
WELSH STATUTORY INSTRUMENTS

2009 No. 3378

The Food Additives (Wales) Regulations 2009

Use of colours in or on food

- 3.—(1) No person may use in or on any food any colour other than a permitted colour.
- (2) No person may use any permitted colour in or on any food listed in Annex II to Directive 94/36 except in accordance with paragraph (3)(a).
- (3) Subject to paragraph (4) and to regulations 4 and 5, no person may use any permitted colour in or on any food unless—
- (a) the food is one listed—
 - (i) in the first column of Annex III to Directive 94/36, in which case there may be used in or on such food any permitted colour which is listed in relation to it in the second column of that Annex in an amount not exceeding the maximum level for such permitted colour in or on such food as listed in the third column of that Annex,
 - (ii) in the second column of Annex IV to Directive 94/36, in which case there may be used in or on such food any permitted colour which is listed in relation to it in the first column of that Annex in an amount not exceeding the maximum level for such permitted colour in or on such food as listed in the third column of that Annex; or
 - (iii) in the first column of the Table in Part 2 of Annex V to Directive 94/36, in which case there may be used in or on such food any permitted colour which is listed in Parts I or 2 of that Annex in accordance with the conditions contained in that Annex governing the use of such colour in or on such food; or
 - (b) the food is listed neither in Annex II to Directive 94/36 nor in the first column of Annex III to that Directive, in which case there may be used in or on such food any one or more of the permitted colours listed in Part I of Annex V to that Directive up to an amount (in each case) of *quantum satis*.
- (4) No person may use any permitted colour listed in the first column of Annex IV to Directive 94/36 in or on any food other than the food or foods listed in relation to that permitted colour in the second column of that Annex.