The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 16(1)(a) and (c), 17(1) and 48(1) of the Food Safety Act 1990(1) and now vested in him(2).

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

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(3), there has been open and transparent public consultation during the preparation and evaluation of these Regulations.

Title, application and commencement

1. These Regulations may be cited as the Extraction Solvents in Food (Amendment) (England) Regulations 2011, apply in relation to England only and come into force on 15th August 2011.
Amendment of the Extraction Solvents in Food Regulations 1993

2.—(1) The Extraction Solvents in Food Regulations 1993(4) are amended in accordance with paragraphs (2) and (3).

(2) At the end of the table in Schedule 2 (foods in which certain permitted extraction solvents may be used only for certain purposes), insert the following entries —

<table>
<thead>
<tr>
<th>“Column 1”</th>
<th>“Column 2”</th>
<th>“Column 3”</th>
<th>“Column 4”</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 Defatted protein products</td>
<td>Dimethyl ether</td>
<td>Preparation of defatted 0.009 mg/kg in animal protein the defatted protein products</td>
<td></td>
</tr>
</tbody>
</table>

(3) At the end of the table in Schedule 3 (maximum residues of extraction solvent permitted in foods due to the use in those foods of food consisting of flavourings prepared from natural flavouring materials by using those extraction solvents), insert the following entries —

<table>
<thead>
<tr>
<th>“Column 1”</th>
<th>“Column 2”</th>
</tr>
</thead>
<tbody>
<tr>
<td>Methanol</td>
<td>1.5 mg/kg</td>
</tr>
<tr>
<td>Propan-2-ol</td>
<td>1 mg/kg</td>
</tr>
</tbody>
</table>

Signed by authority of the Secretary of State for Health.

Anne Milton  
Parliamentary Under-Secretary of State,  
Department of Health  
13th July 2011


2. The amendments to the 1993 Regulations consist of —

   (a) the listing in Schedule 2 of dimethyl ether as an extraction solvent that may be used in the preparation of defatted animal protein products (regulation 2(2)); and

   (b) the inclusion in Schedule 3 (which concerns the use of extraction solvents in the preparation of natural flavourings) of methanol and propanol-2-ol, with associated prescribed residue limits (regulation 2(3)).

3. An impact assessment has not been prepared for this instrument as it has no impact on business or the public or third sectors.

EXPLANATORY NOTE

(This note is not part of the Regulations)


2. The amendments to the 1993 Regulations consist of —

   (a) the listing in Schedule 2 of dimethyl ether as an extraction solvent that may be used in the preparation of defatted animal protein products (regulation 2(2)); and

   (b) the inclusion in Schedule 3 (which concerns the use of extraction solvents in the preparation of natural flavourings) of methanol and propanol-2-ol, with associated prescribed residue limits (regulation 2(3)).

3. An impact assessment has not been prepared for this instrument as it has no impact on business or the public or third sectors.