1994 No. 270

FOOD

The Flavourings in Food (Amendment) Regulations (Northern Ireland) 1994

Made	*14th July 1994*
Coming into operation . .	*22nd August 1994*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by Articles 15(1)(*a*) and (*e*), 25(1) and (3) and 47(2) of the Food Safety (Northern Ireland) Order 1991(**a**) and being a designated Department(**b**) for the purposes of section 2(2) of the European Communities Act 1972(**c**) in relation to the presentation and packaging of food intended for human consumption, in exercise (so far as is required for the amendment of Regulations made under the said section 2(2)) of the powers conferred on it by the said section 2(2), 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 these Regulations (in so far as the Regulations are made in exercise of powers conferred by the said Order) hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Flavourings in Food (Amendment) Regulations (Northern Ireland) 1994 and shall come into operation on 22nd August 1994.

(2) The Interpretation Act (Northern Ireland) 1954(**d**) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment of the Flavourings in Food Regulations (Northern Ireland) 1992

2.—(1) The Flavourings in Food Regulations (Northern Ireland) 1992(**e**) shall be amended in accordance with paragraphs (2) and (3).

(2) In paragraphs (1) and (2) of regulation 4 (use of the word "natural" and similar expressions), for the words "a business sale", in both cases where they occur, there shall be substituted—

"either a business sale or a consumer sale".

(**a**) 1991 No. 762 (N.I. 7). *See* Article 2(2) for the definitions of "regulations" and "the Department concerned"
(**b**) S.I. 1981/833
(**c**) 1972 c. 68
(**d**) 1954 c. 33 (N.I.)
(**e**) S.R. 1992 No. 416

(3) After paragraph (3) of regulation 4, there shall be inserted—

"(4) No person shall make a consumer sale of any relevant flavouring in contravention of the requirements of this regulation.".

Amendment of the Food Labelling Regulations (Northern Ireland) 1984

3.—(1) The Food Labelling Regulations (Northern Ireland) 1984(**a**) shall be amended in accordance with paragraphs (2) to (4).

(2) In paragraph (1) of regulation 2 (interpretation), after the definition of "edible rice" there shall be inserted—

" "flavouring" has the meaning assigned to "relevant flavouring" in the Flavourings in Food Regulations (Northern Ireland) 1992;

"flavouring preparation" has the meaning assigned to it by the Flavourings in Food Regulations (Northern Ireland) 1992;

"flavouring substance" has the meaning assigned to it by the Flavourings in Food Regulations (Northern Ireland) 1992.".

(3) After paragraph (4) of regulation 15 (names of ingredients), there shall be inserted—

"(4A) Where an ingredient is added to or used in a food as a flavouring it shall be identified by either—

(*a*) the word "flavouring" or, where more than one such ingredient is used, "flavourings", or

(*b*) a more specific name or description of the flavouring (or flavourings).

(4B) The word "natural", or any other word having substantially the same meaning may be used for an ingredient being a flavouring only where the flavouring component of such an ingredient consists exclusively of—

(*a*) a flavouring substance which is obtained, by physical, enzymatic or microbiological processes, from material of vegetable or animal origin which material is either raw or has been subjected to a process normally used in preparing food for human consumption and to no process other than one normally so used,

(*b*) a flavouring preparation, or

(*c*) both (*a*) and (*b*).

(4C) If the name of an ingredient being a flavouring refers to the vegetable or animal nature or origin of the substance which it incorporates, the word "natural", or any other word having substantially the same meaning, may not be used for that ingredient unless the flavouring component of that ingredient has been isolated by physical, enzymatic or microbiological processes or by a process normally used in preparing food for human consumption, wholly or mainly from that vegetable or animal source.

(**a**) S.R. 1984 No. 407; the relevant amending Regulations are S.R. 1991 No. 203, S.R. 1992 No. 416 and S.R. 1992 No. 417