

Regulation (EC) No 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods

[^{X1}CHAPTER IV
HEALTH CLAIMS

[^{X1} Article 17

[^{F1}Authorisation by the appropriate authority]

^{F2} 1

^{F2} 2

[^{F3} [^{F4}Where the application is made on a Great Britain-wide basis, a decision must be made by:

- a the appropriate authority for applications in relation to England, in relation to authorisation of the claim in England;
- b the appropriate authority for applications in relation to Scotland, in relation to authorisation of the claim in Scotland; and
- c the appropriate authority for applications in relation to Wales, in relation to authorisation of the claim in Wales;

The appropriate authority for each of England, Scotland and Wales must consult each other appropriate authority prior to making a decision on the application.]

[^{F5}Where the application is made for authorisation in one of England, Scotland or Wales only, the appropriate authority shall make a decision on the application, having consulted the other relevant authorities.]

However, where at the applicant's request for the protection of proprietary data, [^{F6}the appropriate authority] proposes to restrict the use of the claim in favour of the applicant:

- [^{F7}a the appropriate authority may by regulations made under the powers in Articles 13 or 14 authorise the claim for sole use by the applicant. In such case, the authorisation for restricted use shall expire at the end of the period of five years after the date on which the regulations are made;
- b before the expiry of the five-year period, if the claim still meets the conditions laid down in this Regulation, the appropriate authority must consider, in consultation with an expert committee and the other relevant authorities, whether to authorise the claim without restriction for use under the powers in Articles 13 or 14.]]

^{F8} 4

5 Health claims [^{F9}authorised for the purposes of Articles 13 and 14] may be used, in conformity with the conditions applying to them, by any food business operator, if they are not restricted for use in accordance with the provisions of Article 21.

6 The granting of authorisation shall not lessen the general civil and criminal liability of any food business operator in respect of the food concerned.]

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 1924/2006 of the European Parliament and of the Council, Article 17. (See end of Document for details)

Editorial Information

- X1** Substituted by Corrigendum to Regulation (EC) No 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods (Official Journal of the European Union L 404 of 30 December 2006).

Textual Amendments

- F1** Art. 17 heading substituted (31.12.2020) by The Nutrition (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/651), regs. 1(1), **17(18)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Art. 17(1)(2) omitted (31.12.2020) by virtue of The Nutrition (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/651), regs. 1(1), **17(18)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Substituted by Regulation (EC) No 107/2008 of the European Parliament and of the Council of 15 January 2008 amending Regulation (EC) No 1924/2006 on nutrition and health claims made on foods as regards the implementing powers conferred on the Commission.
- F4** Words in Art. 17(3) substituted (31.12.2020) by The Nutrition (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/651), regs. 1(1), **17(18)(c)(i)** (as amended by S.I. 2020/1476, regs. 1(2), **5(2)(f)(i)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F5** Words in Art. 17(3) inserted (31.12.2020) by The Nutrition (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/651), regs. 1(1), **17(18)(c)(ii)** (as amended by S.I. 2020/1476, regs. 1(2), **5(2)(f)(ii)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F6** Words in Art. 17(3) substituted (31.12.2020) by The Nutrition (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/651), regs. 1(1), **17(18)(c)(iii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Art. 17(3)(a)(b) substituted (31.12.2020) by The Nutrition (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/651), regs. 1(1), **17(18)(c)(iii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Art. 17(4) omitted (31.12.2020) by virtue of The Nutrition (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/651), regs. 1(1), **17(18)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in Art. 17(5) substituted (31.12.2020) by The Nutrition (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/651), regs. 1(1), **17(18)(e)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EC) No 1924/2006 of the european parliament and of the council, Article 17 .