



STATUTORY INSTRUMENTS.

**S.I. No. 154 of 2017**



EUROPEAN UNION (NUTRITION AND HEALTH CLAIMS MADE ON  
FOODS) (AMENDMENT) REGULATIONS 2017

## EUROPEAN UNION (NUTRITION AND HEALTH CLAIMS MADE ON FOODS) (AMENDMENT) REGULATIONS 2017

I, SIMON HARRIS, Minister for Health, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) for the purpose of giving further effect to Commission Regulation (EU) 2015/2314 of 7 December 2015<sup>1</sup>, Commission Implementing Regulation (EU) 2016/854 of 30 May 2016<sup>2</sup>, Commission Regulation (EU) 2016/1389 of 17 August 2016<sup>3</sup> and Commission Regulation (EU) 2016/1413 of 24 August 2016<sup>4</sup> 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 2017.

(2) The Principal Regulations and these Regulations may be cited together as the European Union (Nutrition and Health Claims made on Foods) Regulations 2014 to 2017.

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 2015” means European Union (Nutrition and Health Claims made on Foods) (Amendment) Regulations (S.I. No. 458 of 2015).

3. The Principal Regulations are amended—

(a) in Regulation 2(1) (as amended by Regulation 3 of the Regulations of 2015) 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:

“list of permitted claims which may be made on foods, as provided for in Article 13(3) of EC Regulation 1924/2006” means 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 listed in the Annex to Commission Decision 2009/980/EC of 17 December 2009<sup>5</sup> as amended by Commission Decision 2010/770/EU of 13 December 2010<sup>6</sup> and

<sup>1</sup>OJ No. L. 328, 12.12.2015, p. 46.

<sup>2</sup>OJ No. L. 142, 31.5.2016, p. 5.

<sup>3</sup>OJ No. L. 223, 18.8.2016, p. 55.

<sup>4</sup>OJ No. L. 230, 25.8.2016, p. 8.

<sup>5</sup>OJ No. L. 336, 18.12.2009, p. 55.

<sup>6</sup>OJ No. L. 328, 14.12.2010, p. 18.

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 18th April, 2017.*

the Annex to Commission Regulation (EU) No. 432/2012 of 16 May 2012<sup>7</sup> as amended by Commission Regulation (EU) No. 536/2013 of 11 June 2013<sup>8</sup>, Commission Regulation (EU) No. 851/2013 of 3 September 2013<sup>9</sup>, Commission Regulation (EU) No. 1018/2013 of 23 October 2013<sup>10</sup>, Commission Regulation (EU) No. 40/2014 of 17 January 2014<sup>11</sup>, Commission Regulation (EU) 2015/7 of 6 January 2015<sup>12</sup>, Commission Regulation (EU) 2015/539 of 31 March 2015<sup>13</sup>, Commission Regulation (EU) 2015/2314 of 7 December 2015<sup>1</sup>, Commission Implementing Regulation (EU) 2016/854 of 30 May 2016<sup>2</sup> and Commission Regulation (EU) 2016/1413 of 24 August 2016<sup>4</sup>,” and

- (b) in Regulation 2(1) (as amended by Regulation 3 of the Regulations of 2015) by substituting for the definition of “list of permitted claims which may be made on foods, as provided for in Article 14(1) of EC Regulation 1924/2006” the following:

“‘list of permitted claims which may be made on foods, as provided for in Article 14(1) of EC Regulation 1924/2006’ means the list of permitted reduction of disease risk claims and claims referring to children's development and health listed in Annex I to Commission Regulation (EC) No. 983/2009 of 21 October 2009<sup>14</sup> as amended by Commission Regulation (EU) No. 376/2010 of 3 May 2010<sup>15</sup> and Commission Regulation (EU) No. 686/2014 of 20 June 2014<sup>16</sup> and Annex I to Commission Regulation (EC) No. 1024/2009 of 29 October 2009<sup>17</sup>, Commission Regulation (EU) No. 384/2010 of 5 May 2010<sup>18</sup> as amended by Commission Regulation (EU) No. 686/2014 of 20 June 2014<sup>16</sup>, Commission Regulation (EU) No. 957/2010 of 22 October 2010<sup>19</sup>, Commission Regulation (EU) No. 440/2011 of 6 May 2011<sup>20</sup>, Commission Regulation (EU) No. 665/2011 of 11 July 2011<sup>21</sup>, Commission Regulation (EU) No. 1160/2011 of 14 November 2011<sup>22</sup>, Commission Regulation (EU) No. 1228/2014 of 17 November 2014<sup>23</sup> and the Annex to Commission Regulation (EU) No. 1048/2012 of 8 November 2012<sup>24</sup>, Commission Regulation (EU) No.

<sup>7</sup>OJ No. L 136, 25.5.2012, p. 1.

<sup>8</sup>OJ No. L 160, 12.6.2013, p. 4.

<sup>9</sup>OJ No. L 235, 4.9.2013, p. 3.

<sup>10</sup>OJ No. L 14, 18.1.2014, p. 8.

<sup>11</sup>OJ No. L 182, 21.6.2014, p. 27.

<sup>12</sup>OJ No. L 3, 7.1.2015, p. 3.

<sup>13</sup>OJ No. L 88, 1.4.2015, p. 7.

<sup>14</sup>OJ No. L 277, 22.10.2009, p. 3.

<sup>15</sup>OJ No. L 111, 4.5.2010, p. 3.

<sup>16</sup>OJ No. L 182, 21.6.2014, p. 27.

<sup>17</sup>OJ No. L 283, 30.10.2009, p. 22.

<sup>18</sup>OJ No. L 113, 6.5.2010, p. 6.

<sup>19</sup>OJ No. L 279, 23.10.2010, p. 13.

<sup>20</sup>OJ No. L 119, 7.5.2011, p. 4.

<sup>21</sup>OJ No. L 182, 12.7.2011, p. 5.

<sup>22</sup>OJ No. L 296, 15.11.2011, p. 26.

<sup>23</sup>OJ No. L 331, 18.11.2014, p. 8.

<sup>24</sup>OJ No. L 310, 9.11.2012, p. 38.

1135/2014 of 24 October 2014<sup>25</sup>, Commission Regulation (EU) No. 1226/2014 of 17 November 2014<sup>26</sup> and Commission Regulation (EU) 2016/1389 of 17 August 2016<sup>3</sup>”.



GIVEN under my Official Seal,  
11 April 2017.

SIMON HARRIS,  
Minister for Health.

<sup>25</sup>OJ No. L. 307, 28.10.2014, p. 23.

<sup>26</sup>OJ No. L. 331, 18.11.2014, p. 3.

## 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 Regulation (EU) 2016/1389 of 17 August 2016 authorising a health claim made on foods and referring to children's development and health and to Commission Regulation (EU) 2015/2314 of 7 December 2015, Commission Implementing Regulation (EU) 2016/854 of 30 May 2016 and Commission Regulation (EU) 2016/1413 of 24 August 2016 amending Regulation (EU) No. 432/2012 establishing a list of permitted health claims made on foods other than those referring to the reduction of disease risk and to children's development and health.

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 2017.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ó  
FOILSEACHÁIN RIALTAIS,  
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)  
nó trí aon díoltóir leabhar.

---

DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased from  
GOVERNMENT PUBLICATIONS,  
52 ST. STEPHEN'S GREEN, DUBLIN 2.  
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)  
or through any bookseller.

---

€2.54



Wt. (B32737). 285. 4/17. Essentra. Gr 30-15.