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DRAFT STATUTORY INSTRUMENTS

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**2019 No.**

**The Nutrition (Amendment etc.) (EU Exit) Regulations 2019**

**PART 5**

**AMENDMENT OF EU TERTIARY LEGISLATION**

**Amendment of [Commission Regulation \(EC\) No 353/2008](#)**

**20.**—(1) [Commission Regulation \(EC\) No 353/2008](#) of 18 April 2008 establishing implementing rules for applications for authorisation of health claims as provided for in Article 15 of Regulation [\(EC\) No 1924/2006](#) of the European Parliament and of the Council is amended as follows.

(2) In paragraph (b) of Article 1 (subject matter), for “Article 13(3)” substitute “Article 13(4)”.

(3) Omit Article 8.

(4) In the Annex, in paragraph 5, for “a competent authority of either a Member State or a third country” substitute “another country”.

**Amendment of [Commission Regulation \(EC\) No 953/2009](#)**

**21.**—(1) [Commission Regulation \(EC\) No 953/2009](#) of 13 October 2009 on substances that may be added for specific nutritional purposes in foods for particular nutritional uses is amended as follows.

(2) For Article 1 (scope) substitute—

“1. This Regulation shall apply to foods for particular nutritional uses, excluding foodstuffs for particular nutritional use:

- (a) fulfilling the particular requirements of infants and young children in good health in the United Kingdom and intended for use by infants while they are being weaned, and by young children as a supplement to their diet and/or for their progressive adaptation to ordinary food;
- (b) by infants during the first months of life and satisfying by themselves the nutritional requirements of such infants until the introduction of appropriate complementary feeding; and
- (c) by infants when appropriate complementary feeding is introduced and constituting the principal liquid element in a progressively diversified diet of such infants

2. In this Regulation:

“infants” means children under the age of 12 months;

“young children” means children aged between one and three years.”

(3) In Article 2 (eligible substances)—

- (a) in paragraph 1, for “covered by [Directive 2009/39/EC](#)” substitute “(foodstuffs which, owing to their special composition or manufacturing process, are clearly distinguishable

from foodstuffs for normal consumption, which are suitable for their claimed nutritional purposes and which are marketed in such a way as to indicate such suitability)”.

(b) in paragraph 2, for “Regulation (EC) No 258/97” substitute “Regulation (EU) 2015/2283”.

(4) In Article 3 (general requirements) in paragraph 2, for “competent authorities referred to in Article 11 of Directive 2009/39/EC” substitute “Secretary of State, Welsh Ministers, Food Standards Scotland or the Food Standards Agency”.

(5) In Article 4 (specific requirements for substances listed in the Annex)—

(a) omit paragraph 1;

(b) in paragraph 2, for “by Community legislation” substitute “in retained EU law”;

(c) in paragraph 3—

(i) omit “by Community legislation” substitute “in retained EU law”;

(ii) omit “National rules setting stricter purity criteria may be maintained”.

(6) Omit Articles 5 and 6.

(7) In the Annex (Substances that may be added for specific nutritional purposes in foods for particular nutritional uses) for the definition of “foods for special medical purposes” substitute “means a category of foods for particular nutritional uses specially processed or formulated and intended for the dietary management of patients and to be used under medical supervision. They are intended for the exclusive or partial feeding of patients with a limited, impaired or disturbed capacity to take, digest, absorb, metabolise or excrete ordinary foodstuffs or certain nutrients contained therein or metabolites, or with other medically-determined nutrient requirements, whose dietary management cannot be achieved only by modification of the normal diet, by other foods for particular nutritional uses, or by a combination of the two”.

#### **Amendment of Commission Regulation (EC) No 983/2009**

**22.**—(1) Commission Regulation (EC) No 983/2009 of 21 October 2009 on the authorisation and refusal of authorisation of certain health claims made on food and referring to the reduction of disease risk and to children’s development and health is amended as follows.

(2) In Article 1—

(a) for “Community” substitute “United Kingdom”;

(b) omit the second sentence.

(3) Omit Articles 3 and 4.

#### **Amendment of Commission Regulation (EC) No 984/2009**

**23.**—(1) Commission Regulation (EC) No 984/2009 of 21 October 2009 refusing to authorise certain health claims made on food, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

(2) In Article 1, for “Community” substitute “United Kingdom”.

(3) Omit Articles 2 and 3.

#### **Amendment of Commission Regulation (EC) No 1024/2009**

**24.**—(1) Commission Regulation (EC) No 1024/2009 of 29 October 2009 on the authorisation and refusal of authorisation of certain health claims made on food and referring to the reduction of disease risk and to children’s development and health is amended as follows.

(2) In Article 1—

- (a) for “Community” substitute “United Kingdom”;
- (b) omit the second sentence.
- (3) For Article 2, substitute—
  - “2. The health claims set out in Annex II to this Regulation may not be made on foods on the United Kingdom market.”.
- (4) Omit Article 3.

#### **Amendment of Commission Regulation (EC) No 1025/2009**

**25.**—(1) [Commission Regulation \(EC\) No 1025/2009](#) of 29 October 2009 refusing to authorise certain health claims made on food, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Community”;
  - (b) for “as provided for in Article 13(3) of Regulation [\(EC\) No 1924/2006](#)” substitute “in the Annex to Regulation (EU) 432/2012”;
  - (c) omit the second sentence.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EC) No 1167/2009**

**26.**—(1) [Commission Regulation \(EC\) No 1167/2009](#) of 30 November 2009 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) in the first sentence, for “shall not be included” to the end of that sentence substitute “may not be made on foods on the United Kingdom market”;
  - (b) omit the second sentence.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EC) No 1168/2009**

**27.**—(1) [Commission Regulation \(EC\) No 1168/2009](#) of 30 November 2009 refusing to authorise a health claim made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Community”;
  - (b) for “as provided for in Article 13(3) of Regulation [\(EC\) No 1924/2006](#)” substitute “in the Annex to Regulation (EU) 432/2012”;
  - (c) omit the second sentence.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) No 375/2010**

**28.**—(1) [Commission Regulation \(EU\) No 375/2010](#) of 3 May 2010 refusing to authorise a health claim made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Community”;
  - (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;
  - (c) omit the second sentence.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) No 382/2010**

**29.**—(1) [Commission Regulation \(EU\) No 382/2010](#) of 5 May 2010 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Community”;
  - (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;
  - (c) omit the second sentence.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) No 383/2010**

**30.**—(1) [Commission Regulation \(EU\) No 383/2010](#) of 5 May 2010 refusing to authorise a health claim made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Community”;
  - (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) No 384/2010**

**31.**—(1) [Commission Regulation \(EU\) No 384/2010](#) of 5 May 2010 on the authorisation and refusal of authorisation of certain health claims made on food and referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) in the first sentence, for “European Union” substitute “United Kingdom”;
  - (b) omit the second sentence.
- (3) In Article 2, for the words from “shall not” to the end of that Article, substitute “may not be made on foods on the United Kingdom market”.
- (4) Omit Article 3.

#### **Amendment of Commission Regulation (EU) No 957/2010**

**32.**—(1) [Commission Regulation \(EU\) No 957/2010](#) of 22 October 2010 on the authorisation and refusal of authorisation of certain health claims made on food and referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) in the first sentence, for “European Union” substitute “United Kingdom”;
  - (b) omit the second sentence.
- (3) In Article 2—
  - (a) in the first sentence, for the words from “shall not” to the end of that sentence, substitute “may not be made on foods on the United Kingdom market”;
  - (b) omit the second sentence.
- (4) Omit Article 3.

#### **Amendment of Commission Regulation (EU) No 958/2010**

**33.**—(1) [Commission Regulation \(EU\) No 958/2010](#) of 5 May 2010 refusing to authorise a health claim made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation ([EC](#)) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;
  - (c) omit the second sentence.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) No 1161/2010**

**34.**—(1) [Commission Regulation \(EU\) No 1161/2010](#) of 9 December 2010 refusing to authorise a health claim made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation ([EC](#)) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;
  - (c) omit the second sentence.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) No 1162/2010**

**35.**—(1) [Commission Regulation \(EU\) No 1162/2010](#) of 9 December 2010 refusing to authorise certain health claims made on foods and referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) in the first sentence, for the words from “shall not” to the end of that sentence, substitute “may not be made on foods on the United Kingdom market”;
  - (b) omit the second sentence.
- (3) Omit Article 2.

### **Amendment of Commission Regulation (EU) No 432/2011**

**36.**—(1) [Commission Regulation \(EU\) No 432/2011](#) of 4 May 2011 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation [\(EC\) No 1924/2006](#)” substitute “in the Annex to Regulation (EU) 432/2012”;
  - (c) omit the second sentence.
- (3) Omit Article 2.

### **Amendment of Commission Regulation (EU) No 440/2011**

**37.**—(1) [Commission Regulation \(EU\) No 440/2011](#) of 6 May 2011 on the authorisation and refusal of authorisation of certain health claims made on foods and referring to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) in paragraph 1, for “European Union” substitute “United Kingdom”;
  - (b) omit paragraph 2.
- (3) In Article 2—
  - (a) in paragraph 1, for the words from “shall not” to the end of that paragraph, substitute “may not be made on foods on the United Kingdom market”;
  - (b) omit paragraph 2.
- (4) Omit Article 3.

### **Amendment of Commission Regulation (EU) No 665/2011**

**38.**—(1) [Commission Regulation \(EU\) No 665/2011](#) of 11 July 2011 on the authorisation and refusal of authorisation of certain health claims made on foods and referring to the reduction of disease risk is amended as follows.

- (2) In Article 1—
  - (a) in paragraph 1, for “European Union” substitute “United Kingdom”;
  - (b) omit paragraph 2.
- (3) In Article 2, for the words from “shall not” to the end of that Article, substitute “may not be made on foods on the United Kingdom market”
- (4) Omit Article 3.

### **Amendment of Commission Regulation (EU) No 666/2011**

**39.**—(1) [Commission Regulation \(EU\) No 666/2011](#) of 11 July 2011 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation [\(EC\) No 1924/2006](#)” substitute “in the Annex to Regulation (EU) 432/2012”;

- (c) omit paragraph 2.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) No 1160/2011**

**40.**—(1) [Commission Regulation \(EU\) No 1160/2011](#) of 14 November 2011 on the authorisation and refusal of authorisation of certain health claims made on foods and referring to the reduction of disease risk is amended as follows.

- (2) In Article 1—
  - (a) in paragraph 1, for “European Union” substitute “United Kingdom”;
  - (b) omit paragraph 2.
- (3) In Article 2, for the words from “shall not” to the end of that Article, substitute “may not be made on foods on the United Kingdom market.”.

#### **Amendment of Commission Regulation (EU) No 1170/2011**

**41.**—(1) [Commission Regulation \(EU\) No 1170/2011](#) of 16 November 2011 refusing to authorise certain health claims made on foods and referring to the reduction of disease risk is amended as follows.

- (2) In Article 1, for the words from “shall not” to the end of that Article, substitute “may not be made on foods on the United Kingdom market.”.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) No 1171/2011**

**42.**—(1) [Commission Regulation \(EU\) No 1171/2011](#) of 16 November 2011 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation [\(EC\) No 1924/2006](#)” substitute “in the Annex to Regulation [\(EU\) 432/2012](#)”;
  - (c) omit paragraph 2.
- (3) Omit Article 2.

#### **Amendment of Commission Implementing Regulation (EU) No 307/2012**

**43.**—(1) [Commission Implementing Regulation \(EU\) No 307/2012](#) of 11 April 2012 establishing implementing rules for the application of Article 8 of Regulation [\(EC\) No 1925/2006](#) of the European Parliament and of the Council on the addition of vitamins and minerals and of certain other substances to foods is amended as follows.

- (2) In Article 2 (definitions)—
  - (a) omit the definition of “request”;
  - (b) in the definition of “file”, for “the Authority”, substitute “an expert committee”.
  - (c) after the definition of “placing on the market” insert—
    - “(d) ‘appropriate authority’ and ‘expert committee’ have the same meaning as in Regulation [\(EC\) 1925/2006](#) of the European Parliament and of the Council

of 20 December 2006 on the addition of vitamins and minerals and of certain other substances to food.”.

- (3) In Article 3 (conditions to be met for the request)—
- (a) in paragraph 1—
    - (i) for “the assessment of” substitute “assessing”;
    - (ii) for “Member States” substitute “parts of the United Kingdom”;
  - (b) in paragraph 2, for “Member States may submit a request to the Commission when the assessment referred to in paragraph 1” substitute “The power to make regulations under Article 8 of Regulation (EC) No 1925/2006 may be exercised where the assessment referred to in paragraph 1”;
  - (c) omit paragraph 4.
- (4) In Article 4 (content of the Request)—
- (a) for the heading substitute “Evidence required for the purposes of advice by an expert committee under Article 8 of Regulation 1925/2006”;
  - (b) in paragraph 1—
    - (i) for “The request shall contain” substitute “In preparing advice for the purpose of Article 8 of Regulation (EC) No 1925/2006, the Committee shall consider ;
    - (ii) for “and shall include” substitute “, including”;
    - (iii) omit the final sentence of point (b).
  - (c) omit paragraph 2;
  - (d) for paragraph 3 substitute—
 

“3. Where an expert committee is asked to provide advice for the purposes of Article 8 of Regulation (EC) No 1925/2006, it shall make public the evidence referred to in paragraph 1.”;
  - (e) in paragraph 4—
    - (i) omit the first sentence;
    - (ii) for “Authority” substitute “expert committee”;
  - (f) in paragraph 5—
    - (i) for “Commission” substitute “appropriate authority”;
    - (ii) for “Authority” substitute “expert committee”;
    - (iii) after “opinion” insert “, except in cases of urgency”.
- (5) In Article 5 (substance included in Annex III, Part C)—
- (a) for “Authority” in each place it appears substitute “expert committee”;
  - (b) for “Commission” substitute “appropriate authority”.
- (6) In Article 6 (opinion of the Authority)—
- (a) for “Authority” in the heading and in each place it appears in paragraphs 1 and 2, substitute “expert committee”;
  - (b) for “Authority’s” substitute “expert committee’s”.
- (7) Omit Article 7.



#### **Amendment of Commission Regulation (EU) No 378/2012**

**44.**—(1) Commission Regulation (EU) No 378/2012 of 3 May 2012 refusing to authorise certain health claims made on foods and referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) in paragraph 1, for the words from “shall not” to the end of that paragraph, substitute “may not be made on foods on the United Kingdom market”;
  - (b) omit paragraph 2.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) No 379/2012**

**45.**—(1) Commission Regulation (EU) No 379/2012 of 3 May 2012 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;
  - (c) omit paragraph 2.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) No 432/2012**

**46.**—(1) Commission Regulation (EU) No 432/2012 of 16 May 2012 establishing a list of permitted health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In paragraph 1 of Article 1 (permitted health claims), for “Article 13(3)” substitute “Article 13(4)”.
- (3) Omit Article 2.

#### **Amendment of Commission Implementing Regulation (EU) No 489/2012**

**47.** Commission Implementing Regulation (EU) No 489/2012 of 8 June 2012 establishing implementing rules for the application of Article 16 of Regulation (EC) No 1925/2006 of the European Parliament and of the Council on the addition of vitamins and minerals and of certain other substances to foods is revoked.

#### **Amendment of Commission Regulation (EU) No 1048/2012**

**48.**—(1) Commission Regulation (EU) No 1048/2012 of 8 November 2012 on the authorisation of a health claim made on foods and referring to the reduction of disease risk is amended as follows.

- (2) In Article 1—
  - (a) in paragraph 1, for “European Union” substitute “United Kingdom”;
  - (b) omit paragraph 2.
- (3) Omit Article 2.

### **Amendment of 2013/63/EU: Commission Implementing Decision**

**49.** 2013/63/EU: Commission Implementing Decision of 24 January 2013 adopting guidelines for the implementation of specific conditions for health claims laid down in Article 10 of Regulation (EC) No 1924/2006 of the European Parliament and of the Council is revoked.

### **Amendment of Commission Regulation (EU) No 851/2013**

**50.**—(1) Commission Regulation (EU) No 851/2013 of 3 September 2013 authorising certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health and amending Regulation (EU) No 432/2012 is amended as follows.

- (2) In Article 1—
  - (a) in paragraph 1—
    - (i) omit “Union”;
    - (ii) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;
  - (b) omit paragraph 2.
- (3) Omit Articles 2 and 4.

### **Revocation of Commission Regulation (EU) No 907/2013**

**51.** Commission Regulation (EU) No 907/2013 of 20 September 2013 setting the rules for applications concerning the use of generic descriptors (denominations) is revoked.

### **Amendment of Commission Regulation (EU) No 1017/2013**

**52.**—(1) Commission Regulation (EU) No 1017/2013 of 23 October 2013 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;
  - (c) omit paragraph 2.
- (3) Omit Article 2.

### **Amendment of Commission Regulation (EU) No 1066/2013**

**53.**—(1) Commission Regulation (EU) No 1066/2013 of 30 October 2013 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;
  - (c) omit paragraph 2.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) No 40/2014**

**54.**—(1) [Commission Regulation \(EU\) No 40/2014](#) of 17 January 2014 authorising a health claim made on foods, other than those referring to the reduction of disease risk and to children’s development and health and amending Regulation (EU) No 432/2012 is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation [\(EC\) No 1924/2006](#)” substitute “in the Annex to Regulation (EU) 432/2012”.
- (3) Omit Article 3.

#### **Amendment of Commission Regulation (EU) No 155/2014**

**55.**—(1) [Commission Regulation \(EU\) No 155/2014](#) of 19 February 2014 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation [\(EC\) No 1924/2006](#)” substitute “in the Annex to Regulation (EU) 432/2012”;
  - (c) omit paragraph 2.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) No 175/2014**

**56.**—(1) [Commission Regulation \(EU\) No 175/2014](#) of 25 February 2014 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation [\(EC\) No 1924/2006](#)” substitute “in the Annex to Regulation (EU) 432/2012”;
  - (c) omit paragraph 2.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) No 1135/2014**

**57.**—(1) [Commission Regulation \(EU\) No 1135/2014](#) of 24 October 2014 on the authorisation of a health claim made on foods and referring to the reduction of disease risk is amended as follows.

- (2) In Article 1—
  - (a) in paragraph 1, for “Union” substitute “United Kingdom”;
  - (b) omit paragraph 2.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) No 1154/2014**

**58.**—(1) Commission Regulation (EU) No 1154/2014 of 29 October 2014 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Commission Regulation (EU) 432/2012”;
  - (c) omit paragraph 2.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) No 1226/2014**

**59.**—(1) Commission Regulation (EU) No 1226/2014 of 17 November 2014 on the authorisation of a health claim made on foods and referring to the reduction of disease risk is amended as follows.

- (2) In Article 1—
  - (a) in paragraph 1, for “Union” substitute “United Kingdom”;
  - (b) omit paragraph 2.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) No 1228/2014**

**60.**—(1) Commission Regulation (EU) No 1228/2014 of 17 November 2014 authorising and refusing to authorise certain health claims made on foods and referring to the reduction of disease risk is amended as follows.

- (2) In Article 1—
  - (a) in paragraph 1, for “Union” substitute “United Kingdom”;
  - (b) omit paragraph 2.
- (3) In Article 2, for the words from “shall not” to the end of that Article, substitute “may not be made on foods on the United Kingdom market”.
- (4) Omit Article 3.

#### **Amendment of Commission Regulation (EU) No 1229/2014**

**61.**—(1) Commission Regulation (EU) No 1229/2014 of 17 November 2014 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”.
- (3) Omit Article 2.

### **Amendment of Commission Regulation (EU) 2015/7**

**62.**—(1) Commission Regulation (EU) 2015/7 of 6 January 2015 authorising a health claim made on foods, other than those referring to the reduction of disease risk and to children’s development and health and amending Regulation (EU) No 432/2012 is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”.
- (3) Omit Article 3.

### **Amendment of Commission Regulation (EU) 2015/8**

**63.**—(1) Commission Regulation (EU) 2015/8 of 6 January 2015 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;
  - (c) omit paragraph 2.
- (3) Omit Article 2.

### **Amendment of Commission Regulation (EU) 2015/391**

**64.**—(1) Commission Regulation (EU) 2015/391 of 9 March 2015 refusing to authorise certain health claims made on foods and referring to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) in paragraph 1, for the words from “shall not” to the end of that paragraph, substitute “may not be made on foods on the United Kingdom market”;
  - (b) omit paragraph 2.
- (3) Omit Article 2.

### **Amendment of Commission Regulation (EU) 2015/402**

**65.**—(1) Commission Regulation (EU) 2015/402 of 11 March 2015 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Commission Regulation (EU) 432/2012”;
- (3) Omit Article 2.

**Amendment of Commission Regulation (EU) 2015/539**

**66.**—(1) Commission Regulation (EU) 2015/539 of 31 March 2015 authorising a health claim made on foods, other than those referring to the reduction of disease risk and to children’s development and health and amending Regulation (EU) No 432/2012 is amended as follows.

- (2) In Article 1—
  - (a) in paragraph 1—
    - (i) omit “Union”;
    - (ii) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;
  - (b) in paragraph 2, for “the date of entry into force of this Regulation” substitute “21 April 2015”.
- (3) In Article 2, for “the date of entry into force of this Regulation” substitute “21 April 2015”.
- (4) Omit Article 4.

**Amendment of Commission Regulation (EU) 2015/1041**

**67.**—(1) Commission Regulation (EU) 2015/1041 of 30 June 2015 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;
- (3) Omit Article 2.

**Amendment of Commission Regulation (EU) 2015/1052**

**68.**—(1) Commission Regulation (EU) 2015/1052 of 1 July 2015 refusing to authorise certain health claims made on foods and referring to the reduction of disease risk is amended as follows.

- (2) In Article 1, for the words from “shall not” to the end of that Article, substitute “may not be made on foods on the United Kingdom market”.
- (3) Omit Article 2.

**Amendment of Commission Regulation (EU) 2015/1886**

**69.**—(1) Commission Regulation (EU) 2015/1886 of 20 October 2015 refusing to authorise certain health claims made on foods and referring to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) in paragraph 1, for the words from “shall not” to the end of that paragraph, substitute “may not be made on foods on the United Kingdom market”.
  - (b) omit paragraph 2.
- (3) Omit Article 2.

### **Amendment of Commission Regulation (EU) 2015/1898**

**70.**—(1) Commission Regulation (EU) 2015/1898 of 21 October 2015 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;
- (3) Omit Article 2.

### **Amendment of Commission Regulation (EU) 2015/2314**

**71.**—(1) Commission Regulation (EU) 2015/2314 of 7 December 2015 authorising a health claim made on foods, other than those referring to the reduction of disease risk and to children’s development and health and amending Regulation (EU) No 432/2012 is amended as follows.

- (2) In Article 1—
  - (a) in paragraph 1—
    - (i) omit “Union”;
    - (ii) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;
  - (b) in paragraph 2, for “the date of entry into force of this Regulation” substitute “1 January 2016”.
- (3) In Article 2, for “the date of entry into force of this Regulation” substitute “1 January 2016”.
- (4) Omit Article 4.

### **Amendment of Commission Delegated Regulation (EU) 2016/128**

**72.**—(1) Commission Delegated Regulation (EU) 2016/128 of 25 September 2015 supplementing Regulation (EU) No 609/2013 of the European Parliament and of the Council as regards the specific compositional and information requirements for food for special medical purposes is amended as follows.

- (2) In Article 1 (placing on the market), after “food for special medical purposes” insert “, other than food for infants,”.
- (3) In Article 2 (compositional requirements), in paragraph 3, omit the first sentence.
- (4) In Article 3 (requirements on pesticides in food for special medical purposes developed to satisfy the nutritional requirements of infants and young children)—
  - (a) in the heading, omit “infants and”;
  - (b) in paragraphs 2 and 4, omit “infants and”.
- (5) Omit Article 8.
- (6) For Article 9 (notifications) substitute—

“1. When food for special medical purposes is placed on the market, the food business operator shall notify the competent authority of each part of the United Kingdom where the product concerned is being marketed of the information appearing on the label, by sending to the competent authority a model of the label used for the product, and of any other information the competent authority may reasonably request to establish compliance with this Regulation.

2. In this Article, “competent authority” means–

- (a) in respect of food being placed on the market in England, the Secretary of State,
- (b) in respect of food being placed on the market in Wales, the Welsh Ministers,
- (c) in respect of food being placed on the market in Scotland, Food Standards Scotland,
- (d) in respect of food being placed on the market in Northern Ireland, the Food Standards Agency.”.

(7) Omit Articles 10 and 11.

#### **Amendment of Commission Regulation (EU) 2016/371**

73.—(1) Commission Regulation (EU) 2016/371 of 15 March 2016 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

(2) In Article 1—

- (a) omit “Union”;
- (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;

(3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) 2016/372**

74.—(1) Commission Regulation (EU) 2016/372 of 15 March 2016 refusing to authorise a health claim made on foods and referring to the reduction of disease risk is amended as follows.

(2) In Article 1, for the words from “shall not” to the end of that Article, substitute “may not be made on foods on the United Kingdom market”.

(3) Omit Article 2.

#### **Amendment of Commission Implementing Regulation (EU) 2016/854**

75.—(1) Commission Implementing Regulation (EU) 2016/854 of 30 May 2016 authorising certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health and amending Regulation (EU) No 432/2012 is amended as follows.

(2) In Article 1—

- (a) omit “Union”;
- (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;

(3) Omit Article 3.

#### **Amendment of Commission Regulation (EU) 2016/862**

76.—(1) Commission Regulation (EU) 2016/862 of 31 May 2016 refusing to authorise a health claim made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

(2) In Article 1—

- (a) omit “Union”;



- (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) 2016/1379**

**77.**—(1) Commission Regulation (EU) 2016/1379 of 16 August 2016 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) 2016/1381**

**78.**—(1) Commission Regulation (EU) 2016/1381 of 16 August 2016 refusing to authorise a health claim made on foods and referring to children’s development and health is amended as follows.

- (2) In Article 1, for the words from “shall not” to the end of that Article, substitute “may not be made on foods on the United Kingdom market”.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) 2016/1389**

**79.**—(1) Commission Regulation (EU) 2016/1389 of 17 August 2016 authorising a health claim made on foods and referring to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) in paragraph 1, for “Union” substitute “United Kingdom”;
  - (b) omit paragraph 2.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) 2016/1390**

**80.**—(1) Commission Regulation (EU) 2016/1390 of 17 August 2016 refusing to authorise a health claim made on foods and referring to children’s development and health is amended as follows.

- (2) In Article 1, for the words from “shall not” to the end of that Article, substitute “may not be made on foods on the United Kingdom market”.
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) 2016/1411**

**81.**—(1) Commission Regulation (EU) 2016/1411 of 24 August 2016 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;

- (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) 2016/1412**

**82.**—(1) Commission Regulation (EU) 2016/1412 of 24 August 2016 refusing to authorise a health claim made on foods and referring to the reduction of disease risk is amended as follows.

(2) In Article 1, for the words from “shall not” to the end of that Article, substitute “may not be made on foods on the United Kingdom market”.

- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) 2017/236**

**83.**—(1) Commission Regulation (EU) 2017/236 of 10 February 2017 refusing to authorise a health claim made on foods and referring to the reduction of disease risk is amended as follows.

(2) In Article 1, for the words from “shall not” to the end of that Article, substitute “may not be made on foods on the United Kingdom market”.

- (3) Omit Article 2.

#### **Amendment of Commission Implementing Regulation (EU) 2017/672**

**84.**—(1) Commission Implementing Regulation (EU) 2017/672 of 7 April 2017 authorising a health claim made on foods, other than those referring to the reduction of disease risk and to children’s development and health and amending Regulation (EU) No 432/2012 is amended as follows.

(2) In Article 1—

- (a) omit “Union”;
- (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”.

- (3) Omit Article 3.

#### **Amendment of Commission Implementing Regulation (EU) 2017/676**

**85.**—(1) Commission Implementing Regulation (EU) 2017/676 of 10 April 2017 authorising a health claim made on foods, other than those referring to the reduction of disease risk and to children’s development and health and amending Regulation (EU) No 432/2012 is amended as follows.

(2) In Article 1—

- (a) omit “Union”;
- (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”.

- (3) Omit Article 3.

#### **Amendment of Commission Regulation (EU) 2017/1200**

**86.**—(1) Commission Regulation (EU) 2017/1200 of 5 July 2017 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) 2017/1201**

**87.**—(1) Commission Regulation (EU) 2017/1201 of 5 July 2017 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) 2017/1202**

**88.**—(1) Commission Regulation (EU) 2017/1202 of 5 July 2017 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) 2018/199**

**89.**—(1) Commission Regulation (EU) 2018/199 of 9 February 2018 refusing to authorise a health claim made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

- (2) In Article 1—
  - (a) omit “Union”;
  - (b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;
- (3) Omit Article 2.

#### **Amendment of Commission Regulation (EU) 2018/1555**

**90.**—(1) Commission Regulation (EU) 2018/1555 of 17 October 2018 refusing to authorise certain health claims made on foods and referring to the reduction of disease risk is amended as follows.

- (2) In Article 1, for the words from “shall not” to the end of that Article, substitute “may not be made on foods on the United Kingdom market”.
- (3) Omit Article 2.

### **Amendment of Commission Regulation (EU) 2018/1556**

**91.**—(1) Commission Regulation (EU) 2018/1556 of 17 October 2018 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health is amended as follows.

(2) In Article 1—

(a) omit “Union”;

(b) for “as provided for in Article 13(3) of Regulation (EC) No 1924/2006” substitute “in the Annex to Regulation (EU) 432/2012”;

(3) Omit Article 2.