



STATUTORY INSTRUMENTS.

S.I. No. 689 of 2022

EUROPEAN UNION (NUTRITION AND HEALTH CLAIMS MADE ON
FOODS) (AMENDMENT) REGULATIONS 2022

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I, STEPHEN DONNELLY, Minister for Health, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving effect to Commission Implementing Regulation (EU) 2021/686 of 23 April 2021¹ hereby make the following regulations:

1. (1) These Regulations may be cited as the European Union (Nutrition and Health Claims made on Foods) (Amendment) Regulations 2022.

(2) The Principal Regulations, the European Union (Nutrition and Health Claims made on Foods) (Amendment) Regulations 2015 (S.I. No. 458 of 2015), the European Union (Nutrition and Health Claims made on Foods) (Amendment) Regulations 2017 (S.I. No. 154 of 2017), the Regulations of 2018, the European Union (Nutrition and Health Claims made on Foods) (Amendment) Regulations 2021 (S.I. No. 243 of 2021) and these Regulations may be cited together as the European Union (Nutrition and Health Claims made on Foods) Regulations 2014 to 2022.

2. In these Regulations-

“Principal Regulations” means European Union (Nutrition and Health Claims made on Foods) Regulations 2014 (S.I. No. 11 of 2014);

“Regulations of 2018” means European Union (Nutrition and Health Claims made on Foods) (Amendment) Regulations 2018 (S.I. No. 176 of 2018).

3. Regulation 2(1) of the Principal Regulations (as last amended by Regulation 3 of the Regulations of 2018) is amended by substituting for the definition of “list of permitted claims which may be made on foods, as provided for in Article 13(3) of EC Regulation 1924/2006” the following definition:

“‘list of permitted claims which may be made on foods, as provided for in Article 13(3) of EC Regulation 1924/2006’ means the health claim in relation to water-soluble tomato concentrate which may be made on foods pursuant to the Annex to Commission Decision 2009/980/EU of 17 December 2009² as amended by Commission Decision 2010/770/EU of 13 December 2010³ and the list of permitted health claims other than those referring to the reduction of disease risk and to children’s development and health, which may be made on foods pursuant to the

¹ OJ No. L 143, 27.4.2021, p. 8.

² OJ No. L 336, 18.12.2009, p. 55.

³ OJ No. L 328, 14.12.2010, p. 18.

Annex to Commission Regulation (EU) No. 432/2012 of 16 May 2012⁴ as amended by Commission Regulation (EU) No. 536/2013 of 11 June 2013⁵, Commission Regulation (EU) No. 851/2013 of 3 September 2013⁶, Commission Regulation (EU) No. 1018/2013 of 23 October 2013⁷, Commission Regulation (EU) No. 40/2014 of 17 January 2014⁸, Commission Regulation (EU) 2015/7 of 6 January 2015⁹, Commission Regulation (EU) 2015/539 of 31 March 2015¹⁰, Commission Regulation (EU) 2015/2314 of 7 December 2015¹¹, Commission Implementing Regulation (EU) 2016/854 of 30 May 2016¹², Commission Regulation (EU) 2016/1413 of 24 August 2016¹³, Commission Implementing Regulation (EU) 2017/672 of 7 April 2017¹⁴, Commission Implementing Regulation (EU) 2017/676 of 10 April 2017¹⁵ and Commission Implementing Regulation (EU) 2021/686 of 23 April 2021¹⁶.

GIVEN under my Official Seal,
12 December, 2022.

STEPHEN DONNELLY,
Minister for Health.

⁴ OJ No. L 136, 25.5.2012, p. 1.

⁵ OJ No. L 160, 12.6.2013, p. 4.

⁶ OJ No. L 235, 4.9.2013, p. 3.

⁷ OJ No. L 282, 24.10.2013, p. 43.

⁸ OJ No. L 14, 18.1.2014, p. 8.

⁹ OJ No. L 3, 7.1.2015, p. 3.

¹⁰ OJ No. L 88, 1.4.2015, p. 7.

¹¹ OJ No. L 328, 12.12.2015, p. 46.

¹² OJ No. L 142, 31.5.2016, p. 5.

¹³ OJ No. L 230, 25.8.2016, p. 8.

¹⁴ OJ No. L 97, 8.4.2017, p. 24.

¹⁵ OJ No. L 98, 11.4.2017, p. 1.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation).

These Regulations give effect to Commission Implementing Regulation (EU) 2021/686 of 23 April 2021 which amends the Annex to Regulation (EU) No. 432/2012. The latter Annex sets out the list of permitted health claims, other than those referring to the reduction of disease risk and to children's development and health, which may be made on foods. Regulation (EU) 2021/686 amends that Annex, by inserting into that list an entry for "carbohydrate solutions".

These Regulations amend the European Union (Nutrition and Health Claims made on Foods) Regulations 2014 (S.I. No. 11 of 2014) in the manner specified in these Regulations.

These Regulations may be cited as the European Union (Nutrition and Health Claims made on Foods) (Amendment) Regulations 2022.

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DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
MOUNTSHANNON ROAD,
KILMAINHAM, DUBLIN 8,
D08 XAO6

Tel: 046 942 3100
E-mail: publications@opw.ie

ISBN 978-1-3993-2094-8



€ 3.00

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