

Regulation (EU) 2015/2283 of the European Parliament and of the Council of 25 November 2015 on novel foods, amending Regulation (EU) No 1169/2011 of the European Parliament and of the Council and repealing Regulation (EC) No 258/97 of the European Parliament and of the Council and Commission Regulation (EC) No 1852/2001 (Text with EEA relevance)

## CHAPTER II

### REQUIREMENTS FOR PLACING NOVEL FOODS ON THE MARKET WITHIN [<sup>F1</sup>GREAT BRITAIN]

#### *[<sup>F2</sup>Article 6*

##### **List of authorised novel foods**

1 The appropriate authority must establish and update a list of novel foods authorised to be placed on the market within the constituent territory of Great Britain in accordance with Articles 7 and 9.

2 Only novel foods authorised and included in the list may be placed on the market within the United Kingdom as such, or used in or on foods, in accordance with the conditions of use and the labelling requirements specified in the list.]

#### **Textual Amendments**

**F2** Art. 6 substituted (31.12.2020) by [The Novel Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/702\)](#), regs. 1, **12** (as amended by [S.I. 2020/1504](#), regs. 1(2), **15(7)**); 2020 c. 1, **Sch. 5 para. 1(1)**

#### *Article 7*

##### **General conditions for inclusion of novel foods in the <sup>F3</sup>..... list**

The [<sup>F4</sup>appropriate authority must] only authorise and include a novel food in the <sup>F5</sup>... list if it complies with the following conditions:

- (a) the food does not, on the basis of the scientific evidence available, pose a safety risk to human health;
- (b) the food's intended use does not mislead the consumer, especially when the food is intended to replace another food and there is a significant change in the nutritional value;
- (c) where the food is intended to replace another food, it does not differ from that food in such a way that its normal consumption would be nutritionally disadvantageous for the consumer.

*Changes to legislation:* There are outstanding changes not yet made to Regulation (EU) 2015/2283 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

#### Textual Amendments

- F3** Word in Art. 7 heading omitted (31.12.2020) by virtue of The Novel Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/702), regs. 1, **13(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 7 substituted (31.12.2020) by The Novel Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/702), regs. 1, **13(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Word in Art. 7 omitted (31.12.2020) by virtue of The Novel Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/702), regs. 1, **13(a)**; 2020 c. 1, Sch. 5 para. 1(1)

#### <sup>F6</sup> Article 8

### Initial establishment of the Union list

#### Textual Amendments

- F6** Art. 8 omitted (31.12.2020) by virtue of The Novel Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/702), regs. 1, **14**; 2020 c. 1, Sch. 5 para. 1(1)

#### Article 9

### Content and updating of the <sup>F7</sup>... list

- 1 The [<sup>F8</sup>appropriate authority must] authorise a novel food and update the <sup>F9</sup>... list in accordance with the rules laid down in:
- a Articles 10, 11 and 12 and, where applicable, Article 27; or
  - b Articles 14 to 19.
- 2 The authorisation of a novel food and updating of the <sup>F9</sup>... list provided for in paragraph 1 shall consist of one of the following:
- a adding a novel food to the <sup>F9</sup>... list;
  - b removing a novel food from the <sup>F9</sup>... list;
  - c adding, removing or changing the specifications, conditions of use, additional specific labelling requirements or post-market monitoring requirements associated with the inclusion of a novel food in the <sup>F9</sup>... list.
- 3 The entry for a novel food in the <sup>F9</sup>... list provided for in paragraph 2 shall include the specification of the novel food and, where appropriate:
- a the conditions under which the novel food may be used, including in particular any requirements necessary to avoid possible adverse effects on particular groups of the population, the exceeding of maximum intake levels and risks in case of excessive consumption;
  - b additional specific labelling requirements to inform the final consumer of any specific characteristic or food property, such as the composition, nutritional value or nutritional effects and intended use of the food, which renders a novel food no longer equivalent to an existing food or of implications for the health of specific groups of the population;
  - c post-market monitoring requirements in accordance with Article 24.

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#### Textual Amendments

- F7** Word in [Art. 9](#) heading omitted (31.12.2020) by virtue of [The Novel Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/702\)](#), regs. 1, **15(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in [Art. 9\(1\)](#) substituted (31.12.2020) by [The Novel Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/702\)](#), regs. 1, **15(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Word in [Art. 9](#) omitted (31.12.2020) by virtue of [The Novel Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/702\)](#), regs. 1, **15(a)**; 2020 c. 1, Sch. 5 para. 1(1)

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#### Textual Amendments

- F1** Words in [Ch. 2](#) title substituted (31.12.2020) by [The Novel Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/702\)](#), regs. 1, **11** (as substituted by [S.I. 2020/1504](#), regs. 1(2), **15(6)**); 2020 c. 1, **Sch. 5 para. 1(1)**

**Changes to legislation:**

There are outstanding changes not yet made to Regulation (EU) 2015/2283 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- Ch. 2 title words substituted by [S.I. 2019/702 reg. 11](#) (This amendment not applied to legislation.gov.uk. Reg. 11 substituted immediately before IP completion day by S.I. 2020/1504, regs. 1(2), 15(6))
- Regulation applied (with modifications) by [S.I. 2023/959 reg. 4\(a\)Sch. 1](#)

**Changes and effects yet to be applied to the whole legislation item and associated provisions**

- Art. 32A(4)(d) words substituted by [S.I. 2019/1013 reg. 101](#) (This amendment not applied to legislation.gov.uk. S.I. 2019/1013 revoked immediately before IP completion day by S.I. 2020/1504, regs. 1(2), 21(e))