Draft Regulations laid before the Assembly under paragraph 8F(9) of Part 1A of Schedule 7 of the European Union (Withdrawal) Act 2018 (c. 16), for approval by resolution of the Assembly.

DRAFT STATUTORY RULES OF NORTHERN IRELAND

2026 No.

FOOD

The Feed and Food (Miscellaneous Amendments and Revocations) Regulations (Northern Ireland) 2026

Made - - - - ***

Coming into operation

The Department of Health(**a**) makes the following Regulations in exercise of the powers conferred by Articles 15(1), 25(1) and (3), 26(3), 32(1), and 47(2) of the Food Safety (Northern Ireland) Order 1991(**b**) and Sections 11 and 22, paragraph 11(M)(1) of Part 1C of Schedule 2, and paragraph 21 of Part 3 of Schedule 7 to the European Union (Withdrawal) Act 2018(**c**).

In accordance with Article 47(3A) of the Food Safety (Northern Ireland) Order 1991, the Department of Health has had regard to relevant advice given by the Food Standards Agency.

As required by Article 9 of Regulation (EC) No 178/2002(**d**) 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, there has been open and transparent public consultation during the preparation and evaluation of these Regulations.

Citation, Commencement and Interpretation

1.—(1) —These Regulations may be cited as the Feed and Food (Miscellaneous Amendments and Revocations) Regulations (Northern Ireland) 2026 and come into operation on 0th Month 2026.

(2) The Interpretation Act (Northern Ireland) 1954(**e**) applies to these Regulations as it applies to an Act of the Assembly.

(**a**) Formerly the Department of Health, Social Services and Public Safety; see 2016 c.5 (NI) section 1(5)
(**b**) S.I. 1991/762 (N.I. 7)
(**c**) 2018 c. 16
(**d**) OJ L31, 1.2.2002, p.1
(**e**) 1954 c. 33 (NI)

Amendment to the Specified Sugar Products Regulations (Northern Ireland) 2003

2.—(1) —The Specified Sugar Products Regulations (Northern Ireland) 2003(**a**) are amended as follows.

(2) In Schedule 1 (SPECIFIED SUGAR PRODUCTS AND THEIR RESERVED DESCRIPTIONS) in the reserved description for "Semi-white sugar", in column 2, paragraph (b) for "0.01%" insert "0.1%".

Amendment to the Food Hygiene Regulations (Northern Ireland) 2006

3.—(1) —The Food Hygiene Regulations (Northern Ireland) 2006(**b**) are amended as follows.

(2) In regulation 17 (Offences and penalties)—

(a) in paragraph (1) omit "paragraphs (4) and (5)" and substitute "paragraph (4)";

(b) omit paragraph (5).

(3) Regulation 32 is omitted.

(4) Schedule 2A is omitted.

Amendment to the Addition of Vitamins, Minerals and Other Substances to Foods Regulations (Northern Ireland) 2007

4.—(1) —The Addition of Vitamins, Minerals and Other Substances to Foods Regulations (Northern Ireland) 2007(**c**) are amended as follows.

(2) In regulation 2(1) (Interpretation), for the definition of "the EC Regulation" omit "as last amended by Commission Regulation (EU) 2017/1203, except for Annex I and II to Regulation (EC) No. 1925/2006 which shall be construed".

(3) In regulation 4(2) (Offences and penalties)—

(a) at the end of sub-paragraph (d) omit "and";

(b) in sub-paragraph (e) omit "as amended by Article 50 Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers." and replace with ";"; and

(c) after sub-paragraph (e) insert—

"(f) Article 8(2)(a)(i) (prohibition of the addition of a substance listed in Annex III, Part A, to foods or its use in the manufacture of foods); and

(g) Article 8(2)(a)(ii) (prohibition of the addition of a substance listed in Annex III, Part B, to foods or its use in the manufacture of foods unless that substance is added or used in accordance with the conditions specified in that Part).".

Amendment to the Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016

5.—(1) —The Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016(**d**) are amended as follows.

(2) In Regulation 19, for "Regulation 1829/2002" substitute "Regulation 1829/2003".

(**a**) S.R. 2003 No. 301
(**b**) S.R. 2006 No. 3; relevant amending Regulations are S.R. 2020 No. 286.
(**c**) S.R. 2007 No. 301, as amended by S.R. 2010 No. 292, S.R. 2014 No. 223 and S.R. 2019 No. 5
(**d**) S.R. 2016 No. 4, as amended by S.R. 2020 No. 291, and to which there are other amendments not relevant to these Regulations

Amendment to the Food Safety (Information and Compositional Requirements) Regulations (Northern Ireland) 2016

6.—(1) —The Food Safety (Information and Compositional Requirements) Regulations (Northern Ireland) 2016(**a**) are amended as follows.

(2) In Regulation 2(1) (Interpretation)—

(a) In the definition of "Delegated Regulation 128" for "Delegated Regulation 128"", substitute ""Delegated Regulation 128"";

(b) after the definition of "Delegated Regulation 128" insert—

> ""Delegated Regulation 1798" means Commission Delegated Regulation (EU) 2017/1798 of 2 June 2017 supplementing Regulation (EU) No. 609/2013 of the European Parliament and of the Council as regards the specific compositional and information requirements for total diet replacement for weight control;";

(c) in the definition of the "EU Regulation" omit ", subject to regulation 2(2)," and "as last amended by Commission Delegated Regulation 2017/1091";

(d) omit the definitions of "food for special medical purposes" and "infant"; and

(e) for the definition of "specified EU requirement" substitute—

> ""specified EU requirement" means any provision of the EU Regulation, Delegated Regulation 127, Delegated Regulation 128 or Delegated Regulation 1798 specified in column 1 of Schedule 1, as read with the provisions specified in the corresponding entry in column 2.".

(3) In regulation 2(2) for "Article 2(2) or to a specified EU requirement", substitute "a specified EU requirement or to a provision of the EU Regulation".

(4) Regulation 2(4) is omitted.

(5) For regulation 2(5) substitute—

> "(5) Any expression used in both these Regulations and in Delegated Regulation 127, Delegated Regulation 128, Delegated Regulation 1798, or the EU Regulation has the same meaning it bears in Delegated Regulation 127, Delegated Regulation 128, Delegated Regulation 1798, or the EU Regulation, as the case may be.".

(6) Regulation 6 is omitted.

(7) Regulation 8 is omitted.

(8) Substitute Schedule 1 with the Schedule to these Regulations.

(9) Schedule 3 is omitted.

Amendment to the Caseins and Caseinates Regulations (Northern Ireland) 2016

7.—(1) —The Caseins and Caseinates Regulations (Northern Ireland) 2016(**b**) are amended as follows.

(2) In paragraph 1 of Schedule 3, in column 2 of the table, for "Maximum ash content" substitute "Minimum ash content".

(**a**) S.R. 2016 No. 251; relevant amending Regulations are S.R. 2020 No. 16
(**b**) S.R. 2016 No. 415

Revocations

8.—(1) —The following Regulations are revoked—

(2) The Salad Cream Regulations (Northern Ireland) 1966(**a**).

(3) The Foods Intended for Use in Energy Restricted Diets Regulations (Northern Ireland) 1997(**b**).

(4) The Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) Regulations (Northern Ireland) 2009(**c**).

Sealed with the official seal of the Department of Health on 0th Month 2026.

A Name
A senior officer of the Department of Health

(**a**) S.R. 1966 No. 192
(**b**) S.R. 1997 No. 450, to which there are amendments not relevant to these Regulations
(**c**) S.R. 2009 No. 398

SCHEDULE

Regulation 6(8)

Schedule 1 to the Food Safety (Information and Compositional Requirements) Regulations (Northern Ireland) 2016 as substituted by these Regulations

"SCHEDULE 1

Regulation 2(1)

Specified EU Requirements

Column 1 Specified provision of the EU Regulation	*Column 2 Provisions to be read with the specified provision of the EU Regulation*
Article 4(2) (requirement for relevant food to be pre-packed)	Articles 1(1) and 4(1)
Article 9(1) (requirement for the composition of food to be nutritionally appropriate and suitable)	Articles 1(1), 4(1) and 9(3)
Article 9(2) (prohibition on substances in dangerous quantities)	Articles 1(1) and 4(1)
Article 9(5) (requirements as to labelling, presentation and advertising of relevant food)	Articles 1(1), 4(1) and 9(6)
Article 10 (additional requirements for infant formula and follow-on formula)	Article 4(1)
Article 15(1) Union list	Articles 1(1), 4(1) and the Annex

Specified provision of Delegated Regulation 127	*Provisions of Delegated Regulation 127 to be read with the specified provision of Delegated Regulation 127*
Article 1(2) (placing on the market)	Article 1(1)
Article 2(1) (compositional requirements for infant formula)	Articles 1(1) and 2(3), Annex I, and Annex III
Article 2(2) (compositional requirements for follow-on formula)	Articles 1(1) and 2(3), Annex II and Annex III
Article 2(3) (preparation of infant and follow-on formula)	Articles 1(1), 2(1) and (2)
Article 3(1) (suitability of ingredients for infant formula)	Articles 1(1) and 3(3) and point 2 of Annex I
Article 3(2) (suitability of ingredients for follow-on formula)	Articles 1(1) and 3(3) and point 2 of Annex II
Article 4(2) (active substance residue threshold)	Articles 1(1) and 4(1), (3) and (5)

Specified provision of Delegated Regulation 127	*Provisions of Delegated Regulation 127 to be read with the specified provision of Delegated Regulation 127*
Article 4(3) (derogation from active substance residue threshold)	Articles 1(1) and 4(1), (2) and (5)
Article 4(4) (requirements on pesticides)	Articles 1(1), 4(1) and (5)
Article 5(1) (name of food not manufactured entirely from cows' or goats' milk protein)	Article 1(1) and Part A of Annex VI
Article 5(2) (name of food manufactured entirely from cows' or goats' milk protein)	Article 1(1) and Part B of Annex VI
Article 6 (specific requirements on food information)	Articles 1(1) and 7(1), (2), (3), (5), (6), (7) and (8)
Article 7(1) (specific requirements on the nutrition declaration)	Articles 1(1) and 7(4), Annex I and Annex II
Article 7(3) (repetition of information included on the mandatory nutrition declaration)	Article 1(1)
Article 7(4) (nutrition declaration mandatory regardless of size of packaging or container)	Articles 1(1) and 7(1), Annex I and Annex II
Article 7(5) (application of Articles 31 to 35 of Regulation (EU) No. 1169/20112)	Articles 1(1) and 7(6) , (7) and (8)
Article 7(6) (expression of energy value and amounts of nutrients)	Articles 1(1) and 7(5)
The first sub-paragraph of Article 7(7) (prohibition on expressing energy value and amount of nutrients as a percentage of reference intake)	Articles 1(1) and 7(5)
Article 7(8) (presentation of particulars included in the nutrition declaration)	Article 1(1)
Article 8 (prohibition on making nutrition and health claims on infant formula)	Article 1(1)
Article 9(1) ("lactose only" statement)	Article 1(1)
The first paragraph of Article 9(2) ("lactose free" statement)	Article 1(1)
The second sub-paragraph of Article 9(2) (statement that "lactose free" infant formula and follow-on formula is not suitable for infants with galactosaemia)	Article 1(1)
Article 9(3) (prohibition on references to docosahexaneonic acid where infant formula is placed on the market on or after 22 February 2025)	Article 1(1)
Article 10(1) (restriction on advertising for infant formula)	Article 1(1)

Specified provision of Delegated Regulation 127	*Provisions of Delegated Regulation 127 to be read with the specified provision of Delegated Regulation 127*
Article 10(2) (prohibition of promotional devices to induce sales of infant formula)	Article 1(1)
Article 10(3) (prohibition of provision of free or low-priced products, samples or other promotional gifts to the general public, pregnant women, mothers, or members of their families)	Article 1(1)
Article 10(4) (requirements for donations or low-priced sales of supplies of infant formula to institutions or organisations)	Article 1(1)
Article 11(2) (requirements on information relating to infant and young child feeding)	Article 1(1)
Article 11(3) (requirements on donations of informational or educational equipments or materials)	
Article 12 (notification requirements)	Article 1(1)

Specified provision of Delegated Regulation 128	*Provisions of Delegated Regulation 128 to be read with the specified provisions of Delegated Regulation 128*
Article 2(2) (requirement for the formulation of food to be based on sound medical and nutritional principles)	Article 1
The first sub-paragraph of Article 2(3) (requirement for food for special medical purposes developed to satisfy the nutritional requirements to comply with the compositional requirements in Part A of Annex I)	Articles 1 and 2(4) and Part A of Annex I
The second sub-paragraph of Article 2(3) (requirement for food other than that developed to satisfy the nutritional requirements of infants to comply with the compositional requirements in Part B of Annex I)	Articles 1 and 2(4) and Part B of Annex I
Article 3(2) (requirement relating to residue threshold for certain active substances where food for special medical purposes is developed to satisfy the nutritional requirements of infants and young children)	Articles 1 and 3(1), (3) and (5) and Annex II
Article 3(3) (maximum residue levels for substances listed in Annex II)	Articles 1 and 3(1) and (5) and Annex II
Article 3(4) (prohibition on the use of plant protection products)	Articles 1 and 3(1) and (5) and Annex III
Article 4 (name of the food)	Article 1 and Annex IV

Specified provision of Delegated Regulation 128	*Provisions of Delegated Regulation 128 to be read with the specified provisions of Delegated Regulation 128*
Article 5(1) (requirement for food for special medical purposes to comply with Regulation (EU) No. 1169/2011 unless otherwise specified)	Articles 1 and 5(2)
Article 5(2) (additional mandatory particulars relating to food information)	Articles 1 and 5(1) and (3)
Article 5(3) (application of Articles 13(2) and (3) of Regulation (EU) No. 1169/2011 to additional mandatory particulars)	Articles 1 and 5(1) and (2)
Article 6 (specific requirements on the nutrition declaration)	Article 1 and Annex I
Article 7 (nutrition and health claims)	Article 1
Article 8(1) (requirement for mandatory particulars to appear in a language easily understood by consumers)	Article 1
The first sub-paragraph of Article 8(2) (prohibition of pictures of infants or certain other pictures or text)	Article 1
Article 8(3) (requirements relating to labelling, presentation and advertising)	Article 1
The first sub-paragraph of Article 8(4) (restriction on publication)	Article 1 and the third sub-paragraph of Article 8(4)
Article 8(5) (prohibition on use of promotional devices to induce sales)	Article 1
Article 8(6) (prohibition on providing free or low-priced products, samples or other promotional gifts)	Article 1
Article 9 (notification)	Article 1

Specified provision of Delegated Regulation 1798	*Provisions of Delegated Regulation 1798 to be read with the specified provisions of Delegated Regulation 1798*
Article 2 (placing on the market)	Article 1
Article 3(1) (compositional requirements)	Articles 1, 3(2) and (3), Annex I and Annex II
Article 4 (specific requirements concerning food information)	Article 1
Article 5(1) (specific requirements concerning nutrient values in the nutrition declaration)	Articles 1, 5(4) and (5) and Annex I
Article 5(2) (provision of addition of components of fat and carbohydrates)	Articles 1, 3(3), 5(1) and (4), Annex I

Specified provision of Delegated Regulation 1798	*Provisions of Delegated Regulation 1798 to be read with the specified provisions of Delegated Regulation 1798*
Article 5(3) (provision of mandatory nutrition information not to be repeated)	Articles 1 and 5(1) and Annex I
Article 5(5) (specific requirements concerning nutrition declaration)	Article 5(4), (6), (7) and (8)
Article 5(6) (expression of total daily ration, per portion, per consumption unit)	Articles 1, 5(1) and (5) and Annex I
Article 5(7) (provision as to percentage reference intakes)	Articles 1, 5 (1) and (5) and Annex I
Article 5(8) (provision for particulars to be included in the nutrition declaration)	Articles 1 and 5(1) and Annex I
Article 5(9) (provisions as to very low calorie diet)	Articles 1 and 5(1) and Annex I
Article 5(10) (provisions as to low calorie diet)	Articles 1 and 5(1) and Annex I
Article 6(1) (nutrition and health claims)	Articles 1 and 6(2)
Article 7 (notification)	Articles 1 and 2(2)”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Specified Sugar Products Regulations (Northern Ireland) 2003 to fix a typographical error in Schedule 1. (regulation 2)

These Regulations amend the Food Hygiene Regulations (Northern Ireland) 2006 (S.R. 2006 No. 3) to revoke provisions, which are no longer necessary, in relation to requirements placed on Northern Ireland food businesses on the form and application of health and identification marks for products of animal origin. (regulation 3)

These Regulations amend the Addition of Vitamins, Minerals and Other Substances Regulations (Northern Ireland) 2007 (S.R. 2007 No. 301) so that the definition of "the EC Regulation" has effect so that Regulation (EC) No. 1925/2006 shall apply fully in accordance with Annex 2 to the Windsor Framework; so that it is an offence to add a substance listed in Annex III Part A to the EC Regulation to foods, or to use such a substance in the manufacture of foods; so that it is an offence to add a substance listed in Annex III Part B to the EC Regulation to foods, or to use such a substance in the manufacture of foods unless that substance is added or used in accordance with the conditions specified in that Part. (regulation 4)

These Regulations amend the Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016 (S.R. 2016 No. 4) to correct a typographical error. (regulation 5)

These Regulations amend the Food Safety (Information and Compositional Requirements) Regulations (Northern Ireland) 2016 to include enforcement of Commission Delegated Regulation (EU) 2017/1798 relating to complete diet replacement products for weight control; update and replace Schedule 1, relating to Specified EU Requirements; and revoke some redundant provisions. (regulation 6)

These Regulations also amend the Caseins and Caseinates Regulations (Northern Ireland) 2016 (S.R. 2016 No. 415) to correct an entry in Schedule 3. (regulation 7)

These Regulations revoke three other Statutory Rules which are now redundant. (regulation 8)

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

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