall be substituted –

> "(1E) In any proceedings for an offence in contravention of regulation 3(1), where it is alleged that a food additive failed to satisfy the purity criteria for that additive, it shall be a defence for the accused to show either –

(**1**) Formerly the Department of Health and Social Services: *see*S.I. 1999/283 (N.I.1) Article 3(6)
(**2**) S.I. 1991/762 (N.I.7) as amended by S.I.1996/1633 (N.I.12) and paragraphs 26 to 42 of Schedule 5 and Schedule 6 to the Food Standards Act 1999 c. 28
(**3**) O.J. No. L31, 1.2.2002, p. 1
(**4**) S.R. 1996 No. 50, amended by S.R. 1997 No. 340, S.R. 1999 No. 244, S.R. 2001 No. 46, S.R. 2001 No. 419, S.R. 2003 No. 158, S.R. 2003 No. 535 and S.R 2004 No. 439
(**5**) As added by S.R. 2004 No. 439 regulation 4