



Food (Safety) Amendment Regulations 2004

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 23rd day of February 2004

Present:

Her Excellency the Governor-General in Council

Pursuant to section 42 of the Food Act 1981, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Regulations

1 Title

- (1) These regulations are the Food (Safety) Amendment Regulations 2004.
- (2) In these regulations, the Food (Safety) Regulations 2002¹ are called “the principal regulations”.

¹ SR 2002/396

2 Commencement

These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

3 Interpretation

Section 3(1) of the principal regulations is amended by repealing the definition of **off-licence**, and substituting the following definition:

“**off-licence** means premises described in section 36(1)(d)(i) or (ii) of the Sale of Liquor Act 1989 in respect of which an off-licence has been granted under that Act”.

4 Regulation 25 revoked

Regulation 25 of the principal regulations is revoked.

Rebecca Kitteridge,
Acting for Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on the 28th day after the date of their notification in the *Gazette*, amend the principal regulations by substituting a new definition of off-licence and revoking regulation 25, which permits artificial drinks to be sold with a caffeine level of up to 200 parts per million.

The new definition is limited to the premises described in section 36(1)(d)(i) or (ii) of the Sale of Liquor Act 1989 (ie, a supermarket having a minimum floor area of 1 000 square metres or a grocery store, where the Licensing Authority is satisfied that the principal business of the store is the sale of main order household foodstuff requirements).

The revocation of regulation 25 means that the addition of caffeine in drinks and beverages will be governed completely by food standards issued under the Food Act 1981.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 26 February 2004.
These regulations are administered in the Ministry of Agriculture and Forestry.
