



**Government Chemist**

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

**December 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 October to 31 December 2023. Other relevant technical updates are listed thereafter.

## Primary GB legislation.

[The Good Food Nation \(Scotland\) Act 2022 \(Commencement No. 1\) Amendment Regulations 2023](#) amend the Good Food Nation (Scotland) Act 2022 in relation to certain dates that the Act comes into force.

## Secondary GB legislation.

[The Windsor Framework \(Enforcement etc.\) Regulations 2023](#) implement the Windsor framework in terms of enforcement.

[The Animal Welfare and Food Safety \(International Professional Qualification Recognition Agreement Implementation\) \(Miscellaneous Amendment\) \(Scotland\) Regulations 2023](#) amend legislation relating to, inter alia, those persons who may act as a food examiner in Scotland.

[The Deposit and Return Scheme for Scotland \(Miscellaneous Amendment\) Regulations 2023](#) amend the Deposit and Return Scheme Regulations 2020 with respect to dates and targets.

[The Feed Additives \(Authorisations\) \(England\) Regulations 2023](#) provide for the authorisation, re-authorisation and removal of authorisation of a number of feed additives. Equivalent Regulations apply in the devolved administrations: [The Feed Additives \(Authorisations\) \(Scotland\) Regulations 2023](#), and [The Feed Additives \(Authorisations\) \(Wales\) Regulations 2023](#).

[The Common Organisation of the Markets in Agricultural Products \(Marketing Standards and Organic Products\) \(Transitional Provisions\) \(Amendment\) Regulations 2023](#) amend the retained CMO EU regulations to extend some of the transitional dates for organic production, poultry meat and hop production into 2025.

[The Environmental Protection \(Single-use Plastic Products\) \(Civil Sanctions\) \(Wales\) Regulations 2023](#) make provisions for regulators to impose civil sanctions in relation to offences under the Environmental Protection (Single Use Plastic Products)(Wales) Act 2023, including monetary penalties, compliance notices, stop notices and enforcement undertakings.

[The Prohibition on Disposal of Food Waste to Sewer \(Civil Sanctions\) \(Wales\) Order 2023](#) makes provision in relation to the prohibition on the disposal of food waste to the sewer under the Environmental Protection Act 1990.

[The Welfare Foods \(Best Start Foods\) \(Scotland\) Amendment Regulations 2023](#) amend various provision of the Welfare Foods (Best Start Food)(Scotland) Regulations 2019 in relation to the definitions of those who are eligible.

[The Plant Protection Products \(Miscellaneous Amendments\) Regulations 2023](#) revoke and replace Article 52 of EC Regulation 1107/2009 and modify transitional provisions in relation to plant protection products following EU exit.

[The Beef Carbon Reduction Scheme Regulations \(Northern Ireland\) 2023](#) establish a scheme for payments to be made to businesses in Northern Ireland in relation to slaughter of eligible animals with the purpose of reduction of carbon emissions.

[The Wine \(Revocation and Consequential Provision\) Regulations 2023](#) revoke various provisions of retained EU law in relations to products in the wine sector.

## EU Legislation

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

[Commission Implementing Regulation \(EU\) 2023/2215 of 23 October 2023 authorising the placing on the market of 6'-Sialyllactose sodium salt produced by derivative strain of Escherichia coli W \(ATCC 9637\) as a novel food and amending Implementing Regulation \(EU\) 2017/2470](#)

[Commission Implementing Regulation \(EU\) 2023/2210 of 20 October 2023 authorising the placing on the market of 3-Fucosyllactose produced by a derivative strain of Escherichia coli K-12 DH1 as a novel food and amending Implementing Regulation \(EU\) 2017/2470](#)

[Commission Implementing Regulation \(EU\) 2023/2214 of 23 October 2023 amending Implementing Regulation \(EU\) 2017/2470 as regards the conditions of use and the specifications of the novel foods partially defatted chia seed \(\*Salvia hispanica\*\) powders](#)

[Commission Implementing Regulation \(EU\) 2023/2847 of 20 December 2023 authorising the placing on the market of apple fruit cell culture biomass as a novel food and amending Implementing Regulation \(EU\) 2017/2470](#)

[Commission Implementing Regulation \(EU\) 2023/2851 of 20 December 2023 authorising the placing on the market of partially hydrolysed protein from spent barley \(\*Hordeum vulgare\*\) and rice \(\*Oryza sativa\*\) as a novel food and amending Implementing Regulation \(EU\) 2017/2470](#)

[Commission Implementing Regulation \(EU\) 2023/2852 of 20 December 2023 correcting Implementing Regulation \(EU\) 2023/1581 amending Implementing Regulation \(EU\) 2017/2470 as regards the conditions of use of the novel food astaxanthin-rich oleoresin from \*Haematococcus pluvialis\* algae](#)

Miscellaneous other regulations.

[Commission Regulation \(EU\) 2023/2108 of 6 October 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 food additives nitrites \(E 249-250\) and nitrates \(E 251-252\)](#)

[Commission Regulation \(EU\) 2023/2379 of 29 September 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 food additive stearyl tartrate \(E 483\)](#)

[Commission Implementing Regulation \(EU\) 2023/2783 of 14 December 2023 laying down the methods of sampling and analysis for the control of the levels of plant toxins in food and repealing Regulation \(EU\) 2015/705](#)

[Commission Implementing Regulation \(EU\) 2023/2782 of 14 December 2023 laying down the methods of sampling and analysis for the control of the levels of mycotoxins in food and repealing Regulation \(EC\) No 401/2006](#)

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

## **Agriculture**

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

This Guide is intended for use by those working in the food and animal feed enforcement areas and is intended as a summary of changes in relevant legislation over the stated period. It is particularly aimed at public analysts, trading standards and environmental health officers working in food and feed enforcement.