



**Government Chemist**

# **Legislation review with developments in food and feed law**

**March 2023**

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## Summary

This is a summary of UK legislation in food and feed law and related scientific and regulatory issues for the period from 1<sup>st</sup> January to 31<sup>st</sup> March 2023. Other relevant technical updates are listed thereafter.

### Primary GB legislation

The [Genetic Technology \(Precision Breeding\) Act 2023](#) makes provision for the release and marketing of precision bred plants and animals and food produced therefrom. The Act defines 'precision bred organism' and places restrictions on the release and marketing of such organisms. The process for authorisation is defined, and provisions for a register of precision bred organisms are made. The Act also allows for the regulation of food and feed produced from precision bred organisms.

### Secondary GB legislation

[The Common Organisation of the Markets in Agricultural Products \(Poultrymeat\) \(Miscellaneous Temporary Amendments\) \(Scotland\) Regulations 2022](#) make a number of amendments to the Poultrymeat (Scotland) Regulations 2011 and retained Commission Regulation 1308/2013 with respect to the definition of 'defrosted poultrymeat'.

[The Official Controls \(Northern Ireland\) Regulations 2023](#) make provision in Northern Ireland for the Secretary of State to implement specific elements of Commission Regulation 2017/625.

[The Food Supplements and Food for Specific Groups \(Miscellaneous Amendments\) Regulations 2023](#) amend a number of pieces of legislation to correct errors, to update the list of permitted vitamins and minerals for use in food supplements and amends legislation pertaining to foods for particular nutritional uses.

[The Food Supplements and Food for Specific Groups \(Miscellaneous Amendments\) \(No. 2\) Regulations 2023](#) amend the Food Supplements and Food for Specific Groups (Miscellaneous Amendments) Regulations 2023, the Food Supplements (England) Regulations 2003, the Food Supplements (Scotland) Regulations 2003 and the Food Supplements (Wales) Regulations 2003 to correct a defect in the 2023 Regulations, and to allow for a transitional defence for the use of copper and zinc in food supplements.

[The Approved Country Lists \(Animals and Animal Products\) \(Amendment\) Regulations 2023](#) amend a number of entries for approved lists of certain products from Switzerland and Iceland and remove some entries relating to Russia.

[The Genetically Modified Food and Feed \(Authorisations and Modifications of Authorisations\) \(England\) Regulations 2023](#) authorise the placing on the market a number of genetically modified organisms for food and feed use. The Regulations also provide for the duration of the authorisation, the contact details of the authorisation holders and specifies the methods of detection and sampling which have been validated for use in relation to the authorised products. Similar Regulations apply to the devolved administrations: [The Genetically Modified Food and Feed \(Authorisations and Modifications of Authorisations\) \(Scotland\) Regulations 2023](#) and [The Genetically Modified Food and Feed \(Authorisations and Modifications of Authorisations\) \(Wales\) Regulations 2023](#) (and in [Welsh](#))

[The Alcoholic Beverages \(Amendment\) \(England\) Regulations 2023](#) make a number of amendments to the labelling requirements for alcoholic drinks in England.

[The Food Additives, Food Flavourings and Novel Foods \(Authorisations\) \(Scotland\) Regulations 2023](#) amend in Scotland, the list of authorised food additives with regards to stevia and stevia



glycosides and consequent labelling requirements. The list of flavouring ingredients is amended to incorporate a new food flavouring, and the two additions are made to the list of authorised novel foods. Similar Regulations apply in England; [The Food Additives, Food Flavourings and Novel Foods \(Authorisations\) \(England\) Regulations 2023](#) and in Wales [The Food Additives, Food Flavourings, and Novel Foods \(Authorisations\) and Food and Feed \(Miscellaneous Amendments\) \(Wales\) Regulations 2023](#) (and in [Welsh](#))

[The Alcoholic Beverages, Fruit and Vegetables \(Miscellaneous Amendment\) \(Scotland\) Regulations 2023](#) make a number of amendments to the labelling requirements for alcoholic drinks in Scotland and correct a number of minor errors in other legislation.

## EU Legislation

A number of new and amendments to **novel foods** have been authorised within the EU:

[Commission Implementing Regulation \(EU\) 2023/65 of 6 January 2023 correcting Implementing Regulation \(EU\) 2017/2470 establishing the Union list of novel foods, Implementing Regulation \(EU\) 2018/1648 authorising the placing on the market of xylo-oligosaccharides as a novel food, Implementing Regulation \(EU\) 2019/1686 authorising the extension of use of bovine milk basic whey protein isolate as a novel food, and Implementing Regulation \(EU\) 2021/96 authorising the placing on the market of 3'-sialyllactose sodium salt as a novel food.](#)

[Commission Implementing Regulation \(EU\) 2023/113 of 16 January 2023 authorising the placing on the market of 3'-Sialyllactose sodium salt produced by derivative strains of Escherichia coli BL21\(DE3\) as a novel food and amending Implementing Regulation \(EU\) 2017/2470](#)

[Commission Implementing Regulation \(EU\) 2023/7 of 3 January 2023 authorising the placing on the market of Lacto-N-tetraose produced by derivative strains of Escherichia coli BL21\(DE3\) as a novel food and amending Implementing Regulation \(EU\) 2017/2470](#)

[Commission Implementing Regulation \(EU\) 2023/58 of 5 January 2023 authorising the placing on the market of the frozen, paste, dried and powder forms of Alphitobius diaperinus larvae \(lesser mealworm\) as a novel food and amending Implementing Regulation \(EU\) 2017/2470](#)

[Commission Implementing Regulation \(EU\) 2023/4 of 3 January 2023 authorising the placing on the market of vitamin D2 mushroom powder as a novel food and amending Implementing Regulation \(EU\) 2017/2470](#)

[Commission Implementing Regulation \(EU\) 2023/463 of 3 March 2023 authorising the placing on the market of bovine milk osteopontin as a novel food and amending Implementing Regulation \(EU\) 2017/2470](#)

[Commission Implementing Regulation \(EU\) 2023/667 of 22 March 2023 authorising the placing on the market of Canarium indicum L. dried nuts as a traditional food from a third country and amending Implementing Regulation \(EU\) 2017/2470](#)

[Commission Implementing Regulation \(EU\) 2023/652 of 20 March 2023 authorising the placing on the market of roasted and popped kernels from the seeds of Euryale ferox Salisb. \(makhana\) as a traditional food from a third country under Regulation \(EU\) 2015/2283 of the European Parliament and of the Council and amending Commission Implementing Regulation \(EU\) 2017/2470](#)

[Commission Implementing Regulation \(EU\) 2023/267 of 8 February 2023 authorising the placing on the market of dried nuts of Canarium ovatum Engl. as a traditional food from a third country and amending Implementing Regulation \(EU\) 2017/2470](#)

[Commission Implementing Regulation \(EU\) 2023/6 of 3 January 2023 authorising the placing on the market of pea and rice protein fermented by Lentinula edodes \(Shiitake mushroom\) mycelia as a novel food and amending Implementing Regulation \(EU\) 2017/2470](#)

[Commission Implementing Regulation \(EU\) 2023/5 of 3 January 2023 authorising the placing on the market of Acheta domesticus \(house cricket\) partially defatted powder as a novel food and amending Implementing Regulation \(EU\) 2017/2470](#)

### **Amendments to the Contaminants in Food Regulations:**

[Commission Regulation \(EU\) 2023/465 of 3 March 2023 amending Regulation \(EC\) No 1881/2006 as regards maximum levels of arsenic in certain foods](#)

### **Changes to food additive authorisations:**

[Commission Regulation \(EU\) 2023/440 of 28 February 2023 amending Annex II to Regulation \(EC\) No 1333/2008 of the European Parliament and of the Council and the Annex to Commission Regulation \(EU\) No 231/2012 as regards the use of carbomer in food supplements](#)

[Commission Regulation \(EU\) 2023/447 of 1 March 2023 amending Annex II to Regulation \(EC\) No 1333/2008 of the European Parliament and of the Council and the Annex to Commission Regulation \(EU\) No 231/2012 as regards the use of glucosylated steviol glycosides as sweetener](#)

[Commission Regulation \(EU\) 2023/441 of 28 February 2023 amending Annex I to Regulation \(EC\) No 1334/2008 of the European Parliament and of the Council as regards the inclusion of 2-hydroxy-4-methoxybenzaldehyde in the Union list of flavourings](#)

### **Miscellaneous other regulations:**

[Commission Regulation \(EU\) 2023/648 of 20 March 2023 authorising a health claim made on foods and referring to the reduction of disease risk](#)

[Commission Implementing Regulation \(EU\) 2023/121 of 17 January 2023 amending and correcting Implementing Regulation \(EU\) 2021/1165 authorising certain products and substances for use in organic production and establishing their lists.](#)

[Commission Delegated Regulation \(EU\) 2023/589 of 10 January 2023 amending Delegated Regulation \(EU\) 2016/127 as regards the protein requirements for infant and follow-on formula manufactured from protein hydrolysates.](#)

[Commission Regulation \(EU\) 2023/411 of 23 February 2023 amending Regulation \(EU\) 2019/1871 as regards the application of reference points for action for nitrofurans and their metabolites](#)

Amendments to maximum residue levels can be found [here](#).

### **Agriculture**

The amendments to feed additive authorisations can be found [here](#).

### **Other publications**

#### **FAO publications:**

OECD review of fisheries 2022 – ISSN 2225-4315. [Order here](#)

*FAO statistics series World food and agriculture*: statistical yearbook 2022 – ISSN 2225-7373. [Order here](#)