

## STATUTORY INSTRUMENTS

# 2015 No. 1348

## The Honey (England) Regulations 2015

### PART 5

#### Enforcement and miscellaneous provisions

##### Enforcement

18. Each food authority must enforce and execute these Regulations in its area.

##### [<sup>F1</sup>Methods of analysis

18A. In carrying out its obligations under regulation 18, a food authority must, whenever possible, use a method of analysis approved by the Codex Alimentarius, or another internationally recognised validated method of analysis, to verify compliance with the provisions of these Regulations.]

##### Textual Amendments

**F1** Reg. 18A inserted (31.12.2020) by [The Food \(Amendment\) \(England\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/150), regs. 1, 7; 2020 c. 1, Sch. 5 para. 1(1)

##### Application and modification of provisions of the Act

19. The provisions of the Act specified in column 1 of the table in Schedule 2 apply, with the modifications specified in column 2 of that table, for the purposes of these Regulations.

##### Revocations

20.—(1) The following are revoked—

- (a) the Honey (England) Regulations 2003 <sup>M1</sup>; and
  - (b) the Honey (Amendment) (England) Regulations 2005 <sup>M2</sup>.
- (2) In the Food Information Regulations 2014 <sup>M3</sup> the following provisions are omitted—
- (a) entry 14 of the table in Part 1 of Schedule 6; and
  - (b) paragraphs 35 to 37 of Schedule 7.

##### Marginal Citations

**M1** [S.I. 2003/2243](#), amended by [S.I. 2005/1920](#), 2626, 2014/1855.  
**M2** [S.I. 2005/1920](#).  
**M3** [S.I. 2014/1855](#).

## Amendment of the Food Information Regulations 2014

21. Schedule 3 (amendment of the Food Information Regulations 2014) has effect.

### Transitional provision

22. An authorised officer of a food authority must not serve an improvement notice under section 10(1) of the Act, as applied and modified by regulation 19, as read with Schedule 2, if—

- (a) the improvement notice would relate to a product that was placed on the market or labelled before 24th June 2015; and
- (b) the matters constituting the alleged contravention would not have constituted an offence under the Honey (England) Regulations 2003 as they stood immediately before 24th June 2015.

### [<sup>F2</sup>Transitional provisions: withdrawal from the EU

22A.—(1) An authorised officer of a food authority must not serve on a person an improvement notice relating to a contravention of regulation 17(1) if—

- (a) the improvement notice would relate to a product that was placed on the market before IP completion day; and
- (b) the matter would not have constituted a contravention of regulation 17(1) as that provision had effect immediately before IP completion day.

(2) An authorised officer of a food authority must not serve on a person an improvement notice relating to a contravention of regulation 17(1) if—

- (a) the improvement notice would relate to a product that was placed on the market [<sup>F3</sup>before 1 January 2024];
- (b) the product bears one of the indications provided for in regulation 17(1) as that provision had effect immediately before IP completion day;
- (c) had the product been placed on the market immediately before IP completion day, the use of the indication would not have constituted a contravention of regulation 17(1) as that provision had effect immediately before IP completion day; and
- (d) the indication is accurate in identifying the “EU”, “non-EU” or “EU and non-EU” origins, as the case may be, of the honeys in the product.

(3) In this regulation, “improvement notice” means an improvement notice pursuant to regulation 19.]

#### Textual Amendments

**F2** Reg. 22A inserted (27.5.2021) by [The Food and Drink \(Miscellaneous Amendments Relating to Food and Wine Composition, Information and Labelling\) Regulations 2021 \(S.I. 2021/632\)](#), regs. 1, **4(3)**

**F3** Words in reg. 22A(2)(a) substituted (30.9.2022) by [The Food Information \(Amendment of Transitional Provisions\) \(England\) Regulations 2022 \(S.I. 2022/938\)](#), regs. 1(1), **9**

### Review

23.—(1) The Secretary of State must from time to time—

- (a) carry out a review of these Regulations;
- (b) set out the conclusions of the review in a report; and

- (c) publish the report.
- (2) In carrying out the review the Secretary of State must, so far as is reasonable, have regard to how the Honey Directive (which is implemented by means of these Regulations) is implemented in other member States.
- (3) The report must in particular—
  - (a) set out the objectives intended to be achieved by the regulatory system established by these Regulations;
  - (b) assess the extent to which those objectives are achieved; and
  - (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.
- (4) The first report under this regulation must be published before the end of the period of five years beginning with the day on which these Regulations come into force.
- (5) Reports under these Regulations are afterwards to be published at intervals not exceeding five years.

**Changes to legislation:**

There are currently no known outstanding effects for the The Honey (England) Regulations 2015, PART 5.