

## Executive Order on the Content of *Trans* Fatty Acids in Oils and Fats etc.

The following provisions are laid down pursuant to section 13, section 55(2) and section 78(3) of Act No. 471 of 1 July 1998 on Foods etc. (the Danish Food Act):

### Part 1

#### *Scope*

**1.-(1)** This Executive Order shall apply to oils and fats, including emulsions with fat as the continuous phase, which, either alone or as part of processed foods, are intended for human consumption or must be assumed to be intended for human consumption.

(2) This Executive Order shall not cover any naturally occurring content of *trans* fatty acids in animal fats or products governed by other legislation.

(3) This Executive Order shall solely cover sale to consumers.

**2.** It shall be prohibited to sell the oils and fats covered by this Executive Order if such oils and fats have a higher content of the *trans* fatty acids defined in the Annex than indicated in article 3.

**3.-(1)** From 1 June 2003, the content of *trans* fatty acids in the oils and fats covered by this Executive Order shall not exceed 2 grams per 100 grams of oil or fat, but see subarticle (2).

(2) From 1 June 2003 to 31 December 2003, the content of *trans* fatty acids in the oils and fats covered by this Executive Order which are part of processed foods in which food ingredients other than oils and

fats are also contained, and which are manufactured in the food industry, the retail trade, catering businesses, restaurants, institutions, bakeries etc. may, however, be up to 5 grams of *trans* fatty acids per 100 grams of oil or fat.

**4.** In products claimed to be “free of *trans* fatty acids”, the content of *trans* fatty acids shall be less than 1 gram per 100 grams of the individual oil or the individual fat in the finished product.

### Part 2

#### *Penalty provisions etc.*

**5.-(1)** Any person violating the provisions in article 2 and article 4 of this Executive Order shall be liable to a fine.

(2) The penalty may increase to imprisonment for up to two years if the violation was intentional or grossly negligent, or if by the violation

(1) damage to health has been caused, or danger of such damage has been caused; or

(2) a financial gain, including by means of savings, has been achieved or has been intended to be achieved for the person concerned or others.

(3) Companies etc. (legal persons) may incur criminal liability according to the rules in Part 5 of the Danish Penal Code.

**6.-(1)** This Executive Order shall enter into force on 31 March 2003.

(2) Products manufactured before the

entry into force of this Executive Order and products manufactured within the period indicated

in article 3(2) may be sold until expiry of the best before date.

*Danish Veterinary and Food Administration, 11 March 2003*

PER H. KRISTIANSEN

/Bente Koch

**Definition of *trans* fatty acids**

In this Executive Order, *trans* fatty acids shall be defined as the sum of all isomeric fatty acids with 14, 16, 18, 20 and 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, but only polyunsaturated fatty acids with methylene-interrupted double bonds.