

SCHEDULE 2

Regulation 5(3)(e), (16)(a), (23)(b) and  
(28)(b)

Regulation (EU) No 1169/2011 of the European Parliament and of the Council: amendments

[<sup>F1</sup>PART 1

Article 2(2), new points: points (v) to (z1)

**Textual Amendments**

**F1** Sch. 2 Pt. 1 substituted (31.12.2020 immediately before IP completion day) by [The Food \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1501\)](#), reg. 1(a), **Sch.**

**Commencement Information**

**II** Sch. 2 Pt. 1 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

- “(v) ‘the appropriate authority’ means:
- (i) as regards type B regulations, the Secretary of State;
  - (ii) in all other cases:
    - (aa) in relation to England, the Secretary of State;
    - (bb) in relation to Scotland, the Scottish Ministers;
    - (cc) in relation to Wales, the Welsh Ministers;
- (w) ‘enactment’ includes enactments of the type specified in paragraphs (a) to (d) of the definition of ‘enactment’ in section 20(1) of the European Union (Withdrawal) Act 2018 but not enactments of the type specified in paragraphs (e) to (h);
- (x) ‘EU-derived domestic legislation’ has the meaning given in section 1B(7) of the European Union (Withdrawal) Act 2018 but does not include:
- (i) any legislation that only extends to Northern Ireland;
  - (ii) any other legislation in so far as it extends to Northern Ireland;
- (y) ‘retained direct EU legislation’ has the meaning given in section 20(1) of the European Union (Withdrawal) Act 2018 but does not include retained direct EU legislation insofar as it extends to Northern Ireland;
- (z) ‘type A regulations’, in any provision of this Regulation, means:
- (i) in relation to England, any regulations made by the Secretary of State under the Food Safety Act 1990 using a power in that Act that enables the Secretary of State to make regulations relating to the matter specified in the provision in question;
  - (ii) in relation to Scotland, any regulations made by the Scottish Ministers under the Food Safety Act 1990 using a power in that Act that enables them to make regulations relating to the matter specified in the provision in question;
  - (iii) in relation to Wales, any regulations made by the Welsh Ministers under the Food Safety Act 1990 using a power in that Act that enables them to make regulations relating to the matter specified in the provision in question;
- (z1) ‘type B regulations’, in any provision of this Regulation, means regulations made by the Secretary of State under the Weights and Measures Act 1985 using a power in that Act

*Changes to legislation: There are currently no known outstanding effects for the The Food (Amendment) (EU Exit) Regulations 2019, SCHEDULE 2. (See end of Document for details)*

that enables the Secretary of State to make regulations relating to the matter specified in the provision in question.”]

## PART 2

### Article 29(1), points (a) and (b): substituted points

**Commencement Information**

**I2** Sch. 2 Pt. 2 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

- “(a) the following legislation relating to food supplements:
  - (i) in relation to food supplied in England, the Food Supplements (England) Regulations 2003 <sup>M1</sup>;
  - <sup>F2</sup>(ii) .....
  - [<sup>F3</sup>(ii)] in relation to food supplied in Scotland, the renunbe Food Supplements (Scotland) Regulations 2003<sup>M2</sup>;
  - [<sup>F4</sup>(iii)] in relation to food supplied in Wales, enumber the Food Supplements (Wales) Regulations 2003 <sup>M3</sup>;
- (b) the following provisions relating to the exploitation and marketing of natural mineral waters and spring waters:
  - (i) in relation to water supplied in England, Parts 2 and 3 of the Natural Mineral Water, Spring Water and Bottled Drinking Water (England) Regulations 2007 <sup>M4</sup>;
  - <sup>F5</sup>(ii) .....
  - [<sup>F6</sup>(ii)] in relation to water supplied in Scotland, Parts 2 and 3 of the Natural Mineral Water, Spring Water and Bottled Drinking Water (Scotland) (No. 2) Regulations 2007 <sup>M5</sup>;
  - [<sup>F7</sup>(iii)] in relation to water supplied in Wales, Parts 2 and 3 of the Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2015 <sup>M6</sup>.”

**Textual Amendments**

- F2** Words in Sch. 2 Pt. 2 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Food \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1501\)](#), [regs. 1\(a\), 4\(6\)\(b\)\(i\)\(aa\)](#)
- F3** Words in Sch. 2 Pt. 2 renumbered (31.12.2020 immediately before IP completion day) by [The Food \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1501\)](#), [regs. 1\(a\), 4\(6\)\(b\)\(i\)\(bb\)](#)
- F4** Words in Sch. 2 Pt. 2 renumbered (31.12.2020 immediately before IP completion day) by [The Food \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1501\)](#), [regs. 1\(a\), 4\(6\)\(b\)\(i\)\(cc\)](#)
- F5** Words in Sch. 2 Pt. 2 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Food \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1501\)](#), [regs. 1\(a\), 4\(6\)\(b\)\(ii\)\(aa\)](#)
- F6** Words in Sch. 2 Pt. 2 renumbered (31.12.2020 immediately before IP completion day) by [The Food \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1501\)](#), [regs. 1\(a\), 4\(6\)\(b\)\(ii\)\(bb\)](#)
- F7** Words in Sch. 2 Pt. 2 renumbered (31.12.2020 immediately before IP completion day) by [The Food \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1501\)](#), [regs. 1\(a\), 4\(6\)\(b\)\(ii\)\(cc\)](#)

**Marginal Citations**

**M1** [S.I. 2003/1387](#), amended by [S.I. 2005/2626](#), [2009/3251](#), [2011/1043](#), [2014/1855](#).

**Changes to legislation:** There are currently no known outstanding effects for the *The Food (Amendment) (EU Exit) Regulations 2019, SCHEDULE 2*. (See end of Document for details)

- M2** [S.S.I. 2003/278](#), amended by [S.S.I. 2005/616](#), [2009/438](#), [S.I. 2011/1043](#), [S.S.I. 2014/312](#).
- M3** [S.I. 2003/1719](#) (W. 186), amended by [S.I. 2005/3254](#) (W. 247), [2009/3252](#) (W. 282), [2011/1043](#), [2014/2303](#) (W. 227).
- M4** [S.I. 2007/2785](#); relevant amending instruments are [S.I. 2009/1598](#), [2010/433](#), [2011/451](#), [1043](#).
- M5** [S.S.I. 2007/483](#); relevant amending instruments are [S.S.I. 2009/273](#), [2010/89](#), [S.I. 2011/1043](#).
- M6** [S.I. 2015/1867](#) (W. 274), amended by [S.I. 2017/935](#) (W. 229); there are other amending instruments but none is relevant.

## PART 3

### Article 42: new second paragraph

#### Commencement Information

- I3** Sch. 2 Pt. 3 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

[<sup>F8</sup>“The specified legislation is:

- (a) the Weights and Measures (Miscellaneous Foods) Order 1988;
- (b) the Weights and Measures (Packaged Goods) Regulations 2006.”]

#### Textual Amendments

- F8** Words in Sch. 2 Pt. 3 substituted (31.12.2020 immediately before IP completion day) by [The Food \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1501\)](#), [regs. 1\(a\), 4\(6\)\(c\)](#)

## PART 4

### Annex 6, Part B, point 3: substituted point

#### Commencement Information

- I4** Sch. 2 Pt. 4 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

“3. Minced meat that does not comply with the criteria laid down in point 1 of this Part may be placed on the market:

- (a) in England, if the mark in Part 1 of Schedule 2 to the Food Information Regulations 2014<sup>M7</sup> is used to identify the minced meat in accordance with regulation 4 of those Regulations;

<sup>F9</sup>(b) .....

- [<sup>F10</sup>(b)] in Scotland, if the mark in Part 1 of Schedule 1 to the Food Information (Scotland) Regulations 2014<sup>M8</sup> is used to identify the minced meat in accordance with regulation 4 of those Regulations;

**Changes to legislation:** There are currently no known outstanding effects for the The Food (Amendment) (EU Exit) Regulations 2019, SCHEDULE 2. (See end of Document for details)

[<sup>F11</sup>(c)] in Wales, if the mark in Part 1 of Schedule 2 to the Food Information (Wales) Regulations 2014 <sup>M9</sup> is used to identify the minced meat in accordance with regulation 4 of those Regulations.”

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**Textual Amendments**

- F9** Words in Sch. 2 Pt. 4 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Food \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1501\)](#), regs. 1(a), **4(6)(d)(i)**
- F10** Words in Sch. 2 Pt. 4 renumbered (31.12.2020 immediately before IP completion day) by [The Food \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1501\)](#), regs. 1(a), **4(6)(d)(ii)**
- F11** Words in Sch. 2 Pt. 4 renumbered (31.12.2020 immediately before IP completion day) by [The Food \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1501\)](#), regs. 1(a), **4(6)(d)(iii)**
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**Marginal Citations**

- M7** [S.I. 2014/1855](#), to which there are amendments not relevant to these Regulations.
- M8** [S.S.I. 2014/312](#), to which there are amendments not relevant to these Regulations.
- M9** [S.I. 2014/2303 \(W. 227\)](#), to which there are amendments not relevant to these Regulations.

**Changes to legislation:**

There are currently no known outstanding effects for the The Food (Amendment) (EU Exit) Regulations 2019, SCHEDULE 2.