
STATUTORY INSTRUMENTS

2013 No. 2775

FOOD, ENGLAND

The Fruit Juices and Fruit Nectars (England) Regulations 2013

Made - - - - 28th October 2013

Laid before Parliament 30th October 2013

Coming into force - - 20th November 2013

The following Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972⁽¹⁾ and it appears to the Secretary of State that it is expedient for any reference in the following Regulations to an EU instrument listed in Schedule 1 to be construed as a reference to that instrument as amended from time to time.

The Secretary of State is a Minister designated⁽²⁾ for the purposes of section 2(2) of the European Communities Act 1972 in relation to food and drink intended for sale for human consumption, including the presentation, packaging, labelling, marketing and advertising of such food and drink.

Insofar as the following Regulations are made in exercise of powers under the Food Safety Act 1990⁽³⁾, the Secretary of State has had regard to relevant advice given by the Food Standards Agency in accordance with section 48(4A)⁽⁴⁾ of that Act.

There has been consultation 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⁽⁵⁾.

The Secretary of State makes the following Regulations in exercise of the powers conferred by—

- (a) paragraph 1A of Schedule 2 to the European Communities Act 1972⁽⁶⁾, so far as relating to regulation 3⁽³⁾ and Schedule 1;
- (b) sections 114A⁽⁷⁾ and 138⁽⁷⁾ of the School Standards and Framework Act 1998⁽⁸⁾, so far as relating to—
 - (i) regulation 21, to the extent that it relates to paragraph 2 of Schedule 15, and

(1) 1972 c. 68. Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7).

(2) S.I. 2005/2766, to which there are amendments not relevant to these Regulations.

(3) 1990 c. 16.

(4) Section 48(4A) was inserted by paragraph 21 of Schedule 5 to the Food Standards Act 1999 (c. 28).

(5) OJ No L 31, 1.2.2002, p 1, last amended by Regulation (EC) No 596/2009 of the European Parliament and of the Council (OJ No L 188, 18.7.2009, p 14).

(6) Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 and amended by S.I. 2007/1388 and section 3(3) of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008.

(7) Section 114A was substituted for section 114, as originally enacted, by section 86(1) of the Education and Inspections Act 2006 (c. 40) and amended by S.I. 2010/1158.

(8) 1998 c. 31, to which there are other amendments not relevant to these Regulations. See section 142(1) for the meaning of “regulations”.

- (ii) paragraph 2 of Schedule 15; and
- (c) sections 6(4)(**9**), 16(1)(a) and (e), 17(1), 26(1)(a) and (3)(**10**) and 48(1)(**11**) of the Food Safety Act 1990, now vested in the Secretary of State(**12**), so far as relating to the other provisions of these Regulations.

(9) Section 6(4) was amended by paragraph 6 of Schedule 9 to the Deregulation and Contracting Out Act 1994 (c. 40), paragraph 10(1) and (3) of Schedule 5, and Schedule 6, to the Food Standards Act 1999, and [S.I. 2002/794](#).

(10) Section 26(3) was partially repealed by Schedule 6 to the Food Standards Act 1999.

(11) Section 48(1) was amended by paragraph 8 of Schedule 5 to the Food Standards Act 1999.

(12) Functions formerly exercisable by “the Ministers” (being, in relation to England and Wales and acting jointly, the Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with health in England and food and health in Wales and, in relation to Scotland, the Secretary of State) are now exercisable in relation to England by the Secretary of State pursuant to paragraph 8 of Schedule 5 to the Food Standards Act 1999.