
STATUTORY INSTRUMENTS

2015 No. 1348

The Honey (England) Regulations 2015

PART 1

Introduction

Citation, commencement and application

1.—(1) These Regulations may be cited as the Honey (England) Regulations 2015 and come into force on 24th June 2015.

(2) These Regulations apply in England only.

Definition of “honey” and different types of honey

2.—(1) In these Regulations “honey” means the natural sweet substance produced by *Apis mellifera* bees from the nectar of plants or from secretions of living parts of plants or excretions of plant-sucking insects on the living parts of plants which the bees collect, transform by combining with specific substances of their own, deposit, dehydrate, store and leave in honeycombs to ripen and mature.

(2) In these Regulations—

“baker’s honey” means honey that is suitable for industrial use or as an ingredient in another foodstuff which is then processed;

“blossom honey” and “nectar honey” mean honeys obtained from the nectar of plants;

“chunk honey” and “cut comb in honey” mean honeys which contain one or more pieces of comb honey;

“comb honey” means honey stored by bees in the cells of freshly built broodless combs or thin comb foundation sheets made solely of beeswax and sold in sealed whole combs or sections of such combs;

“drained honey” means honey obtained by draining de-capped broodless combs;

“extracted honey” means honey obtained by centrifuging de-capped broodless combs;

“filtered honey” means honey obtained by removing foreign inorganic or organic matters in such a way as to result in the significant removal of pollen;

“honeydew honey” means honey obtained mainly from excretions of plant sucking insects (*Hemiptera*) on the living part of plants or secretions of living parts of plants;

“pressed honey” means honey obtained by pressing broodless combs with or without the application of moderate heat not exceeding 45° Celsius.

General interpretation

3.—(1) In these Regulations—

“the Act” means the Food Safety Act 1990;

“bulk containers” has the same meaning as in Article 3 of the Honey Directive;

“FIC” means 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(1);

“food authority” does not include—

- (a) the council of a district in a non-metropolitan county in England except where the county functions have been transferred to that council pursuant to a structural change; or
- (b) the appropriate Treasurer referred to in section 5(1)(c) of the Act (which deals with the Inner Temple and the Middle Temple);

“the Honey Directive” means Council Directive 2001/110/EC relating to honey(2);

“ingredient” has the meaning given in Article 2(2)(f) of FIC, as read with Article 2(5) of the Honey Directive;

“in trade” has the same meaning as in the Honey Directive and “trade in” and “trading in” are to be construed accordingly;

“label” has the meaning given in Article 2(2)(i) of FIC;

“packs” has the same meaning as in Article 3 of the Honey Directive;

“trade documents” has the same meaning as in Article 3 of the Honey Directive;

“specific quality criteria” has the same meaning as in the third indented paragraph of paragraph (b) of the second sub-paragraph of point 2 of Article 2 of the Honey Directive.

(2) Any other expression used in both these Regulations and in the Honey Directive has the same meaning in these Regulations as in that Directive.

Limited scope of specified provisions

4.—(1) The following provisions only apply in relation to a product intended for supply to a final consumer or mass caterer—

- (a) Part 2, except for regulations 14(4) and 15(4) and (5);
- (b) regulation 16(1) and (2);
- (c) Part 4.

(2) Regulation 16(3) and (4) only apply where the products intended for human consumption specified in those paragraphs (the products to which honey is added as an ingredient) are intended for supply to a final consumer or mass caterer.

(3) In this regulation—

“final consumer” has the meaning given in point 18 of Article 3 of Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(3);

(1) 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).

(2) OJ No L 10, 12.1.2002, p 47, last amended by Directive 2014/63/EU of the European Parliament and of the Council (OJ No L 164, 3.6.2014, p 1).

(3) OJ No L 31, 1.2.2002, p 1, last amended by Regulation (EU) No 652/2014 of the European Parliament and of the Council (OJ No L 189, 27.6.2014, p 1).

“mass caterer” has the meaning given in Article 2(2)(d) of FIC.

Application of requirements relating to product names

5. Where two or more provisions of these Regulations apply in determining the name to be used in respect of a particular honey, a person trading in that honey must use a name or combination name which complies with the requirements of each of those provisions.

PART 2

Product names and descriptions

Honey

6.—(1) A person trading in a honey, except a honey to which paragraph (2) applies, must use the name “honey” in trade as the name of the product.

(2) This paragraph applies to—

- (a) baker’s honey;
- (b) comb honey;
- (c) drained honey;
- (d) extracted honey;
- (e) filtered honey;
- (f) honeydew honey;
- (g) honey that contains one or more pieces of comb honey (chunk honey and cut comb in honey);
- (h) honey that is obtained from the nectar of plants (blossom honey and nectar honey); and
- (i) pressed honey.

(3) A person must not use the name “honey” in trade as the name of a product if the product is not honey.

Blossom honey and nectar honey

7.—(1) A person trading in honey obtained from the nectar of plants must use the name “honey”, “blossom honey” or “nectar honey” in trade as the name of the product.

(2) A person must not use the name “blossom honey” or “nectar honey” in trade as the name of a product if the product is not honey obtained from the nectar of plants.

Honeydew honey

8.—(1) A person trading in a honeydew honey must use the name “honey” or “honeydew honey” in trade as the name of the product.

(2) A person must not use the name “honeydew honey” in trade as the name of a product if the product is not honeydew honey.

Comb honey

9.—(1) A person trading in a comb honey must use the name “comb honey” in trade as the name of the product.

(2) A person must not use the name “comb honey” in trade as the name of a product if the product is not comb honey.

Chunk honey and cut comb in honey

10.—(1) A person trading in a honey that contains one or more pieces of comb honey must use the name “chunk honey” or “cut comb in honey” in trade as the name of the product.

(2) A person must not use the name “chunk honey” or “cut comb in honey” in trade as the name of a product if the product does not contain one or more pieces of comb honey.

Drained honey

11.—(1) A person trading in drained honey must use the name “honey” or “drained honey” in trade as the name of the product.

(2) A person must not use the name “drained honey” in trade as the name of a product if the product is not drained honey.

Extracted honey

12.—(1) A person trading in extracted honey must use the name “honey” or “extracted honey” in trade as the name of the product.

(2) A person must not use the name “extracted honey” in trade as the name of a product if the product is not extracted honey.

Pressed honey

13.—(1) A person trading in pressed honey must use the name “honey” or “pressed honey” in trade as the name of the product.

(2) A person must not use the name “pressed honey” in trade as the name of a product if the product is not pressed honey.

Filtered honey

14.—(1) A person trading in filtered honey must use the name “filtered honey” in trade as the name of the product.

(2) A person must not use the name “filtered honey” in trade as the name of a product if the product is not filtered honey.

(3) A person trading in filtered honey must not provide information relating to the floral, vegetable, regional, territorial or topographical origin of the product or specific quality criteria for the product.

(4) A person must not trade in filtered honey in bulk containers or packs unless the product name “filtered honey” is clearly indicated—

- (a) on those containers and packs; and
- (b) on the trade documents relating to the product.

Baker’s honey

15.—(1) A person trading in baker’s honey must use the name “baker’s honey”, in trade, as the name of the product.

(2) A person must not use the name “baker’s honey” in trade as the name of a product if the product is not baker’s honey.

(3) A person trading in baker’s honey must not provide information relating to the floral, vegetable, regional, territorial or topographical origin of the product or specific quality criteria for the product.

(4) A person must not trade in baker’s honey unless the words “intended for cooking only” appear on the label of the product in close proximity to the product name.

(5) A person must not trade in baker’s honey in bulk containers or packs unless the product name “baker’s honey” is clearly indicated—

- (a) on those containers and packs; and
- (b) on the trade documents relating to the product.

(6) Where baker’s honey is used as an ingredient in a compound foodstuff, the product name “honey” may be used, in trade, in the product name of the compound foodstuff instead of “baker’s honey”.

(7) Where baker’s honey is used as an ingredient in a compound foodstuff and the name “honey” is used in the product name of the compound foodstuff, a person must not trade in that foodstuff unless the list of ingredients for that foodstuff identifies that honey ingredient using the name “baker’s honey”.

PART 3

Compositional requirements

Compositional requirements

16.—(1) A person must not place any product on the market as “honey” unless it meets the appropriate compositional criteria for “honey” specified in Schedule 1.

(2) A person must not place any product on the market using a product name listed in paragraph (5) unless it meets the appropriate compositional criteria for that type of honey specified in Schedule 1.

(3) A person must not use a product (“the honey ingredient”) as “honey” in a product intended to be placed on the market for human consumption unless the honey ingredient meets the appropriate compositional criteria for “honey” specified in Schedule 1.

(4) A person must not use a product (“the honey ingredient”) as honey of a type listed in paragraph (5) in a product intended to be placed on the market for human consumption unless the honey ingredient meets the appropriate compositional criteria for that type of honey specified in Schedule 1.

(5) The product names and types of honey are—

- (a) baker’s honey;
- (b) blossom honey;
- (c) chunk honey;
- (d) comb honey;
- (e) cut comb in honey;
- (f) drained honey;
- (g) extracted honey;
- (h) filtered honey;

- (i) honeydew honey;
- (j) nectar honey;
- (k) pressed honey.

PART 4

Additional labelling requirements

Additional labelling requirements

17.—(1) No person may trade in honey unless the country of origin where the honey has been harvested is indicated on the label except that, if the honey originates in more than one member State or third country, the countries of origin may be replaced with one of the following indications as appropriate—

- “blend of EU honeys”;
- “blend of non-EU honeys”;
- “blend of EU and non-EU honeys”.

(2) In paragraphs (3) to (5), “relevant honey” means all honey except for baker’s honey and filtered honey.

(3) The product name of a relevant honey may be supplemented by information relating to its floral or vegetable origin but no person may trade in a relevant honey for which such supplemental information is provided unless the product comes wholly or mainly from the indicated source and possesses the organoleptic, physico-chemical and microscopic characteristics of the source.

(4) The product name of a relevant honey may be supplemented by information relating to its regional, territorial or topographical origin but no person may trade in a relevant honey for which such supplemental information is provided unless the product comes entirely from the indicated origin.

(5) The product name of a relevant honey may be supplemented by information relating to its specific quality criteria.

PART 5

Enforcement and miscellaneous provisions

Enforcement

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

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⁽⁴⁾; and
 - (b) the Honey (Amendment) (England) Regulations 2005⁽⁵⁾.
- (2) In the Food Information Regulations 2014⁽⁶⁾ 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.

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.

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.

⁽⁴⁾ S.I. 2003/2243, amended by S.I. 2005/1920, 2626, 2014/1855.

⁽⁵⁾ S.I. 2005/1920.

⁽⁶⁾ S.I. 2014/1855.

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