

## SCHEDULE 7

### Consequential and other minor amendments to statutory instruments

## PART 1

### Consequential and other minor amendments coming into force on 15th August 2014

#### **The Food Labelling Regulations 1996**

1. The Food Labelling Regulations 1996(1) are amended as follows.

2. In regulation 4(2) (scope of Part II), in each of subparagraphs (h), (i) and (j), for “[Commission Regulation \(EC\) No 607/2009](#)” to the end substitute “[Commission Regulation \(EC\) No 607/2009](#) laying down certain detailed rules for the implementation of Council Regulation (EC) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products(2);”.

3. For regulation 41(4) (supplementary provisions relating to nutrition labelling) substitute—

“(4) Where nutrition labelling not being prescribed nutrition labelling is given, it must be given in the manner specified in paragraph (4A) or (4B).

(4A) The nutrition labelling must be given in all respects as if it were prescribed nutrition labelling except that in applying the requirements for prescribed nutrition labelling described in Schedule 7, Part II of that Schedule is to be read as if—

- (a) in paragraph 1, the words “or that is labelled as provided for in regulation 41(4B)” were inserted after the words “paragraph 2 below applies”,
- (b) in paragraph 1(a)(ii), the words from “provided that” to the end of that paragraph were omitted, and
- (c) paragraph 1(d) were omitted.

(4B) The nutrition labelling must be given in accordance with Articles 29 to 35 of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and [Commission Regulation \(EC\) No 608/2004](#).”.

#### **The Food (Lot Marking) Regulations 1996**

4. The Food (Lot Marking) Regulations 1996(3) are amended as follows.

5. In regulation 2 (interpretation), in the definition of “first seller established within the European Union”, for “Council Directive [89/396/EEC](#)(4)” substitute “Directive 2011/91/EU of the European

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(1) [S.I. 1996/1499](#), amended by [S.I. 2011/2936](#); there are other amending instruments but none is relevant to the amendments made by paragraphs 1 to 3.

(2) OJ No L 193, 24.7.2009, p 60, last amended by Commission Implementing Regulation (EU) No 753/2013 (OJ No L 210, 6.8.2013, p 21).

(3) [S.I. 1996/1502](#), amended by [S.I. 2011/1043](#).

(4) OJ No L 186, 30.6.1989, p 21, repealed by Directive 2011/91/EU of the European Parliament and of the Council (OJ No L 334, 16.12.2011, p 1).

Parliament and of the Council on indications or marks identifying the lot to which a foodstuff belongs<sup>(5)</sup>”.

#### **The Addition of Vitamins, Minerals and Other Substances (England) Regulations 2007**

6. The Addition of Vitamins, Minerals and Other Substances (England) Regulations 2007<sup>(6)</sup> are amended as follows.

7. In regulation 4(2)(e) (offences and penalties), after “have been added”, insert “, as read with the first subparagraph of Article 54(3) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004<sup>(7)</sup>”.

#### **The Nutrition and Health Claims (England) Regulations 2007**

8. The Nutrition and Health Claims (England) Regulations 2007<sup>(8)</sup> are amended as follows.

9. In regulation 5(2)(d) (offences and penalties), after “(requirements for nutrition information)”, insert “, as read with the first subparagraph of Article 54(3) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004”.

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(5) OJ No L 334, 16.12.2011, p 1.

(6) S.I. 2007/1631, to which there are amendments not relevant to the amendment made by paragraphs 6 and 7.

(7) OJ No L 304, 22.11.2011, p 18, last amended by Commission Delegated Regulation (EU) No 78/2014 (OJ No L 27, 30.1.2014, p 7).

(8) S.I. 2007/2080, to which there are amendments not relevant to the amendment made by paragraphs 8 and 9.