1991 No. 495

FOOD

The Antioxidants in Food (Amendment) Regulations (Northern Ireland) 1991

Made	*14th November 1991*
Coming into operation . .	*17th December 1991*

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 47(2) of the Food Safety (Northern Ireland) Order 1991(**a**) 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 Antioxidants in Food (Amendment) Regulations (Northern Ireland) 1991 and shall come into operation on 17th December 1991.

(2) In these Regulations "the principal Regulations" means the Antioxidants in Food Regulations (Northern Ireland) 1978(**b**).

Amendment of the principal Regulations

2. After regulation 8 of the principal Regulations there shall be inserted the following regulation—

"*Defence*

8A.—(1) In any proceedings for an offence against regulation 4 in respect of any relevant chewing gum it shall be a defence to show that the chewing gum is one—

(*a*) which has been (or is being) imported from another Member State of the European Economic Community, and

(*b*) to which the equivalence condition applies.

(2) For the purposes of paragraph (1)—

(*a*) "relevant chewing gum" is any chewing gum which—

(i) is made from chewing gum base containing the permitted antioxidant Butylated hydroxyanisole (BHA) or Butylated hydroxytoluene (BHT) or any mixture of BHA and BHT, and

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(**a**) S.I. 1991/762 (N.I. 7). *See* Article 2(2) for the definitions of "regulations" and "the Department concerned"

(**b**) S.R. 1978 No. 112; the relevant amending Regulations are S.R. 1981 No. 191 and S.R. 1991 No. 203