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FOOD STANDARDS AGENCY
SCOTLAND
Buidheann Inbhe-Bìdhe an Alba

EXECUTIVE NOTE

The Miscellaneous Food Additives and the Sweeteners in Food Amendment (Scotland) Regulations 2007 SSI 2007/412

Description
The above instrument was made under the powers in sections 16(1)(a), 17(1), 26(1) and (3), and 48(1) of the Food Safety Act 1990 The instrument is subject to negative resolution procedure.

Policy Objective
This instrument, which extends to Scotland only, amends the law relating to the use of miscellaneous additives and sweeteners in foods. The Miscellaneous Food Additives Regulations 1995 and the Sweeteners in Food Regulations 1995 implement existing European legislation relating to miscellaneous additives and sweeteners and this instrument makes amendments to those Regulations.

Legislative Background
The Miscellaneous Food Additives and the Sweeteners in Food Amendment (Scotland) Regulations 2007 are being made to implement the provisions of three Directives: Directive 2006/52/EC , Commission Directive 2006/129/EC and Commission Directive 2006/128/EC.

Directive 2006/52/EC amends Directives 95/2/EC and 94/35/EC. Those Directives set out lists of authorised miscellaneous additives and sweeteners, the foodstuffs in which they may be used and their conditions of use. Commission Directive 2006/129/EC amends Directive 96/77/EC which sets out the purity criteria for food additives. Commission Directive 2006/128/EC amends Directive 95/31/EC which sets out the purity criteria for sweeteners.

Policy Background
Directives 95/2/EC and 94/35/EC form part of the Single Market initiative on the use of additives and sweeteners in the European Union to provide consumer protection measures in relation to miscellaneous additives and sweeteners.

Directives 95/2/EC and 94/35/EC were amended on this occasion to incorporate recent technical and scientific developments in relation to miscellaneous additives and sweeteners.

The key aspects are:

- A reduction in, and other changes to, the authorised levels for nitrites and nitrates in meat and other food products, which takes account of the opinion of the European Food Safety Authority (EFSA), and aims to keep levels of nitrosamines as low as possible whilst maintaining the microbiological safety of food products. Derogations have been included to meet the needs of producers of traditional meat products, such as Wiltshire bacon.

- The withdrawal of two preservatives E 216 (propyl p-hydroxybenzoate) and E 217 (sodium propyl p-hydroxybenzoate) following an EFSA evaluation of E 214 – 219 parahydroxybenzoates (parabens) which concluded that an Acceptable Daily Intake level could not be established for E 216 and E 217.

- The withdrawal of the authorisation for gelling agents for use in jelly mini-cups, which are a single, pre-packed sweet or confectionery and which are considered a choking risk because of their consistency and form.

- The authorisation of seven new food additives and one new sweetener following positive evaluations by the Scientific Committee on Food and the European Food Safety Authority.

- A number of additional uses of already permitted food additives.

Member States are required to implement Directive 2006/52/EC, 2006/129/EC and 2006/128/EC by 15 February 2008.

Consultation
In 2004, FSA Scotland consulted with over 200 stakeholders across Scotland from industry, enforcement and consumer groups as well as sector specific organisations. We received two no comments and one response from a UK manufacturer concerned about the levels of nitrites/nitrates proposed for sterilised meat products. These comments were later fed into the UK response submitted to the Commission.

In 2007, the Food Standards Agency Scotland consulted again. On this occasion the level of stakeholder interest was low for this consultation exercise and the Food Standards Agency Scotland received no responses. During both consultations, we also consulted enforcement authorities, the Scottish Federation of Small Businesses and consumer organisations. Further details on the UK wide consultation are given in the Regulatory Impact Assessment in Annex X.

Other Administrations
Similar Regulations will apply in England, Wales and Northern Ireland.

Impact
The Food Standards Agency Scotland fully consulted all stakeholders on the proposed regulations. The main impact of the new legislation falls on producers of meat products. The British Meat Processors' Association have confirmed that their members' interests have been adequately represented, and their main concerns on the need to protect the integrity of traditionally cured products effectively taken account of during Brussels negotiations. However, they highlight concerns about the impact that the reduction of nitrites/nitrates will have on the shelf life of meat products, which could lead to reduced stocking and sales through retail outlets. Due to the fact that the direct impact will be different for individual products they have been unable to provide costs.

In relation to Directive 2006/52/EC, there is transitional provision to allow non-compliant products marketed or labelled before 15 August 2008 to continue to be marketed. We believe this will help

to reduce the negative impact of any reformulation costs. Therefore no significant financial impact on business is likely.

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Food Standards Agency Scotland
3 September 2007

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FOOD STANDARDS AGENCY
SCOTLAND
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FULL REGULATORY IMPACT ASSESSMENT

THE MISCELLANEOUS FOOD ADDITIVES AND THE SWEETENERS IN FOOD AMENDMENT (SCOTLAND) REGULATIONS 2007

1. Title of proposal

These Regulations will be known as The Miscellaneous Food Additives and The Sweeteners in Food Amendment (Scotland) Regulations 2007

2. Purpose and intended effect of measure

Objective

2.1 The proposed Regulations will implement European Parliament and Council Directive 2006/52/EC, which amends Directive 95/2/EC on food additives other than colours and sweeteners for the sixth time and Directive 94/35/EC on sweeteners for use in foodstuffs for the third time.

2.2 They also implement the provisions of two European Commission Directives setting out new and amended purity criteria (specifications) for certain miscellaneous additives and sweeteners but as these Directives incur no financial costs they have not been included within the scope of this Regulatory Impact Assessment.

2.3 The key objectives are:

- A reduction in the authorised levels for nitrites and nitrates in meat and other food products, which takes account of the opinion of the European Food Safety Authority (EFSA), published on 26 November 2003 and aims to keep levels of nitrosamines as low as possible whilst maintaining the microbiological safety of food products. EFSA is the authority which was set up in 2000 to advise the European Commission on food safety issues. In addition, in line with EFSA's recommendations, controls on the level of nitrites and nitrates in non-heat treated or heat treated meat products, in cheese and in fish, will be based on added rather than residual amounts. However, during Brussels discussions on the Commission's original proposal, Member States recognised that a degree of compromise was required in order to achieve the objective of further controls on the use of nitrates and nitrites in most meat products, whilst allowing the continued production of certain traditional products. These compromises, which include provisions which will permit traditional UK meat products such as Wiltshire cured ham, bacon and similar products to be produced based on residual amounts, were brokered by the UK Presidency, and are contained within the new legislation.

- The withdrawal of two preservatives E 216 (propyl p-hydroxybenzoate) and E 217 (sodium propyl p-hydroxybenzoate) following an EFSA evaluation of E 214 – 219 parahydroxybenzoates (parabens) which concluded that an Acceptable Daily Intake level could not be established for E 216 and E 217.

- The withdrawal of the authorisation for gelling agents for use in jelly mini-cups, which are a single, pre-packed sweet or confectionery and which are considered a choking risk because of their consistency, shape and form. This makes permanent an earlier Commission Decision suspending the marketing in the EU of jelly mini-cups containing certain food additives derived from seaweed and/or certain gums.

- The authorisation of seven new food additives – erythritol, 4-Hexylresorcinol, soybean hemicellulose and starch aluminium octenyl succinate (following positive evaluations by the Scientific Committee on Food) (SCF), and ethyl cellulose, pullulan and tertiary butyl hydroquinone (TBHQ) (following positive evaluations by the EFSA).

- A number of additional uses of already permitted food additives – sodium hydrogen carbonate in sour milk cheese, sorbates and benzoates in crustaceans, silicon dioxide as a carrier in certain colours, sulphites in cooked crustaceans, grapes and lychees and additives in traditional Hungarian products.

- The authorisation of a new sweetener, erythritol, following a positive evaluation by the SCF. As well as requiring authorisation under Directive 95/2/EC as a flavour enhancer, erythritol can also be used as a sweetener and therefore requires authorisation under Directive 94/35/EC for such uses. Although the SCF opinion noted that laxative effects from erythritol occur at higher intake levels than seen for other polyols, it was nevertheless agreed during Brussels discussions that erythritol should not be exempt from the labelling rule regarding laxative effects in table-top sweeteners containing polyols.

The Regulations being proposed will be in place by 1 October 2007

3. Background

3.1 European Parliament and Council Directive 95/2/EC harmonised the use of food additives other than colours and sweeteners (referred to in UK legislation as miscellaneous food additives) throughout the EU. It has been amended on five previous occasions. European Parliament and Council Directive 94/35/EC harmonised the use of sweeteners for use in foods throughout the EU. It has been amended on two previous occasions. Both Directives set out lists of authorised substances (miscellaneous additives and sweeteners), the foods in which they may be used and their conditions of use.

3.2 Negotiations on the Commission's original proposal took place primarily under the UK Presidency of the European Union with the Agency acting as the lead Department. The Agency was successful in securing agreement from all Member States and the European Parliament at the first reading under the co-decision procedure. The co-decision procedure requires agreement to be reached by the Council of Ministers and the European Parliament before legislation can be finalised. Formal adoption of the amendments took place at a meeting of the European Council in June 2006. Member States are required to permit trade in and the use of products complying with the Directive by 15 February 2008 and to prohibit trade in and the use of products which do not comply with the Directive by 15 August 2008.

3.3 The most contentious issue in the negotiations was to seek agreement from Member States on the use of nitrites and nitrates in meat products to take account of advice from EFSA to reduce levels, whilst recognising their use in certain traditional products in Member States. Exemptions were agreed during negotiations to allow specialist meat products to remain on the market in Member States, including, for example, Wiltshire ham in the UK. No specific issues were raised by stakeholders in England, Scotland, Wales and NI.

4. Other Administrations

The Regulations relate to Scotland only. Separate, parallel legislation will be made in England, Wales and Northern Ireland.

5. Rationale for government intervention

The Food Standards Agency believes that if the new Directive were not to be implemented in consumers would not be able to benefit from the additional safeguards on additive use i.e. additional controls on the use of nitrites/nitrates and the withdrawal of E 216 and E 217. In addition, the withdrawal of the authorisation for gelling agents for use in jelly mini-cups would not be made

permanent. Scottish industry and consumers would also not be able to benefit from the newly approved additives and new uses of additives in the Directive.

6. Consultation

Within government

6.1 The Scottish Executive and the Scottish Executive Environment and Rural Affairs Department were also contacted on these proposed Regulations during November 2004 and then in January 2007 and April 2007. No comments were made.

Result of public consultation in Scotland

6.2 In Scotland, the Agency held a public consultation in November 2004, on the draft proposal, which included consultation with the Scottish Federation of Small Businesses.

6.3 This consultation included over 200 stakeholders across Scotland from industry, enforcement and consumer groups as well as sector specific organisations. FSA Scotland received two no comments and one response from a UK manufacturer concerned about the levels of nitrites/nitrates proposed for sterilised meat products. These comments were later fed into the UK response submitted to the Commission.

6.4 FSA Scotland also engaged with trade associations. The Scottish Federation of Meat Traders and the Scottish Association of Meat Wholesalers who confirmed that there were no Scottish manufacturers using traditional methods affected by the reduction in limits of nitrites and nitrates in non-heat treated or heat treated products. A summary of the comments can be found on the FSA website.

6.5 In January 2007 and in April 2007, FSA Scotland held two further consultations on the draft Regulations and on the amended draft Regulations setting out the purity criteria for the newly approved additives. On both occasions FSA Scotland consulted with over 230 stakeholders across Scotland from a range of food industry organisations to sector specific organisations. FSA Scotland also consulted enforcement authorities, consumer organisations and other non-government organisations. FSA Scotland received no comments from stakeholders.

Results of UK Wide consultation

6.6 Approximately 450 stakeholders from industry, enforcement and consumer groups were consulted on the Commission's formal proposal. During the initial consultation on the Commission's original proposal, no specific costs were identified by stakeholders. However, it became clear during subsequent discussions with the British Meat Processors Association (BMPA), that the proposal would not meet the needs of all manufacturers of traditional UK meat products. Following complex negotiations during the UK Presidency, however, agreement was obtained from Member States on the use of nitrites and nitrates in meat products that took account of advice from the EFSA to reduce levels of these additives, whilst recognising their use in certain traditional products in Member States. Throughout negotiations in Brussels, stakeholders (in particular meat product manufacturers and importers of grapes and lychees) were updated on events.

6.7 Five comments were received in response to the consultation on the initial proposal, most of which expressed concern about the implications of the amendments to the entries on nitrites/nitrates in meat products. Nine responses were received on the consultation on the draft implementing regulations, most of which were broadly supportive of the new legislation. Although the BMPA welcomed the derogation for traditional UK meat product, they identified further costs relating to the likelihood of a reduced shelf life of non-traditional products, due to lower permitted levels of

nitrites and nitrates although no precise figures were given. Also, L;ACORS pointed out that there may be some additional resource requirements for local authorities due to the need for additional sampling, although this is not expected to be significant.

7. Options

Two options have been considered

Option 1 - do nothing i.e. do not implement Directive 2006/52/EC into UK law.

Option 2 - implement fully the provisions of Directive 2006/52/EC into UK law.

8. Costs and benefits

Sectors and groups affected

8.1 The new legislation will affect manufacturers of food additives and sectors of the food industry which use additives in manufacturing, although any costs arising from the new legislation are likely to impact primarily upon meat product manufacturers. The enforcement authorities and consumers will also be affected but to a much lesser extent.

8.2 The FSA does not consider that the new legislation has any impact on race equality and on sustainability.

Benefits

8.3 Option 1 - Under this option, the current rules would continue, with which industry and enforcement bodies are familiar. No changes in product formulation would be necessary. There would be no direct cost to industry.

8.4 Option 2 - the following benefits are:

- The new provisions on nitrites and nitrates will enable the majority of the requirements of the UK meat product industry to be met, whilst protecting the health and safety of consumers who will in particular be protected from the reduction in levels of nitrosamines.
- The withdrawal of E 216 and E 217, and of the authorisation for gelling agents for use in jelly mini-cups, will also provide additional consumer protection.
- This option will also permit manufacturers to benefit from the newly permitted food additives and uses of food additives. In particular, fat and oil manufacturers, and manufacturers of processed foods using fats and oils, will be able to use the newly permitted antioxidant TBHQ in addition to, or in place of, BHA and gallates. Consumers, as well as manufacturers, will particularly benefit from the permitted use of erythritol, which has a lesser laxative effect than other sweeteners, and the permitted use of 4-hexyresorcinol in place of sulphites to prevent melanosis (blackspot) in crustaceans. Provisions in the legislation permitting the continued use of low levels of sulphur dioxide in imported grapes and lychees will benefit the UK fresh produce industry and will ensure that these popular products continue to be available to UK consumers.
- Finally, Option 2 will enable UK manufacturers to operate freely and competitively within the single market.

Costs

8.5 Option 1 - There would be no direct costs to industry, but manufacturers and consumers would not be able to benefit from the new additives and uses of new additives permitted by the legislation. In addition, this option would leave UK rules out of step with the rest of the Community. Most importantly, failure to implement the Directive would leave the UK open to infraction proceedings from the Commission under Article 226 of the EC Treaty; other Member States could initiate proceedings under Article 227. This is not a viable option therefore.

8.6 Option 2 – Any costs arising from the new legislation are likely to impact primarily upon meat product manufacturers. Following negotiations, exemptions were agreed to allow traditionally produced specialist meat products to remain on the market in Member States, including, for example, Wiltshire ham in the UK, which we believe will meet the needs of UK producers of these products. However, manufacturers of non-traditional meat products will have to comply with the reduced levels of nitrites/nitrates specified in the legislation, which may result in costs. There are four areas where costs may occur: technical development and trial work (one off); reformulated curing mixes (ongoing); packaging changes and decreased shelf life of certain meat products for which lower levels of nitrites/nitrates will be permitted. Of these, it is estimated that the first will cost a business with, on average, 10 product formulations, approximately £25,000 with a rough estimate for the whole UK industry of £1.0 million. Ongoing costs of reformulated mixes are considered to be minimal, and packaging changes will be left to coincide with the regular, usually annual designs and there will not therefore be a cost attributable to the legislative change. Costs arising from decreased shelf life are considered to be unquantifiable because of the variability between individual products. Any costs will, moreover, be offset by the lengthy implementation period permitted in the Directive – manufacturers have until 15 August 2008 to comply with the legislation.

9. Small/Micro Firms Impact Test

9.1 The Agency does not envisage that small companies are likely to be adversely affected by the new legislation, which will essentially affect larger manufacturers of non-traditional bacon and ham. Consultation on the nitrites/nitrates aspects of the proposal was carried out primarily via the BMPA, whose membership comprises around 35% of small producers. During the consultation period the BMPA consulted with approximately six small companies, of which three were not BMPA members, to ensure representation of the wider industry. Products manufactured by these businesses included cured tongue, canned meats, and immersion and dry cured ham and bacon.

9.4 In addition, meetings between FSA officials with the BMPA included representatives from a number of small companies. It was clear from these discussions that there were a number of small producers of traditional meat products (e.g. immersion produced hams, tongue and brisket) who would have been adversely affected by the provisions in the Commission's original proposal i.e. the revised nitrites/nitrates provisions would have made it impossible for them to manufacture their products.

9.5 FSA Scotland contacted the Scottish Federation of Meat Traders and the Scottish Association of Meat Wholesalers to establish whether there were traditionally produced specialist meat products which would require exemptions. They confirmed that they were not aware of any SMEs in Scotland which produced similar products using the traditional methods.

9.6 Other Member States also cited similar problems with traditional products in their countries. However, during the UK Presidency, agreement was reached on derogations in the adopted Directive which would enable these popular UK meat products to continue to be produced by traditional methods.

9.7 As far as the Agency is aware, the requirements of small producers have been met, and the new legislation will result in few, if any, additional costs to small companies.

10. "Test Run" of business forms

There are no forms associated with this piece of legislation.

11. Competition assessment

Overall, the Agency does not believe that the new legislation will have an impact on competition in the market.

12. Enforcement, sanctions and monitoring

Enforcement and Sanctions

12.1 Enforcement of the Scottish Regulations will continue to be the responsibility of Local Authority Environmental Health Departments.

12.2 The penalty on conviction for an offence under the Regulations is a fine not exceeding level 5 on the standard scale (currently £5,000).

13. Monitoring

13.1 Member States are obliged under the provisions of Directives 95/2/EC and 94/35/EC to monitor and review the consumption and use of food additives and to report their findings to the European Commission.

14. Implementation and delivery plan

The Agency will contact stakeholders when the new Regulations come into force, and will amend our guidance notes on food additives legislation to reflect the provisions of the new Regulations.

The Statutory Instrument will be laid before Parliament by 7 September 2007 with a coming into force date of 1 October 2007.

15. Post-implementation review

15.1 The Agency will be monitoring the increased costs identified by the BMPA

15.2 FSA Scotland will continue to consult with Local Authorities, industry and other stakeholders to evaluate the effectiveness of and experience with the legislation. In accordance with the Scottish Executive's IRIS unit guidelines, this RIA will be reviewed, as appropriate, in order to establish that it is "fit for purpose". Therefore not adding any additional burdens to businesses. In line with Scottish Executive guidance, FSA Scotland will review the continued effectiveness of this Regulation through the use of a Review Regulatory Impact Assessment that will be completed with 10 years.

16. Summary and recommendation

16.1 Summary costs and benefits table

	Costs	**Benefits**
Option 1	No direct costs, but would not permit manufacturers and consumers to benefit from the newly permitted additive and new additive uses. Would not deliver	

	improved consumer protection measures of the new Directive. Would leave UK at risk of infraction proceedings.	
Option 2	Likely to result in additional costs to non-traditional meat product manufacturers due to the need to reformulate products to meet reduced levels of nitrites/nitrates, with a rough estimate of £1.0 million for the whole meat product industry.	Would deliver full benefits to manufacturers wishing to use the new additives and new additive uses. Would offer consumers increased health and safety protection and the continued availability of traditional bacon and ham and imports of grapes and lychees. Also alternatives to sulphites in crustaceans and a sweetener with a less laxative effect than currently permitted ones.

16.2 Option 2 is favoured by FSA Scotland. This option will deliver the full public health protection benefits of the Directive 2006/52/EC, and in the long term will be of greater benefit financially to industry than Option 1. It will also fulfil the UK's community obligations by providing for the Directive's enforcement.

17. Declaration and publication

I have read the regulatory impact assessment and I am satisfied that the benefits justify the costs.

Signed by the responsible Minister S. ROBISON……..

Date 5th September 2007……..

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THE MISCELLANEOUS FOOD ADDITIVES AND THE SWEETENERS IN FOOD AMENDMENT (SCOTLAND) REGULATIONS 2007 ("THE REGULATIONS")

TRANSPOSITION NOTE FOR (1) DIRECTIVE 2006/52/EC AMENDING DIRECTIVE 95/2/EC ON FOOD ADDITIVES OTHER THAN COLOURS AND SWEETENERS AND DIRECTIVE 94/35/EC ON SWEETENERS FOR USE IN FOODSTUFFS ("DIRECTIVE 2006/52/EC"); (2) COMMISSION DIRECTIVE 2006/129/EC AMENDING AND CORRECTING DIRECTIVE 96/77/EC LAYING DOWN SPECIFIC PURITY CRITERIA ON FOOD ADDITIVES OTHER THAN COLOURS AND SWEETENERS ("DIRECTIVE 2006/129/EC"); AND (3) COMMISSION DIRECTIVE 2006/128/EC AMENDING AND CORRECTING DIRECTIVE 95/31/EC LAYING DOWN SPECIFIC CRITERIA OF PURITY CONCERNING SWEETENERS FOR USE IN FOODSTUFFS ("DIRECTIVE 2006/128/EC")

The Regulations give effect to the Directives by amending the Miscellaneous Food Additives Regulations 1995 ("the Additives Regulations") and the Sweeteners in Food Regulations 1995 ("the Sweeteners Regulations").

The following table demonstrates how each relevant provision of the Directives has been given effect in the Regulations. Note that, with the exception of a few of the more straight-forward provisions, the table does not go into the detail of the substances where that would make the table too cumbersome.

Article	**Implementing provision**
Directive 2006/52/EC; Article 1 and Annex I amend Directive 95/2/EC (food additives) to change certain definitions and:	
(a) Amend Annex I (*additives generally permitted for use in foodstuffs*) by inserting a note regarding the substances that may not be used in jelly mini-cups and adding a further additive to the list.	Regulation 5 amends Schedule 1 (*miscellaneous additives generally permitted for use in foods not referred to in Schedule 6, 7 or 8*) to the Additives Regulations.
(b) Amend Annex II (*foods in which a limited number of Annex I additives may be used*) to substitute a new entry for ripened cheese and add some further foods.	Regulation 12 amends Schedule 7 (*foods in which a limited number of miscellaneous additives listed in Schedule 1 may be used*) to the Additives Regulations.
(c) Amend Annex III (*conditionally permitted preservatives and antioxidants*) to amend entries relating to sorbates, benzoates and p-hydroxybenzoates; sulphur dioxide and sulphites; potassium nitrite and nitrate and sodium nitrite and nitrate; and other antioxidants.	Regulation 6 amends Part A and regulations 7 (with Schedule 1), 8 (with Schedule 2) and 9 make substitutions and insertions into the table in Parts B, C and D respectively (all Parts of Schedule 2 - *conditionally permitted preservatives and antioxidants* - to the Additives Regulations).
(d) Amend Annex IV (*other permitted additives*) by changing some defined expressions, adding some substances and changing the conditions of use for certain substances that are already listed.	Regulation 10 amends Schedule 3 (*other permitted miscellaneous additives*) to the Additives Regulations.

(e) Amend Annex V (*permitted carriers and carrier solvents*) by adding entries and also adding to the restrictions of use of silicon dioxide. (f) Amend Annex VI (*additives permitted in foods for infants and young children*) to substitute the expression "processed cereal-based foods and baby foods" for "weaning foods" and to make an addition to the list of permitted additives.	Regulation 11 amends Schedule 4 (*permitted carriers and carrier solvents*) to the Additives Regulations. Regulation 13 amends Schedule 8 (*miscellaneous additives permitted in foods for infants and young children*) to the Additives Regulations.
Directive 2006/52/EC; Article 2 and Annex II amend Directive 94/35/EC (on sweeteners) by amending the Annex to add a permitted sweetener.	Regulation 14(3) adds the permitted sweetener to Schedule 1 (*permitted sweeteners and the foods in or on which they may be used*) of the Sweeteners Regulations.
Directive 2006/52/EC; Article 3 requires Member States to implement the requirements of the Directive to come into force by 15th February 2008 (permitting trade in and use of products complying with the Directive and prohibiting trade in and use of products which do not comply). The implementing provisions are to be communicated to the European Commission. Products placed on the market or labelled before 15th August 2008 which do not comply with the Directive may, however, be marketed.	The regulations have a coming into force date of 1st October 2007. Regulation 4 inserts a further transitional provision into regulation 11 (*transitional provision and exemptions*) of the Additives Regulations. Note that it is not necessary to make transitional provision in the Sweeteners Regulations, as Directive 2006/52/EC simply adds in one permitted sweetener.
Directive 2006/129/EC; Article 1 and the Annex amend and correct the Annex to Directive 96/77/EC (purity criteria for additives)	In the Additives Regulations, purity criteria are defined by reference to the Annex to Directive 96/77/EC. The Regulations (regulation 3(c)) amend the definition of Directive 96/77/EC in the Additives Regulations to show that that Directive has been amended by Directive 2006/129/EC.
Directive 2006/129/EC; Article 2 requires Member States to implement the requirements of the Directive to come into force by 15th February 2008 (permitting trade in and use of products complying with the Directive and prohibiting trade in and use of products which do not comply). The implementing provisions are to be communicated to the European Commission.	The regulations have a coming into force date of 1st October 2007.

Directive 2006/128/EC; Article 1 and the Annex amend and correct the Annex to Directive 95/31/EC (purity criteria for sweeteners)	In the Sweeteners Regulations, permitted sweeteners must satisfy the purity criteria in Directive 95/31/EC. The Regulations (regulation 14(2)(b)) amend the definition of Directive 95/31/EC in the Sweeteners Regulations to show that that Directive has been amended by Directive 2006/128/EC.
Directive 2006/128/EC; Article 2 requires Member States to implement the requirements of the Directive to come into force by 15th February 2008 (permitting trade in and use of products complying with the Directive and prohibiting trade in and use of products which do not comply). The implementing provisions are to be communicated to the European Commission.	The regulations have a coming into force date of 1st October 2007.