

# **Regulation**

## **on the Maximum Levels for Trans-Fatty Acids in Foods**

### **Article 1**

#### **Scope of application**

This regulation applies to fats and other foodstuffs containing fat, either as an ingredient or as a consequence of their production process.

This regulation does not apply to the trans-fatty acids which occur naturally in fats of animal origin. The regulation applies to placing on the market of foodstuffs to the final consumer.

### **Article 2**

#### **Definitions**

**Fat** is any lipid, including phosphor lipids, and applies to liquid oils, solid fats and emulsions.

**Placing on the market** means the holding of food or feed for the purpose of sale, including offering for sale or any other form of transfer, whether free of charge or not, and the sale, distribution, and other forms of transfer themselves.

**Food/foodstuff** is any substance or product, whether processed, partially processed or unprocessed, which is intended to be, or reasonably expected to be, ingested by humans. Moreover, these terms apply to drinks, chewing gum and any other substances, including drinking water, which are intentionally added to a foodstuff during its manufacture, processing or treatment, as well as applying to food supplements.

**Food business** means any undertaking, whether for profit or not and whether public or private, carrying out any of the activities related to any stage of production, processing and distribution of food

**Final consumer** means the ultimate consumer of a foodstuff who will not use the food as part of any food business operation or activity.

**Trans-fatty acids** are the sum of all trans-fatty acids with 14, 16, 18, 20 or 22 carbon atoms and one or more trans-double bonds, i.e. C14:1, C16:1, C18:1, C18:2, C18:3, C20:1, C20:2, C22: 1, C22:2 trans-isomeric fatty acids, though only including those polyunsaturated fatty acids which have methylene (CH<sub>2</sub>)-interrupted double bonds.

### **Article 3**

#### **Placing on the market**

It is prohibited to place foods on the market which contain over 2 grams of trans-fatty acids per 100 grams of total fat content.

### **Article 4**

#### **Food business obligations**

Upon request by a competent Authority, a food business must submit information, such as analytical results, to confirm that any trans-fatty acids which might be contained in its foods are below the permissible limit stated in Article 3 of this Regulation.

Food businesses must pay for supervision pursuant to this Regulation, including for the analysis of any samples which need testing in accordance with the Foodstuffs Act, No. 93/1995.

### **Article 5**

#### **Official control**

Local competent Authorities, under the supervision of the Food and Veterinary Authority, monitor enforcement of the provisions in this Regulation.

The Food and Veterinary Authority shall be in charge of coordinating the testing of samples whenever confirmation is required of a food's chemical content under the terms of this Regulation.

**Article 6**  
**Enforcement and sanctions**

Infringements of this Regulation shall be subject to the provisions of Articles 30, 30 a, 30 e and 31 of the Foodstuffs Act, No. 93/1995.

**Article 7**  
**Entry into force - regulatory authority**

This Regulation shall enter into force on 1 August 2011. The Regulation is issued according to the authority provided in Article 16, cf. also Article 31 a, of the Foodstuffs Act, No. 93/1995.

*Ministry of Fisheries and Agriculture, 21. December 2010*