

Draft Regulations relating to trans fatty acids in foods

Statutory Authority: Laid down by the Ministry of Health and Care Services on [date] pursuant to Act of 19 December 2003 No. 124 relating to food production and food safety, etc. (Food Act) section 9, first paragraph, cf. Decision no. 1790 of 19 December 2003 concerning delegation of authority and Act of 17 December 2004 No. 101 on the European notification duty for technical regulations (EEA Consultation Act).

Section 1 Purpose

The purpose of these Regulations is to promote health by limiting the content of industrially-produced trans fatty acids in foods.

Section 2 Scope and extent

These Regulations apply to fatty substances and foods that contain fatty substances. These Regulations do not apply to naturally occurring contents of trans fatty acids in animal fats, nor to products that are specifically regulated by other legislation.

Section 3 Definitions

In these Regulations:

a) 'trans fatty acids' means fatty acids with at least one non-conjugated (namely interrupted by at least one methylene group) carbon-carbon double bond in the trans configuration;

b) 'final consumer' means the ultimate consumer of a foodstuff who will not use the food as part of any food business operation or activity.

Section 4 Prohibition

The sale to the final consumer of products that are covered by these Regulations and that contain more than 2 grams of trans fatty acids per 100 grams of fat is prohibited.

Section 5 Supervision and decisions

The Norwegian Food Safety Authority shall monitor compliance and may issue the decisions necessary to enforce the provisions laid down in these Regulations, cf. section 23 of the Food Act. The Norwegian Food Safety Authority may also take individual decisions in accordance with sections 24 to 26 of the Food Act.

6 Penalty

Any infringement of the provisions laid down in these Regulations or individual decisions given pursuant to these Regulations is a criminal offence according to section 28 of the Food Act.

7 Transitional provisions

Products that are covered by the prohibition in section 4, but which are produced before these Regulations enter into force may be sold until stocks are exhausted.

8 Entry into force

These Regulations enter into force on 7 January 2014.