

---

DRAFT STATUTORY INSTRUMENTS

---

**2019 No.**

The Food Additives, Flavourings, Enzymes and Extraction Solvents (Amendment etc.) (EU Exit) Regulations 2019

PART 3

Amendment of retained direct EU legislation

**Amendment of Regulation (EC) No. 2065/2003 of the European Parliament and of the Council on smoke flavourings used or intended for use in or on foods**

12. In Article 3 at the end insert—

“5. “Authority” means—

- (a) as regards England, Wales and Northern Ireland, the Food Standards Agency;
- (b) as regards Scotland, Food Standards Scotland;”

6. “prescribe”, means prescribe by regulations;

7. “appropriate authority” means—

- (a) in relation to England, the Secretary of State;
- (b) in relation to Wales, the Welsh Ministers;
- (c) in relation to Scotland, the Scottish Ministers;
- (d) in relation to Northern Ireland, the Northern Ireland devolved authority;

8. “Regulation 1321/2013” means Commission Implementing Regulation (EU) No. 1321/2013 establishing the Union list of authorised smoke flavouring primary products for use as such in or on foods and/or for the production of derived smoke flavourings;

9. “Northern Ireland devolved authority” means the Department of Health.”.