STATUTORY RULES OF NORTHERN IRELAND

1999 No. 142

FOOD

Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Amendment) Regulations (Northern Ireland) 1999

Made - - - -	*22nd March 1999*
Coming into operation	*4th May 1999*

The Department of Health and Social Services in exercise of the powers conferred on it by Articles 15(1), 16(1), 25(1)(a) and (3), 26(3) and 47(2) of the Food Safety (Northern Ireland) Order 1991(**1**) and of all other powers enabling it in that behalf, and after consultation in accordance with Article 47(3) of the said Order with such organisations as appear to it to be representative of interests likely to be substantially affected by the Regulations, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Amendment) Regulations (Northern Ireland) 1999 and shall come into operation on 4th May 1999.

(2) In these Regulations "the principal Regulations" means the Processed Cereal-based Foods and Baby Foods for Infants and Young Children Regulations (Northern Ireland) 1997(**2**).

Amendment of the principal Regulations

2. The principal Regulations shall be amended as follows—

(a) in paragraph (2) of regulation 1 (citation, commencement and interpretation) after the definition of "baby foods" there shall be inserted—

> ""the Directive" means Commission Directive 96/5/EC(**3**) on processed cereal-based food and baby foods for infants and young children as amended by Commission Directive 98/36/EC(**4**);";

(b) for paragraph (3) of regulation 1 there shall be substituted—

(**1**) S.I.1991/762 (N.I. 7) as amended by S.I. 1996/1633 (N.I. 12). See Article 2(2) for the definitions of "the Department concerned" and "regulations".
(**2**) S.R. 1997 No. 432
(**3**) O.J. No. L49, 28.2.96, p. 17
(**4**) O.J. No. L167, 12.6.98, p. 23

"(3) Other expressions used in these Regulations and in the Directive have the same meaning as they have in the Directive.";

(c) after paragraph (3) of regulation 1 there shall be inserted—

"(4) Any requirement in these regulations, in so far as it relates to compliance with Schedule 2, shall be treated, in the period starting with 4th May 1999 and ending with 31st December 1999, as capable of being satisfied to that extent by compliance with that Schedule either in its entirety or without paragraphs 1.3a, 1.4a and 1.4b.";

(d) in paragraph (b) of regulation 3 (conditions for the sale of processed cereal-based foods and baby foods), after "regulation 5" there shall be added "and, if the sale takes place after 31st December 1999, regulation 5A";

(e) in regulation 5 (manufacture and composition of processed cereal-based foods and baby foods), for paragraph (c) there shall be substituted—

"(c) which—

(i) contains any added nutritional substance other than a nutritional substance specified in Schedule 4; or

(ii) if manufactured with a view to sale after 31st December 1999, contains any added nutrient in column 1 of Part I of Schedule 6 in an amount exceeding the maximum limit specified opposite that substance in column 2 of that Part; or";

(f) after regulation 5 there shall be inserted—

"**Maximum limits for added nutrients for specified foods**

5A. No person shall, with a view to sale after 31st December 1999, manufacture any processed cereal-based food or baby food specified in column 1 of Part II of Schedule 6 which contains any added nutrient specified opposite that food in column 2 of that Part in an amount exceeding the maximum limit specified opposite that food in column 3 of that Part.";

(g) in regulation 6 (penalties), for "regulation 3, 4 or 5" there shall be substituted "regulation 3, 4, 5 or 5A";

(h) for paragraph (1)(b) of regulation 8 (defence in relation to exports) there shall be substituted—

"(b) that the legislation complies with the provisions of the Directive in the case of export to an EEA State";

(i) in Schedule 2 (essential composition of baby foods for infants and young children)—

(i) after paragraph 1.3 there shall be inserted—

"**1.3a.** If cheese is mentioned together with other ingredients in the name of a savoury product, whether or not the product is presented as a meal, then:

— the protein from the dairy sources shall not be less than 0£5g/100kJ (2.2g/100 kcal),

— the total protein in the product from all sources shall not be less than 0£7g/100kJ (3g/100kcal).''; and

(ii) after paragraph 1.4 there shall be inserted—

"**1.4a.** Sauces presented as an accompaniment to a meal are exempt from the requirement of paragraphs 1.1 to 1.4.

1.4b. Sweet dishes that mention dairy products as the first or only ingredient in the name shall contain not less than 2.2g dairy protein/100 kcal. All other sweet dishes are exempt from the requirements in paragraphs 1.1 to 1.4.”; and

(j) after Schedule 5 (reference value for nutrition labelling for foods intended for infants and young children) there shall be inserted the contents of the Schedule.

Sealed with the Official Seal of the Department of Health and Social Services on

22nd March 1999.

John O'Neill
Assistant Secretary