

## SCHEDULE 1

Regulation 16

## Compositional criteria

1. The honey consists essentially of different sugars, predominantly fructose and glucose, as well as other substances such as organic acids, enzymes and solid particles derived from honey collection.
2. The colour varies from nearly colourless to dark brown.
3. The consistency can be fluid, viscous or partly or entirely crystallised.
4. The flavour and aroma vary but are derived from the plant origin.
5. No food ingredient has been added, including any food additive.
6. No other additions have been made to the honey except for other honey.
7. It must, as far as possible, be free from organic or inorganic matters foreign to its composition.
8. It must not—
  - (a) have any foreign tastes or odours;
  - (b) have begun to ferment;
  - (c) have an artificially changed acidity;
  - (d) have been heated in such a way that the natural enzymes have been either destroyed or significantly inactivated.
9. Paragraph 8 does not apply to baker's honey.
10. No pollen or constituent particular to honey may be removed except where this is unavoidable in the removal of foreign inorganic or organic matter.
11. Paragraph 10 does not apply to filtered honey.
12. The additional compositional criteria set out in the following table apply—

<i>Criteria</i>	<i>Amount</i>
<b>Sugar content</b>	
1.—(1) Fructose and glucose content (sum of both)—	
(a) blossom honey	not less than 60g/100g
(b) honeydew honey and a blend of honeydew honey with blossom honey	not less than 45g/100g
(2) Sucrose content—	
(a) all honey except for honey specified in paragraph (b) or (c)	not more than 5g/100g
(b) false acacia ( <i>Robinia pseudoacacia</i> ) honey, alfalfa ( <i>Medicago sativa</i> ) honey, Menzies Banksia ( <i>Banksia menziesii</i> ) honey, French honeysuckle ( <i>Hedysarum</i> ) honey, red gum ( <i>Eucalyptus camadulensis</i> ) honey, leatherwood ( <i>Eucryphia lucida</i> , <i>Eucryphia milliganii</i> ) honey, <i>Citrus</i> spp. honey	not more than 10g/100g
(c) lavender ( <i>Lavandula</i> spp.) honey, borage ( <i>Borago officinalis</i> ) honey	not more than 15g/100g

**Moisture content**

2. Moisture content—

**Status:** This is the original version (as it was originally made).

<i>Criteria</i>	<i>Amount</i>
(a) all honey except for honey specified in paragraph (b), (c) or (d)	not more than 20%
(b) honey from heather ( <i>Calluna</i> )	not more than 23%
(c) baker's honey except for baker's honey from heather ( <i>Calluna</i> )	not more than 23%
(d) baker's honey from heather ( <i>Calluna</i> )	not more than 25%
<b>Water-insoluble content</b>	
<b>3. Water-insoluble content—</b>	
(a) all honey except pressed honey	not more than 0.1g/100g
(b) pressed honey	not more than 0.5g/100g
<b>Electrical conductivity</b>	
<b>4. Electrical conductivity—</b>	
(a) all honey except for bell heather ( <i>Erica</i> ) honey, chestnut honey, eucalyptus honey, honeydew honey, lime ( <i>Tilia</i> spp.) honey, ling heather ( <i>Calluna vulgaris</i> ) honey, manuka or jelly bush ( <i>Leptospermum</i> ) honey, strawberry tree ( <i>Arbutus unedo</i> ) honey and tea tree ( <i>Melaleuca</i> spp.) honey	not more than 0.8mS/cm
(b) blends of honeys to which paragraph (a) applies	not more than 0.8mS/cm
(c) honeydew honey	not less than 0.8mS/cm
(d) blends of honeydew honey except blends of that honey with bell heather ( <i>Erica</i> ) honey, eucalyptus honey, lime ( <i>Tilia</i> spp.) honey, ling heather ( <i>Calluna vulgaris</i> ) honey, manuka or jelly bush ( <i>Leptospermum</i> ) honey, strawberry tree ( <i>Arbutus unedo</i> ) honey and tea tree ( <i>Melaleuca</i> spp.) honey	not less than 0.8mS/cm
(e) chestnut honey	not less than 0.8mS/cm
(f) blends of chestnut honey except blends of that honey with bell heather ( <i>Erica</i> ) honey, eucalyptus honey, lime ( <i>Tilia</i> spp.) honey, ling heather ( <i>Calluna vulgaris</i> ) honey, manuka or jelly bush ( <i>Leptospermum</i> ) honey, strawberry tree ( <i>Arbutus unedo</i> ) honey and tea tree ( <i>Melaleuca</i> spp.) honey	not less than 0.8mS/cm
<b>Free acid</b>	
<b>5. Free acid—</b>	
(a) all honey except for baker's honey	not more than 50 milli-equivalents acid/kg
(b) baker's honey	not more than 80 milli-equivalents acid/kg
<b>Diastase activity and hydroxymethylfurfural content</b>	
<b>6. Diastase activity and hydroxymethylfurfural content (HMF) determined after processing and blending—</b>	
(a) diastase activity (Schade scale) —	

<i>Criteria</i>	<i>Amount</i>
(i) all honey except baker's honey and honey specified in subparagraph (ii)	not less than 8
(ii) honey with a low natural enzyme content (e.g. citrus honey) and an HMF content of not more than 15mg/kg	not less than 3
(b) HMF—	
(i) all honey except baker's honey and honey specified in subparagraph (ii)	not more than 40mg/kg
(ii) honey of a declared origin from a region with a tropical climate and blends of these honeys	not more than 80mg/kg

## SCHEDULE 2

Regulation 19

## Application and modification of provisions of the Act

<i>Column 1</i>	<i>Column 2</i>
<i>Provision of the Act</i>	<i>Modifications</i>
Section 3 (presumptions that food intended for human consumption)	In subsection (1), for “this Act” substitute “the Honey (England) Regulations 2015”
Section 10(1) and (improvement notices)	(2) For subsection (1) (improvement notices) substitute— “(1) If an authorised officer of a food authority has reasonable grounds for believing that a person is failing to comply with any of regulations 6 to 17 of the Honey (England) Regulations 2015, the authorised officer may, by a notice served on that person (in this Act referred to as an “improvement notice”)— (a) state the officer's grounds for believing that the person is failing to comply with the relevant provision; (b) specify the matters which constitute the person's failure so to comply; (c) specify the measures which, in the officer's opinion, the person must take in order to secure compliance; and (d) require the person to take those measures, or measures that are at least equivalent to them, within such period (not being less than 14 days) as may be specified in the notice.”
Section 20 (offences due to fault of another person)	For “any of the preceding provisions of this Part” substitute “section 10(2), as applied by regulation 19 of, and Schedule 2 to, the Honey (England) Regulations 2015,”
Section 21(1) and (5) (defence of due diligence)	In subsection (1), for “any of the preceding provisions of this Part” substitute “section 10(2), as applied by regulation 19 of, and Schedule 2 to, the Honey (England) Regulations 2015”

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<i>Column 1</i>	<i>Column 2</i>
<i>Provision of the Act</i>	<i>Modifications</i>
Section 30(8) (evidence of certificates given by a food analyst or examiner)	For “this Act” substitute “the Honey (England) Regulations 2015”
Section 33 (obstruction etc. of officers)	In subsection (1), for “this Act” (in each place occurring) substitute “the Honey (England) Regulations 2015”
Section 35(1)(1) and (2)(2) (punishment of offences)	In subsection (1), after “section 33(1) above”, insert “, as applied and modified by regulation 19 of, and Schedule 2 to, the Honey (England) Regulations 2015,”  After subsection (1), insert— “(1A) A person guilty of an offence under section 10(2), as applied by regulation 19 of, and Schedule 2 to, the Honey (England) Regulations 2015, shall be liable, on summary conviction, to a fine.”  In subsection (2) for “any other offence under this Act” substitute “an offence under section 33(2), as applied by regulation 19 of, and Schedule 2 to, the Honey (England) Regulations 2015,”
Section 36 (offences by body corporate)	In subsection (1), for “this Act” substitute “section 10(2), as applied by regulation 19 of, and Schedule 2 to, the Honey (England) Regulations 2015,”
Section 36A(3) (offences by Scottish partnerships)	For “this Act” substitute “section 10(2), as applied by regulation 19 of, and Schedule 2 to, the Honey (England) Regulations 2015,”
Section 37(1) and (6) (appeals)	For subsection (1) substitute— “(1) Any person who is aggrieved by a decision of an authorised officer of a food authority to serve an improvement notice under section 10(1), as applied and modified by regulation 19 of, and Schedule 2 to, the Honey (England) Regulations 2015, may appeal to the First-tier Tribunal.”  In subsection (6)— (a) for “(3) or (4)” substitute “(1)”, and (b) in paragraph (a), for “a magistrates’ court or to the sheriff” substitute “the First-tier Tribunal”
Section 39 (appeals against improvement notices)	For subsection (1) substitute— “(1) On an appeal against an improvement notice served under section 10(1), as applied and modified by regulation 19 of, and Schedule 2 to, the Honey (England) Regulations 2015, the First-tier Tribunal may either cancel or affirm the notice and, if it

- (1) Section 35(1) is amended by paragraph 42 of Schedule 26 to the Criminal Justice Act 2003 (c. 44) from a date to be appointed. There are other amendments to section 35(1) not relevant to these Regulations.
- (2) Section 35(2) was amended by S.I. 2015/664. There are other amendments to section 35(2) not relevant to these Regulations.
- (3) Section 36A was inserted by paragraph 16 of Schedule 5 to the Food Standards Act 1999 (c. 28).

<i>Column 1</i>	<i>Column 2</i>
<i>Provision of the Act</i>	<i>Modifications</i>
	affirms it, may do so either in its original form or with such modifications as the First-tier Tribunal may in the circumstances think fit.”
	In subsection (3), omit “for want of prosecution”
Section 44 (protection of officers acting in good faith)	For “this Act” (in each place occurring) substitute “the Honey (England) Regulations 2015”

### SCHEDULE 3

Regulation 21

#### Amendment of the Food Information Regulations 2014

1. The Food Information Regulations 2014<sup>(4)</sup> are amended as follows.
2. In the table in Part 2 of Schedule 5 (FIC provisions in relation to which an improvement notice may be served on and from 13th December 2014)—
  - (a) in the third column, at the end of entry number 26, insert “, and, in relation to honey, point 4(b) of Article 2 of Council [Directive 2001/110/EC](#) relating to honey<sup>(5)</sup>”; and
  - (b) in the third column, in entry number 27, for “and the first subparagraph of Article 54(1)” substitute “, the first subparagraph of Article 54(1) and, in relation to honey, point 4(b) of Article 2 of Council [Directive 2001/110/EC](#)”.

<sup>(4)</sup> [S.I. 2014/1855](#).

<sup>(5)</sup> OJ No L 10, 12.1.2002, p 47, last amended by Directive 2014/63/EU of the European Parliament and of the Council (OJ No 164, 3.6.2014, p 1).