
STATUTORY INSTRUMENTS

2022 No. 938

AGRICULTURE, ENGLAND
FOOD, ENGLAND

The Food Information (Amendment of Transitional Provisions) (England) Regulations 2022

<i>Made</i>	- - - -	<i>5th September 2022</i>
<i>Laid before Parliament</i>		<i>6th September 2022</i>
<i>Coming into force</i>	- -	<i>30th September 2022</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 16(1) (e) and 48(1)(c) of the Food Safety Act 1990⁽¹⁾.

In accordance with section 48(4A) of the Food Safety Act 1990⁽²⁾, the Secretary of State has had regard to relevant advice given by the Food Standards Agency.

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⁽³⁾.

PART 1

Introductory

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Food Information (Amendment of Transitional Provisions) (England) Regulations 2022 and come into force on 30 September 2022.

(2) These Regulations extend to England and Wales but apply in relation to England only.

(1) 1990 c. 16. Sections 16(1) and 48(1) were amended by paragraph 8 of Schedule 5 to the Food Standards Act 1999 (c. 28).
(2) Subsection (4A) was inserted by paragraph 21 of Schedule 5 to the Food Standards Act 1999.
(3) EUR 2002/178, to which there are amendments not relevant to these Regulations.

PART 2

Amendments to subordinate legislation

The Quick-frozen Foodstuffs (England) Regulations 2007

2. In regulation 12 (transitional provisions: withdrawal from the EU) of the Quick-frozen Foodstuffs (England) Regulations 2007(4), in paragraph (b), for the words from “the last” to “falls” substitute “1 January 2024”.

The Marketing of Fresh Horticultural Produce Regulations 2009

3. In regulation 24 (transitional provisions: withdrawal from the EU) of the Marketing of Fresh Horticultural Produce Regulations 2009(5), in paragraphs (1)(a) and (2)(a), for the words from “the end” to “falls” substitute “1 January 2024”.

The Beef and Veal Labelling Regulations 2010

4. In regulation 4 (offences under European legislation) of the Beef and Veal Labelling Regulations 2010(6), for paragraph (4) substitute—

“(4) Paragraphs (1)(a)(vi) and (1)(b)(ii) do not apply if the matter constituting the alleged contravention—

(a) relates to a product that was placed on the market before 1 January 2024, and

(b) either—

(i) in the case of paragraph (1)(a)(vi), would not have constituted a contravention of Article 15 of Regulation (EC) No 1760/2000 of the European Parliament and of the Council(7) as that Regulation had effect in EU law immediately before IP completion day(8), or

(ii) in the case of paragraph (1)(b)(ii) and where the alleged contravention is a failure to comply with Article 2(2)(b) of Commission Regulation (EC) No 1825/2000(9), would not have constituted a contravention of that provision as it had effect in EU law immediately before IP completion day(10).”.

The Food Additives, Flavourings, Enzymes and Extraction Solvents (England) Regulations 2013

5. In regulation 23 (transitional provisions: withdrawal from the EU) of the Food Additives, Flavourings, Enzymes and Extraction Solvents (England) Regulations 2013(11), in paragraph (1)(b), for the words from “the last” to “falls” substitute “1 January 2024”.

(4) S.I. 2007/191, amended by S.I. 2014/1855, 2019/462 and 2022/377.

(5) S.I. 2009/1361; relevant amending instruments are S.I. 2011/1043, 2011/2587, 2013/3235 and 2019/824. S.I. 2019/824 came into force on IP completion day by virtue of paragraph 1(1) of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020 (c. 1) and was amended before it came into force by S.I. 2020/1453.

(6) S.I. 2010/983, amended by S.I. 2019/824; there are other amending instruments but none is relevant.

(7) EUR 2000/1760, amended by S.I. 2019/822. S.I. 2019/822 came into force on IP completion day by virtue of paragraph 1(1) of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020 and was amended before it came into force by S.I. 2020/1453; there are other amending instruments to S.I. 2019/822 but none is relevant.

(8) OJ No. L 204, 11.08.2000, p. 1, as last amended by Regulation (EU) 2016/429 (OJ No. L 84, 31.3.2016, p. 1).

(9) EUR 2000/1825, amended by S.I. 2019/822.

(10) OJ No. L 216, 26.08.2000, p. 8, as last amended by Commission Regulation (EC) No 275/2007 (OJ No. L 76, 16.03.2007, p. 12).

(11) S.I. 2013/2210; relevant amending instruments are S.I. 2019/860 and 2022/377. S.I. 2019/860 came into force on IP completion day by virtue of paragraph 1(1) of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020 and was amended before it came into force by S.I. 2020/1504.

The Food Safety and Hygiene (England) Regulations 2013

6. In regulation 19 (offences and penalties) of the Food Safety and Hygiene (England) Regulations 2013(12), in paragraph (9)(b)(ii), for “21 months after IP completion day ends” substitute “31 December 2023”.

The Food Information Regulations 2014

7. In regulation 16 (transitional provisions: withdrawal from the EU) of the Food Information Regulations 2014(13), in paragraph (1)(a), for the words from “the last” to “falls” substitute “1 January 2024”.

The Country of Origin of Certain Meats (England) Regulations 2015

8. In regulation 8 (transitional provisions: withdrawal from the EU) of the Country of Origin of Certain Meats (England) Regulations 2015(14), in paragraph (2)(a), for the words from “within the” to the end substitute “before 1 January 2024”.

The Honey (England) Regulations 2015

9. In regulation 22A (transitional provisions: withdrawal from the EU) of the Honey (England) Regulations 2015(15), in paragraph (2)(a), for the words from “within the” to the end substitute “before 1 January 2024”.

The Caseins and Caseinates (England) Regulations 2017

10. In regulation 10 (transitional provision: withdrawal from the EU) of the Caseins and Caseinates (England) Regulations 2017(16), in paragraph (1)(a), for the words from “the last” to “falls” substitute “1 January 2024”.

PART 3

Amendments to retained direct EU legislation

Commission Regulation (EC) No 1825/2000

11. In Article 2 (labelling where information is not available) of [Commission Regulation \(EC\) No 1825/2000](#) laying down detailed rules for the application of [Regulation \(EC\) No 1760/2000](#) of the European Parliament and of the Council as regards the labelling of beef and beef products, in paragraphs 3 and 4, for the words from “of 21” to “falls” substitute “beginning with 30 September 2022 and ending with 31 December 2023”.

Commission Regulation (EC) No 589/2008

12. In Article 30 (imported eggs) of [Commission Regulation \(EC\) No 589/2008](#) laying down detailed rules for implementing Council Regulation (EC) No 1234/2007 as regards marketing

(12) [S.I. 2013/2996](#); relevant amending instruments are [S.I. 2019/641](#), [2019/1476](#) and [2020/1410](#). [S.I. 2019/641](#) came into force on IP completion day by virtue of paragraph 1(1) of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020 and was amended before it came into force by [S.I. 2020/1504](#).

(13) [S.I. 2014/1855](#), amended by [S.I. 2021/632](#); there are other amending instruments but none is relevant.

(14) [S.I. 2015/518](#), amended by [S.I. 2021/632](#); there is another amending instrument but it is not relevant.

(15) [S.I. 2015/1348](#), amended by [S.I. 2021/632](#); there is another amending instrument but it is not relevant.

(16) [S.I. 2017/848](#), amended by [S.I. 2021/632](#).

standards for eggs⁽¹⁷⁾, in paragraph 3, for the words from “for a period” to “falls” substitute “for the period beginning with 30 September 2022 and ending with 31 December 2023”.

Commission Implementing Regulation (EU) No 543/2011

13.—(1) Commission Implementing Regulation (EU) No 543/2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors⁽¹⁸⁾ is amended as follows.

(2) In Article 7 (mixes), in paragraph 4(b), for the words from “of 21” to “falls” substitute “beginning with 30 September 2022 and ending with 31 December 2023”.

(3) In Annex 1 (marketing standards referred to in Article 3)—

- (a) in Part A (general marketing standards), in point 4(A) (identification), in the second indent of the second paragraph, for the words from “of 21” to “falls” substitute “beginning with 30 September 2022 and ending with 31 December 2023”; and
- (b) in Part B (specific marketing standards), in each of Parts 1 to 10, in point 6(A) (identification), in the second indent of the second paragraph, for the words from “of 21” to “falls” substitute “beginning with 30 September 2022 and ending with 31 December 2023”.

Commission Implementing Regulation (EU) No 29/2012

14. In Article 2 of Commission Implementing Regulation (EU) No 29/2012 on marketing standards for olive oil⁽¹⁹⁾, in point (b) of the third paragraph, for the words from “of 21” to “falls” substitute “beginning with 30 September 2022 and ending with 31 December 2023”.

Commission Delegated Regulation (EU) 2019/33

15. In Article 46 (indication of the bottler, producer, importer and vendor) of Commission Delegated Regulation (EU) 2019/33 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation⁽²⁰⁾, in paragraph 1, in points (a) and (d), for “30 September 2022” substitute “31 December 2023”.

Victoria Prentis

Minister of State

Department for Environment, Food and Rural
Affairs

5th September 2022

(17) EUR 2008/589, as amended by S.I. 2019/1402 and 2019/1422. S.I. 2019/1402 and 2019/1422 came into force on IP completion day by virtue of paragraph 1(1) of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020. S.I. 2019/1402 was amended before it came into force by S.I. 2020/1452. S.I. 2019/1422 was amended before it came into force by S.I. 2020/1453; there are other amending instruments to S.I. 2019/1402 and 2019/1422 but none is relevant.

(18) EUR 2011/543, amended by S.I. 2019/822; there are other amending instruments but none is relevant. S.I. 2019/822 was amended before it came into force by S.I. 2019/812, 2019/1405 and 2020/1453 (and the amendments made by S.I. 2019/1405 were themselves amended before coming into force by S.I. 2020/1453).

(19) EUR 2012/29, amended by S.I. 2019/1422.

(20) EUR 2019/33, amended by S.I. 2021/632; there are other amending instruments but none is relevant.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to existing transitional provisions contained in statutory instruments and in retained direct EU legislation which relate to various food labelling requirements. The amendments, which only apply in England, extend previous transitional arrangements, which were due to expire at the end of September 2022, so that they continue to apply until the end of 2023.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the public, private or voluntary sector is foreseen.