The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 16(1)(e) and (f), 17(2), 26(1)(a) and (3) and 48(1) of the Food Safety Act 1990, and now vested in him, as read with paragraph 1A of Schedule 2 to the European Communities Act 1972.

In accordance with section 48(4A) of the Food Safety Act 1990 he has had regard to relevant advice given by the Food Standards Agency.

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Secretary of State that it is expedient for references to the Annex to the EU instrument mentioned in regulation 3 to be construed as references to that Annex as it may be amended from time to time.

As required by Article 9 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, there has been open and transparent public consultation during the preparation and evaluation of these Regulations.
Title and commencement

1. These Regulations may be cited as the Nutrition and Health Claims (England) (Amendment) Regulations 2010 and come into force on 1st October 2010.

Amendment to the Nutrition and Health Claims (England) Regulations 2007

2. The Nutrition and Health Claims (England) Regulations 2007(5) are amended in accordance with regulation 3.

3. In regulation 2(1) (interpretation) for the definition of “the Regulation” substitute the following definition —

“the Regulation” means Regulation (EC) No. 1924/2006 of the European Parliament and of the Council on nutrition and health claims made on foods, as the Annex to that Regulation may be amended from time to time(6).”.

Signed by authority of the Secretary of State for Health.

Anne Milton
Parliamentary Under-Secretary of State,
Department of Health

7th July 2010

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(5) S.I. 2007/2080.
EXPLANATORY NOTE

(This note is not part of the Regulations)


2. A full impact assessment has not been prepared for these Regulations as no impact on the voluntary or private sectors is foreseen.