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DRAFT STATUTORY INSTRUMENTS

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**2022 No.**

**The Food and Feed (Miscellaneous  
Amendments) Regulations 2022**

**PART 3**

**Amendment of retained direct EU legislation**

**Amendment of Regulation (EU) 2015/2283 on novel foods, etc.**

**20.** In Article 35 of Regulation (EU) 2015/2283 of the European Parliament and of the Council on novel foods, etc.<sup>(1)</sup>—

- (a) omit paragraph 1;
- (b) for paragraph 2 substitute—

“**2.** A novel food, which is the subject of an application for authorisation submitted in accordance with Article 10, and which is received by the appropriate authority on or before 31 December 2023, may remain on the market in Great Britain until the application concludes, if—

- (a) it did not fall within scope of Regulation (EC) No 258/97<sup>(2)</sup> before that Regulation was repealed;
- (b) it was lawfully placed on the market in the European Union or the United Kingdom before 1 January 2018; and
- (c) it was the subject of an application for authorisation or notification of a traditional food from a third country received by the European Commission on or before 1 January 2019.

**2A.** For the purpose of paragraph 2, an application concludes when—

- (a) the appropriate authority informs the applicant, in accordance with Article 6(5) of Commission Implementing Regulation (EU) 2017/2469<sup>(3)</sup>, that the application is not considered valid;
- (b) the appropriate authority terminates the procedure in accordance with Article 10(6);
- (c) the applicant withdraws the application; or
- (d) the list established in Commission Implementing Regulation (EU) 2017/2470<sup>(4)</sup> is updated to authorise the novel food in accordance with Article 12(1) of this Regulation.”;

- (c) omit paragraph 3.

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(1) EUR 2015/2283, amended by S.I. 2019/702.

(2) Regulation (EC) No 258/97 was repealed by EUR 2015/2283 with effect from 1 January 2018.

(3) EUR 2017/2469, amended by S.I. 2019/702.

(4) EUR 2017/2470, amended by S.I. 2019/702.

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**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK  
Statutory Instrument: The Food and Feed (Miscellaneous Amendments) Regulations 2022 No. 1351

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