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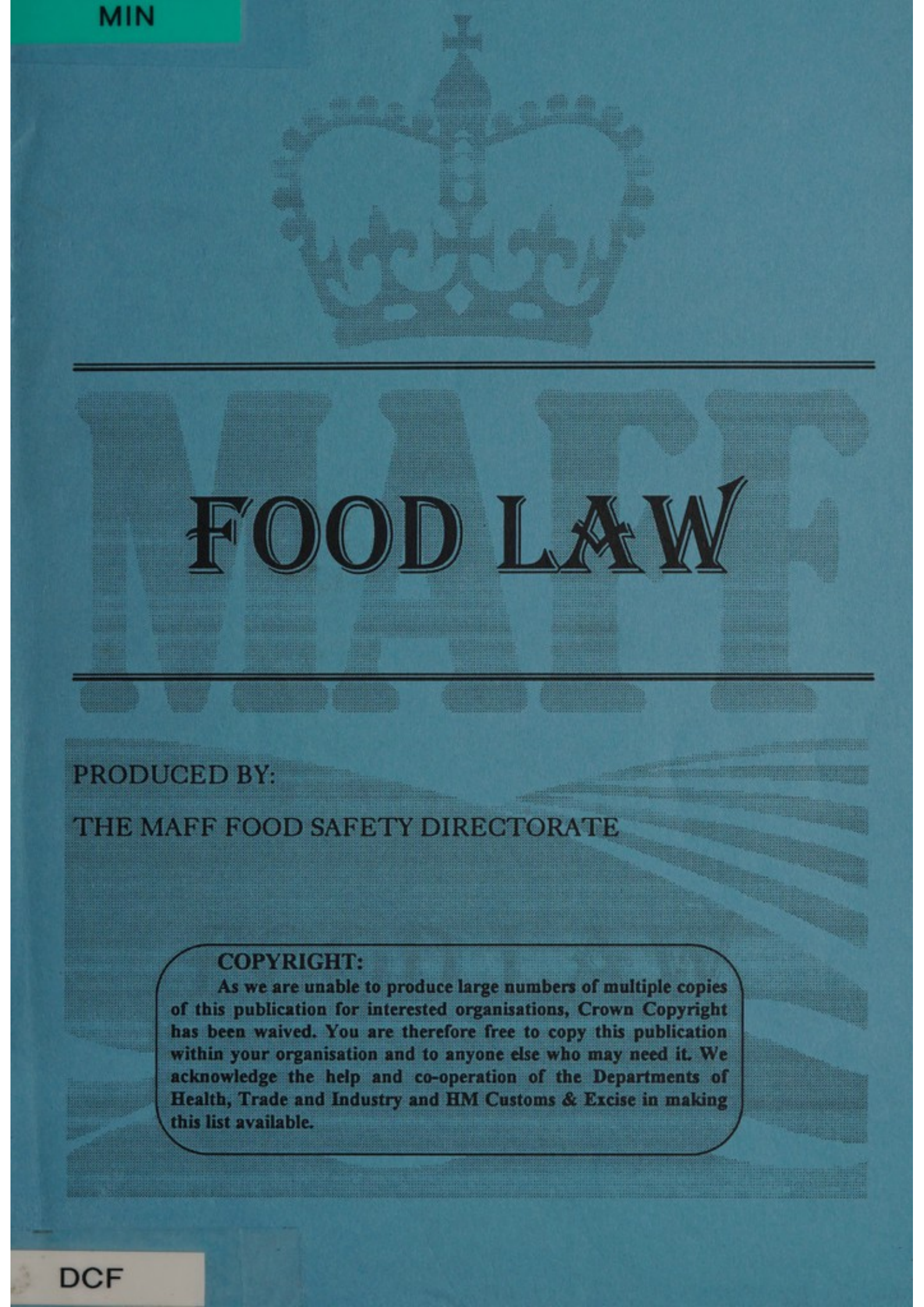
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FOOD LAW

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THE MAFF FOOD SAFETY DIRECTORATE

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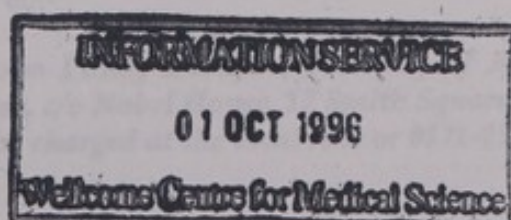
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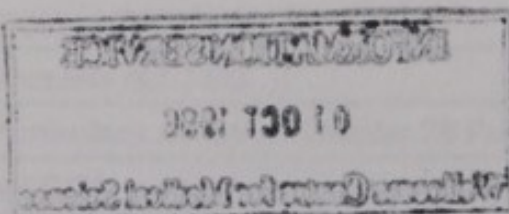


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INTRODUCTION

In general the legislation listed in this guide applies only to England and Wales (unless otherwise stated). Similar legislation applies to Scotland and Northern Ireland. However, the Food Safety Act 1990, and new regulations made under it from 1990 onwards, apply to Great Britain unless it is otherwise stated.

Wherever possible this guide states which EC rules are implemented in our food law by the regulations listed on the following pages. The guide also provides contact details for further information at the end of each section. Alternatively enquiries can be made through the MAFF Food Safety Directorate Consumer Helpline on:

0345 573012 - your call will be charged to you at the local rate.

These notes are intended only as a general guide; for definitive information the appropriate Act, Order, Regulation or Code of Practice should be consulted.

Copies of the legislation referred to may be obtained by post from HMSO Publications Centre, PO Box 276, LONDON SW8 5DT. Telephone orders may be placed by calling 0171-873-9090.

Copies may also be obtained from the HMSO Bookshops listed below or through book sellers;

**49 High Holborn, LONDON WC1V 6HB (Counter Service)
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Southey House, Wine Street, BRISTOL BS1 2BQ (Tel: 01272-264306)
258 Broad Street, BIRMINGHAM B1 2HE (Tel: 0121-643-3740)
80 Chichester Street, BELFAST BT1 4JY (Tel: 01232-238451)**

Note: Some of the regulations listed may not be available from HMSO Bookshops because they are amending regulations which have been revoked. These regulations have been included only if their effects are still in force. However it may be possible to obtain copies of revoked legislation from good reference libraries.

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PART 1: FOOD SAFETY ACT 1990 (CHAPTER 16)

A. GENERAL

The main provisions of the Food Safety Act 1990 came into force on 1 January 1991. The Act covers Great Britain and provides the framework for all its food legislation.

B. Key Provisions of the Food Safety Act 1990

PART I: PRELIMINARY

Section 1 defines "food" and other basic expressions used in the Act such as "food business", "food premises" and "food source". **Section 2** extends the meaning of sale to include food supplied in the course of a business and **Section 3** sets out presumptions applying to food and food ingredients, for instance that food commonly used for human consumption found on certain food premises is presumed to be intended for sale.

PART II: MAIN PROVISIONS

Section 7 describes the offence of rendering food injurious to health and **Section 8** sets out the offence of selling or possessing for sale food that does not comply with food safety requirements. This is food that has been rendered injurious to health, which is unfit for human consumption or is so contaminated that it would not be reasonable to expect it to be used for human consumption. **Section 8** also states that if any part of a batch of food does not comply with food safety requirements the whole batch is presumed not to comply, unless the contrary is proved.

Section 14 makes it an offence to sell food which is not of the "nature or substance or quality" demanded by the purchaser and **Section 15** creates an offence of falsely describing, advertising or presenting food.

General Enforcement Provisions

Section 9 of the Food Safety Act gives enforcement officers powers to inspect any food intended for human consumption and to detain and seize food suspected of not complying with food safety requirements. It allows a Justice of the Peace to condemn food when he or she is satisfied that food safety requirements are not met. **Section 10** provides for improvement notices to be issued where food hygiene or food processing regulations have been contravened. **Section 11** provides for prohibition orders to be issued by the courts where there is a risk of injury to health and the proprietor of the food business has been convicted of an offence under food hygiene or food processing regulations. **Section 12** provides emergency prohibition powers for use by authorised officers where there is an imminent risk of injury to health. **Section 13** gives Ministers powers to make emergency control orders prohibiting commercial operations in relation to food, food sources or contact materials when there is an imminent risk of such food causing such injury to health.

Defences

Section 20 enables an enforcement authority to "by-pass" the immediate offender and to prosecute the real offender. Section 21 provides for a defence if defendants can prove to a court that they took all reasonable precautions and exercised all due diligence to avoid committing an offence. The defendant is deemed to have satisfied this due diligence defence in certain circumstances. These deemed due diligence defences are not available to a defendant who manufactured or imported the food. Section 22 contains a special defence for businesses which publish an advertisement in good faith.

PART III: ADMINISTRATION AND ENFORCEMENT

Section 32 sets out who may enter premises to enforce the Act and explains what they can do while on premises. It also makes unauthorised disclosure of information obtained when using such powers an offence. **Section 33** makes it an offence intentionally to obstruct a person enforcing the Act or to provide false or misleading information.

Section 34 provides time limits for prosecutions.

Penalties and Modes of Trial

Section 35 sets out the penalties for offences. For most offences a Crown Court may impose a prison sentence of up to two years and/or unlimited fines. Magistrates' Courts generally may impose a fine of up to £2,000 and a prison sentence of up to six months. For the most serious offences Magistrates' Courts may impose a maximum fine of £20,000. Magistrates' Courts may also impose penalties for obstructing an enforcement officer. In Scotland equivalent penalties may be imposed by the Sheriff.

Section 36 provides that someone in authority in a corporate body is liable for prosecution where they are proved to have acted negligently or consented to the alleged offence.

Sections 37 and 39 provide for appeals against decision of an enforcement authority to serve an improvement notice, and to refuse certificates under **Section 11(6) or 12(8)**. The appeal is to a Magistrates' Court or, in Scotland, to the Sheriff, and further appeals are available to the Crown Court for the cases referred to in **Section 38**.

Offences against regulations and mode of trial may be detailed in the individual regulations having effect under the Act. Penalties and models of trial in individual regulations having effect under the Act have been altered by specific penalty Regulations. These are the Food (Revision of Penalties) Regulations 1982 and the Milk and Dairies (Revision of Penalties) Regulations 1982 which lay down the mode of trial and the Food (Revision of Penalties) Regulations 1985 and the Milk and Dairies (Revision of Penalties) Regulations 1985 which lay down the maximum fines for summary convictions for offences under the regulations. Existing regulations with offences and penalties have also been amended by Consequential Modifications Orders made under the Act (see pages 4 and 5).

PART IV: MISCELLANEOUS AND SUPPLEMENTAL

Section 54 provides for the Act to apply to the Crown and to Crown premises subject to special arrangements and certain exemptions. The Section came into effect on 1 April 1992. **Section 55** amends the Water Act 1989 to extend its controls on the quality of water used for domestic purposes to cover water used in food production.

C. Statutory Instruments Implementing the Food Safety Act 1990

SI Number

- | | |
|--------------|---|
| 1990 No 1383 | THE FOOD SAFETY ACT 1990 (COMMENCEMENT (C40) NO 1) ORDER 1990 brought into force new powers for Ministers to use in emergencies, with effect from 29 June 1990; |
| 1990 No 2372 | THE FOOD SAFETY ACT 1990 (COMMENCEMENT (C62) NO 2) ORDER 1990 brought into force the main provisions of the Act on 1 January 1991 and Section 54 which extends scope to the Crown with effect from 1 April 1992; |
| 1990 No 2462 | THE FOOD SAFETY (ENFORCEMENT AUTHORITY) (ENGLAND AND WALES) ORDER 1990 sets out the division of responsibility for enforcement in the Shire Counties of England and Wales; |
| 1990 No 2463 | THE FOOD (SAMPLING AND QUALIFICATIONS) REGULATIONS 1990 set out the procedures to be followed by enforcement officers when taking samples for analysis or microbiological examination. They also set out qualification requirements for Public Analysts and Food Examiners. These regulations apply to Great Britain; |
| 1990 No 2486 | THE FOOD SAFETY ACT 1990 (CONSEQUENTIAL MODIFICATIONS) (ENGLAND AND WALES) ORDER 1990 brings existing regulations into line with the updated provisions in the Food Safety Act and provide for the continuation of milk and dairies legislation by amending regulations relating to milk so that provisions contained in the Food Act 1984 are now contained in those regulations; |
| 1990 No 2487 | THE FOOD SAFETY ACT 1990 (CONSEQUENTIAL MODIFICATIONS) (NO 2) (GREAT BRITAIN) ORDER 1990 brings existing regulations into line with the updated provisions in the Food Safety Act; |

- 1990 No 2614 **DETENTION OF FOOD (PRESCRIBED FORMS) REGULATIONS 1990** prescribe the forms of notice which may be issued in connection with the detention of food under Section 9 of the Act;
- 1991 No 100 **FOOD SAFETY (IMPROVEMENT AND PROHIBITION - PRESCRIBED FORMS) REGULATIONS 1991** set out the forms of notice which may be used in connection with the improvement notices under Section 10 of the Act, prohibition orders under Section 11 or emergency prohibition notices or orders under Section 12;
- 1991 No 2825 **THE FOOD PREMISES (REGISTRATION) REGULATIONS 1991** provide for the registration of food premises (including vehicles and other movable structures) by food authorities;
- 1992 No 57 **THE FOOD SAFETY ACT 1990 (COMMENCEMENT No. 3) ORDER 1992** brings into force Section 59(4) of the Food Safety Act 1990 which repeals the provisions of the Food Act 1984 about the registration of food handlers and food businesses;
- 1992 No 117 **THE FOOD SAFETY ACT 1990 (CONSEQUENTIAL MODIFICATIONS) (LOCAL ENACTMENTS) ORDER 1992** provides for the repeal or revocation of certain parts of local law which relate to the registration of food premises. These provisions are no longer necessary, as the Food Premises (Registration) Regulations 1991 have come into force;
- 1992 No 2766 **THE FOOD SAFETY ACT 1990 (CONSEQUENTIAL MODIFICATIONS) (LOCAL ENACTMENTS) (NO 2) ORDER 1992** further repeal or revocation of certain local law which relate to the registration of food premises;
- 1993 No 2022 **THE FOOD PREMISES (REGISTRATIONS) (AMENDMENT) REGULATIONS 1993** exempt childminders caring for no more than six children from the requirement to register their premises as a food business.

D. Codes of Practice for local authorities

Codes of Practice issued under Section 40 of the Food Safety Act 1990 are not legislation, they are documents issued by Ministers for the guidance of food authorities, and the provisions can be enforced by direction and court order. These Codes of Practice apply to Great Britain.

Eighteen Codes of Practice have been issued so far:-

No.	Title
1.	Responsibility for Enforcement of the Food Safety Act 1990 (ISBN 0-11-321354).
2.	Legal Matters (ISBN 0-11-321353-0).
3.	Inspection Procedures - General (ISBN 0-11-321355-7).
4.	Inspection, Detention and Seizure of Suspect Food (ISBN 0-11-321350-6).
5.	The Use of Improvement Notices (Revised April 1994). (ISBN 0-11-321777-3).
6.	Prohibition Procedures (ISBN 0-11-321349-2).
7.	Sampling for Analysis or Examination (ISBN 0-11-321351-4).
*8.	Food Standards Inspections (ISBN 0-11-321466-9).
9.	Food Hygiene Inspections (Revised September 1995) (ISBN 0-11-321931-8).
*10.	Enforcement of Temperature Control Requirements of Food Hygiene Regulations. Enforcement of temperature monitoring and temperature measurement (revised February 1994) (ISBN 0-11-321465-0).
11.	Enforcement of the Food Premises (Registration) Regulations (ISBN 0-11-3214782)
12.	Quick Frozen Foodstuffs. Division of Enforcement Responsibilities; Enforcement of Temperature Monitoring and Temperature Measurement (Revised February 1994) (ISBN 0-11-321793-5).
13.	Enforcement of the Food Safety Act 1990 in relation to Crown Premises (ISBN 0-11-321500-2).
14.	Enforcement of the Food Safety (Live Bivalve Molluscs and Other Shellfish) Regulations 1992 (ISBN 0-11-321695-5).
15.	Enforcement of the Food Safety (Fishery Products) Regulations 1992 (ISBN 0-11-321798-6).

**currently being revised.*

16. Enforcement of the Food Safety Act 1990 in Relation to the Food Hazard Warning System (ISBN 0-11-321583-5).
17. Enforcement of the Meat Products (Hygiene) Regulations 1994 (ISBN 0-11-321880-x).
18. Enforcement of the Dairy Products (Hygiene) Regulations 1995 (ISBN 0-11-321957-1)

E. Further information on the Food Safety Act 1990

A detailed booklet:

"THE FOOD SAFETY ACT AND YOU - A GUIDE (PB0371)

is available, free of charge, from:

FoodSense

London

SE99 7TT

Tel: 0645 556000

PART 2 FOOD LABELLING AND THE MARKING OF FOOD

A: FOOD LABELLING REGULATIONS

SI Number

1996 No 1499 **THE FOOD LABELLING REGULATIONS 1996** - implement Council Directive 79/112/EEC (OJ No. L33 8.2.79) on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer (excluding the provisions relating to net quantity, and except in relation to certain additives), as now amended by Council Directive 85/7/EEC (OJ No. L2, 3.1.85), 86/197/EEC (OJ No. 144, 29.5.86) and 89/395/EEC (OJ No. L186, 30.6.89) and Commission Directive 91/72/EEC (OJ No. L42, 15.2.91) and 93/102/EEC (OJ No. L291);

They also implement Commission Directive 87/250/EEC (OJ No. L113, 30.4.87) on the indication of alcoholic strength by volume in the labelling of alcoholic beverages for sale to the ultimate consumer;

Council Directive 89/398/EEC (OJ No.. L186, 30.6.89) on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses;

Council Directive 90/496/EEC (OJ No.. L276, 6.10.90) on nutrition labelling for foodstuffs.

Commission Directive 94/54/EC (OJ No.. L300, 23.11.94), as now amended by Council Directive 96/21/EC (OJ No.. L88), concerning the compulsory indication on the labelling of certain foodstuffs of particulars other than those provided for in Council Directive 79/112/EEC.

The Regulations, which apply to Great Britain, consolidate and replace the Food Labelling Regulations 1984, the Food Labelling (Scotland) Regulations 1984 and the Milk Labelling (Scotland) Regulations 1983. The principal provisions of the Regulations are to -

- (1) require all food which is ready for delivery to the ultimate consumer or to a catering establishment, subject to certain exceptions, to be marked or labelled with:
 - (a) the name of the food;
 - (b) a list of ingredients;
 - (c) the appropriate durability indication, that is to say;
 - (i) in the case of a food other than one specified in subparagraph (ii) of this paragraph, an indication of minimum durability (a "best before" date);
 - (ii) in the case of food which, from the microbiological point of view is highly perishable and in consequence likely after a short period to constitute an immediate danger to health, a "use by" date;
 - (d) any special storage conditions or conditions of use;
 - (e) the name or business name and an address or registered office of the manufacturer or packer, or of a seller established within the European Community;
- and in certain circumstances:
- (f) particulars of the place of origin of the food, if failure to give such particulars might mislead and;

- (g) instructions for use if it would be difficult to make appropriate use of the food in the absence of such instructions;

(NB - There are certain exemptions and additional requirements listed in the main regulations.)

There are less onerous rules for foods which are non-prepacked or pre-packed for direct sale.

These Regulations also lay down detailed labelling and compositional requirements for foods which use restricted claims in their labelling or advertising. These claims include foods for particular nutritional uses, for babies or young children, reduced or low energy value claims, medicinal claims, protein claims, vitamin or mineral claims, cholesterol claims, other nutrient claims and claims dependent on other foods. They also lay down a prescribed format for the nutritional labelling of foodstuffs.

B: DECLARATION ON ADDITIVES

This note provides a general description of the requirements for additives used as ingredients in foods as required by the Food Labelling Regulations 1996.

1. Additives used as ingredients in prepacked foods to perform certain functions must be declared in the labelling by the appropriate category name of the function. This must be followed by their specific name or serial number. The categories are:

Acid	Flour treatment agent
Acidity regulator	Gelling agent
Anti-caking agent	Glazing agent
Anti-foaming agent	Humectant
Antioxidant	Modified starch
Bulking agent	Preservative
Colour	Propellant gas
Emulsifier	Raising agent
Emulsifying Salts	Stabiliser
Firming agent	Sweetener
Flavour enhancer	Thickener

2. Flavourings may be declared by either that name alone or by a more specific name.

3. In the case of acids, if the specific name includes the word "acid", the category name may be omitted.

4. In the case of modified starches, neither the specific name nor the serial number need be indicated.

5. If an additive serves more than one function in a food the category name which represents its principal function must be used to describe it. Where no category name is available for the function performed by an additive in a food, the additive must be declared in the ingredients list by its specific name. A serial number cannot be used on its own.

6. Non-prepacked foods and foods which are prepacked on the premises where they are sold are exempt from the above requirements. Exceptions to this exemption are that any additive used in the food to perform the function of an antioxidant, artificial sweeteners, colour, flavour enhancer or preservative must be indicated next to the name of the food, or on a ticket or notice displayed in immediate proximity to the food using the category name. However, in the case of edible ices and flour confectionery there need only be an indication that these additives may be present on a notice displayed near the food.

C: Lot Marking Regulations

1996 No 1502

THE FOOD (LOT MARKING) REGULATIONS 1996 - set out the lot marking requirements to be applied to all foodstuffs sold for human consumption (unless specifically exempted) including wines and spirits. These regulations revoke and replace the Food (Lot Marking) Regulations 1992. They apply to Great Britain and came into force on 1 July 1996. Like the previous Regulations, these Regulations implement Council Directive 89/396/EEC (OJ No. L186, 30.6.89) on indications and marks identifying the lot to which a foodstuff belongs, as amended by Council Directives 91/238/EEC (OJ No. L107, 27.4.91) and 92/11/EEC (OJ No. L65, 11.3.92). The Directive establishes a framework for a common lot (or "batch") identification system throughout the Community in order to facilitate product recall along the whole of the food chain, for example where a product constitutes a health risk to consumers.

Note: Enquiries regarding food labelling legislation should be addressed to Ministry of Agriculture, Fisheries and Food, Food Labelling and Standards Division, Branch A, Room 325d, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238-6463).

D: Wine Regulations

WINES: for the labelling of still wines and grape must (including restrictions on the use of the word 'wine') the following EEC Regulations apply:

(a) 2392/89 (OJ No. L232) - as amended by 3886/89 (OJ No. L378), 2356/91 (OJ No. L216), 3897/91 (OJ No. L368) and by the Act of Accession of the Kingdom of Sweden, the Republic of Austria and the Republic of Finland (OJ No. C241).

(b) 3201/90 (OJ No. L309) - as amended by 2384/91 (OJ No. L219), 3298/91 (OJ No. L312), 153/92 (OJ No. L17), 3650/92 (OJ No. L 369), 1847/93 (OJ No. L164), 1362/94 (OJ No. L150 including corrigendum OJ No. L268), and 2603/95 (OJ No. L267) and should be consulted;

For the labelling of sparkling wines and aerated sparkling wines the following EC Regulations apply:

(a) 2333/92 (OJ No. L231, 13.8.92) as amended by the Act of Accession of the Kingdom of Sweden, the Republic of Austria and the Republic of Finland (OJ No. C241).

b) 554/95 (OJ No. L56) applies and should be consulted

For the labelling of liqueur wines, semi-sparkling wines and aerated semi-sparkling wines the following EEC Regulations apply:

(a) 3895/91 (OJ No. L368)

(b) 3901/91 (OJ No. L368)

For the labelling of aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails the following EEC Regulations apply:

(a) 1601/91 (OJ No. L149) as amended by 3279/92 (OJ No. L327) and by the Act of Accession of the Kingdom of Sweden, the Republic of Austria and the Republic of Finland (OJ No. C241) 3378/94 (OJ No. L366)

The Common Agricultural Policy (Wine) Regulations, 1996, SI 1996/ 696 - these Regulations apply throughout the UK and usually come into force on 1 April each year. They provide for the enforcement of EC Regulations in the UK, concerned with the production and marketing of wine and related products.

Further information on wine legislation can be obtained from the Ministry of Agriculture, Fisheries and Food, Food and Drink Industry Division, Branch C, Room 201, Whitehall Place (East Block), London WC1A 2HH. (Telephone 0171-270-8137/8929; fax 0171 270 8733).

PART 3: REGULATIONS ON THE COMPOSITION AND LABELLING OF PARTICULAR FOODS

***Note:** Enquiries regarding the legislation in this part should, unless otherwise stated, be addressed to Ministry of Agriculture, Fisheries & Food, Food Labelling and Standards Division, Branch B, Room 325, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR (Telephone 0171-238-6458).*

A: BREAD AND FLOUR

SI Number

1995 No 3202

THE BREAD AND FLOUR REGULATIONS 1995 - these Regulations replace the Bread and Flour Regulations 1984. They specify requirements for the composition, labelling and advertising of bread and flour and restrict the use of specified ingredients in the

preparation of flour and bread which may be used. The Regulations also prescribe the levels of nutrients required in flour.

The Regulations are amended by:

1996 No 1501 The Bread and Flour (Amendment) Regulations 1996;

1996 No 1499 The Food Labelling Regulations 1996.

B: CASEINS AND CASEINATES

SI Number

1985 No 2026 **THE CASEINS AND CASEINATES REGULATIONS 1985 -**
implement:

Council Directive 83/417/EEC of 25 July 1983 on the approximation of the laws of the Member States relating to certain lactoproteins (caseins and caseinates) intended for human consumption;

first Commission Directive 85/503/EEC of 25 October 1985 on methods of analysis for edible caseins and caseinates.

These Regulations prescribe reserved descriptions, composition and manufacturing characteristics for edible acid casein, edible rennet casein and edible caseinates. The Regulations impose requirements for the labelling of casein products additional to those in the Food Labelling Regulations 1984. The Regulations are amended by:

1989 No 2321 The Caseins and Caseinates (Amendment) Regulations 1989 which implement first Commission Directive 86/424/EEC of 15 July 1986 laying down methods of sampling for chemical analysis of edible caseins and caseinates;

1990 No 2486 The Food Safety Act (Consequential Modifications) (England and Wales) Order 1990;

1991 No 1476 The Food (Exports) Regulations 1991;

1992 No 2596 The Food (Forces Exemptions) (Revocations) Regulations 1992;

1996 No 1499 The Food Labelling Regulations 1996.

C: COCOA AND CHOCOLATE PRODUCTS

SI Number

- 1976¹ No 541 **THE COCOA AND CHOCOLATE PRODUCTS REGULATIONS 1976** - implement Council Directive 73/241/EEC on the approximation of the laws of the Member States relating to Cocoa and Chocolate products intended for human consumption as amended by Council Directives 74/411/EEC, 74/644/EEC and 75/155/EEC.
- The Regulations define cocoa and chocolate products and specify requirements for their composition, labelling and advertisement. This includes the application of reserved descriptions and the prohibition, with certain exceptions, of the use of those descriptions for other products. Control is also exercised over the extent to which other foodstuffs may be added. The Regulations are amended by:
- 1980 No 1833 The Emulsifiers and Stabilisers in Food Regulations 1980;
- 1980 No 1834 The Miscellaneous Additives in Food Regulations 1980;
- 1980 No 1849 The Food Labelling Regulations 1980, which implement Council Directives:
- 79/112/EEC (OJ No. L33, 8.2.79) on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer (excluding the provisions relating to net quantity, and except in relation to milk and certain additives);
- 77/94/EEC (OJ No. L26, 3.1.77) on the approximation of the laws of the Member States relating to foodstuffs for particular nutritional uses;
- 76/766/EEC (OJ No. L262, 27.9.76) on the approximation of the laws of the Member States relating to alcohol tables;
- 1982 No 17 The Cocoa and Chocolate Products (Amendment) Regulations 1982 which implement Council Directives 78/609/EEC, and 80/608/EEC amending Directive 73/241;
- 1982* No 1727 The Food (Revision of Penalties) Regulations 1982;
- 1984 No 1305 The Food Labelling Regulations 1984 which implement Council Directives:
- 79/112/EEC (OJ No. L33, 8.2.79) on the approximation of the laws of the Member States relating to the labelling, presentation and

advertising of foodstuffs for sale to the ultimate consumer (excluding the provisions relating to net quantity, and except in relation to milk and certain additives);

77/94/EEC (OJ No. L26, 3.1.77) on the approximation of the laws of the Member States relating to foodstuffs for particular nutritional uses;

76/766/EEC (OJ No. L262, 27.9.76) on the approximation of the laws of the Member States relating to alcohol tables;

- 1985* No 67 The Food (Revision of Penalties) Regulations 1985 (Category 1);
- 1990 No 2486 The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990;
- 1991 No 1476 The Food Safety (Exports) Regulations 1991;
- 1992 No 2596 The Food (Forces Exemptions) (Revocations) Regulations 1992;
- 1995 No 3267 The Food (Miscellaneous Revocations and Amendments) Regulations 1995;
- 1995 No 3187 The Miscellaneous Food Additives Regulations 1995;
- 1996 No 1499 The Food Labelling Regulations 1996.

* See entry on penalties on page 3

D: COFFEE AND COFFEE PRODUCTS

SI Number

- 1978 No 1420 **THE COFFEE AND COFFEE PRODUCTS REGULATIONS 1978** - implement Council Directive 77/436/EEC of 27 June 1977 on the approximation of the laws of the Member States relating to coffee extracts and chicory extracts.

The Regulations define and lay down compositional, labelling and advertising requirements for coffee, coffee mixtures, coffee extracts, chicory extracts, and blends, including the application of reserved descriptions and the prohibition of the use of those descriptions for other products. Control is also exercised over the use of added ingredients. The Regulations also lay down the prescribed Community methods of analysis for determining the caffeine and dry matter content in coffee and chicory extracts.

These Regulations are amended by:

- 1980 No 1849 The Food Labelling Regulations 1980 implement Council Directives:
79/112/EEC (OJ No. L33, 8.2.79) on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer (excluding the provisions relating to net quantity, and except in relation to milk and certain additives);
77/94/EEC (OJ No. L26, 3.1.77) on the approximation of the laws of the Member States relating to foodstuffs for particular nutritional uses;
76/766/EEC (OJ No. L262, 27.9.76) on the approximation of the laws of the Member States relating to alcohol tables;
- 1982 No 254 The Coffee and Coffee Products (Amendment) Regulations 1982 implement First Commission Directive 79/1066/EEC of 13 November 1979 laying down Community methods of analysis for testing coffee extracts and Chicory extracts;
- 1982* No 1727 The Food (Revision of Penalties) Regulations 1982;
- 1985* No 67 The Food (Revision of Penalties) Regulations 1985 (Category 1);
- 1987 No 1986 The Coffee and Coffee Products (Amendment) Regulations 1987 implement Council Directive 85/573/EEC of 19 December 1985 amending Directive 77/436/EEC on the approximation of the laws of the Member States relating to coffee extracts and chicory extracts;
- 1990 No 2486 The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990;
- 1991 No 1476 The Food Safety (Exports) Regulations 1991;
- 1992 No 2596 The Food (Forces Exemptions) (Revocations) Regulations 1992;
- 1995 No 3187 The Miscellaneous Food Additives Regulations 1995;
- 1996 No 1499 The Food Labelling Regulations 1996.

* See entry on penalties on page 3

E: CONDENSED AND DRIED MILK

SI Number

- 1977 No 928 **THE CONDENSED MILK AND DRIED MILK REGULATIONS 1977** - implement Council Directive 76/118/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to certain partly or wholly dehydrated preserved milk for human consumption.

These regulations define condensed milk and dried milk products and specify requirements for their composition, labelling and advertisement, including the application of reserved descriptions and the prohibition of the use of those descriptions for other products.

The Regulations are amended by:

- 1980 No 1849 The Food Labelling Regulations 1980 which implements Council Directives:

79/112/EEC (OJ No. L33, 8.2.79) on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer (excluding the provisions relating to net quantity, and except in relation to milk and certain additives);

77/94/EEC (OJ No. L26, 3.1.77) on the approximation of the laws of the Member States relating to foodstuffs for particular nutritional uses;

76/766/EEC (OJ No. L262, 27.9.76) on the approximation of the laws of the Member States relating to alcohol tables;

- 1982 No 1066 The Condensed Milk and Dried Milk (Amendment) Regulations 1982 which implement Council Directive 78/630/EEC of 19 June 1978 amending for the first time Directive 76/118/EEC and First Commission Directive 79/1067/EEC of 13 November 1979 laying down Community methods of analysis for testing certain partly or wholly dehydrated preserved milk for human consumption;

- 1982* No 1727 The Food (Revision of Penalties) Regulations 1982;

- 1985* No 67 The Food (Revision of Penalties) Regulations 1985 (Category 1);

- 1986 No 2299 The Condensed Milk and Dried Milk (Amendment) Regulations 1986 which implement Council Directive 83/635/EEC of 13 December 1983 amending for the second time Directive 76/118/EEC;

- 1989 No 1959 The Condensed Milk and Dried Milk (Amendment) Regulations 1989 which implement First Commission Directive 87/524/EEC of 6 October 1987 laying down Community methods of sampling for chemical analysis for the monitoring of preserved milk products;
- 1990 No 2486 The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990;
- 1991 No 1476 The Food Safety (Exports) Regulations 1991;
- 1992 No 2596 The Food (Forces Exemptions) (Revocations) Regulations 1992;
- 1995 No 3187 The Miscellaneous Food Additives Regulations 1995;
- 1996 No 1499 The Food Labelling Regulations 1996.

* See entry on penalties on page 3

F: DRINKING MILK

SI Number

- 1976 No 1883 **THE DRINKING MILK REGULATIONS 1976** - specify which types of milk may be sold for drinking i.e. raw milk, non-standardised and standardised whole milk, semi-skimmed milk or skimmed milk
- The Regulations are amended by:
- 1982* No 1703 The Milk and Dairies (Revision of Penalties) Regulations 1982;
- 1985* No 68 The Milk and Dairies (Revision of Penalties) Regulations 1985;
- 1990 No 2486 The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990;
- 1991 No 1476 The Food Safety (Exports) Regulations 1991;
- 1992 No 3143 The Milk and Dairies (Standardisation and Importation) Regulations 1992;
- 1995 No 1086 The Dairy Products (Hygiene) Regulations 1995;

* See entry on Penalties on page 3

Note: Enquiries about drinking milk legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, Milk, Pigs, Eggs & Poultry Division, Branch A, Room 508, 10 Whitehall Place (East Block), London SW1A 2HH. (Telephone 0171 270 8252; fax 0171 270 8251).

G: DRINKING WATER IN CONTAINERS

SI Number

1994 No 743

THE DRINKING WATER IN CONTAINERS REGULATIONS

1994 - implement Council Directive 80/778/EEC of 15 July 1980 relating to the quality of water intended for human consumption in relation to water which is bottled or sold in a bottle.

The Regulations specify quality standards for water sold in containers. They do not cover those waters officially recognised as natural mineral waters in accordance with the Natural Mineral Water Regulations 1985 and those waters with a product licence under the provisions of the Medicines Act 1968.

H: ERUCIC ACID

SI Number

1977 No 691¹

THE ERUCIC ACID IN FOOD REGULATIONS 1977 -

Erucic acid is a normal constituent of some foods and is neither an additive nor a contaminant. These Regulations restrict the erucic acid content of oil or fat and of food to which oil or fat has been added. These Regulations are amended by:

1982 No 264²

The Erucic Acid in Food (Amendment) Regulations 1982;

1982* No 1727

The Food (Revision of Penalties) Regulations 1982;

1985* No 67

The Food (Revision of Penalties) Regulations 1985 (Category 1);

1990 No 2486

The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990;

1991 No 1476

The Food Safety (Exports) Regulations 1991.

* See entry on Penalties on page 3

¹ & ² These regulations implement (respectively): Council Directive 76/621/EEC of 20 July 1976 relating to the fixing of the maximum level of erucic acid in oils and fats intended as such for human consumption and in foodstuffs containing added oils + fats; and Council Directive 80/891/EEC of 25 July 1980 on the Community method of analysis for determining the erucic acid content in oils and fats intended for human consumption and foodstuffs containing added oils or fats.

I: FLOUR - SEE BREAD

J: FRUIT JUICES AND NECTARS

SI Number

- 1977 No 927 **THE FRUIT JUICES AND FRUIT NECTARS REGULATIONS 1977** - implements Council Directive 75/726/EEC of 17 November 1975 on the approximation of the laws concerning fruit juices and certain similar products.
- These Regulations define fruit juices and fruit nectars and specify requirements for composition, description, labelling and advertisement. Control is also exercised over the addition of other ingredients
- The Regulations are amended by:
- 1979 No 1254 The Lead in Food Regulations 1979;
- 1980 No 1849 The Food Labelling Regulations 1980 implements Council Directives:
- 79/112/EEC (OJ No. L33, 8.2.79) on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer (excluding the provisions relating to net quantity, and except in relation to milk and certain additives);
- 77/94/EEC (OJ No. L26, 3.1.77) on the approximation of the laws of the member states relating to foodstuffs for particular nutritional uses;
- 76/766/EEC (OJ No. L262, 27.9.76) on the approximation of the laws of the member states relating to alcohol tables;
- 1982 No 1311 The Fruit Juices and Fruit Nectars (Amendment) Regulations 1982 implement Council Directives 79/168/EEC of 5 February 1979 and 81/487/EEC of 30 June 1981 amend for the first and second time (respectively) Council Directive 75/726/EEC;
- 1982* No 1727 The Food (Revision of Penalties) Regulations 1982;
- 1985* No 67 The Food (Revision of Penalties) Regulations 1985 (Category 1);
- 1990 No 2486 The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990;
- 1991 No 1284 The Fruit Juices and Fruit Nectars (England, Wales and Scotland) (Amendment) Regulations 1991 implement Council Directive 89/394/EEC of 14 June 1989 amending for the third time Directive 75/726/EEC;

- 1991 No 1476 The Food Safety (Exports) Regulations 1991;
- 1992 No 2596 The Food (Forces Exemptions) (Revocations) Regulations 1992;
- 1995 No 236 The Fruit Juices and Fruit Nectars (England, Wales and Scotland) (Amendment) Regulations 1995 implement Commission Directive 93/45/EEC of 17 June 1993 concerning the manufacture of nectars without the addition of sugars or honey;
- 1995 No 3267 The Food (Miscellaneous Revocations and Amendments) Regulations 1995;
- 1995 No 3187 The Miscellaneous Food Additives Regulations 1995;
- 1996 No 1499 The Food Labelling Regulations 1996.

* See entry on penalties on page 3

K: HONEY

SI Number

- 1976 No 1832 **THE HONEY REGULATIONS 1976** - implement Council Directive 74/409/EEC of 22 July 1974 on the harmonisation of the laws of Member States relating to honey.

These Regulations lay down compositional requirements for the various types of honey; reserve the word "honey" and require it, amplified in certain cases by specified qualifications, to be applied to the product when traded; and specify how honey is to be labelled.

The Regulations are amended by:

- 1980 No 1849 The Food Labelling Regulations 1980 implements Council Directives: 79/112/EEC (OJ No. L33, 8.2.79) on the approximation of the laws of the member states relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer (excluding the provisions relating to net quantity, and except in relation to milk and certain additives);
- 77/94/EEC (OJ No. L26, 3.1.77) on the approximation of the laws of the member states relating to foodstuffs for particular nutritional uses;
- 76/766/EEC (OJ No. L262, 27.9.76) on the approximation of the laws of the member states relating to alcohol tables;
- 1982* No 1727 The Food (Revision of Penalties) Regulations 1982;

1985* No 67	The Food (Revision of Penalties) Regulations 1985 (Category 1);
1990 No 2486	The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990;
1991 No 1476	The Food Safety (Exports) Regulations 1991;
1992 No 2596	The Food (Forces Exemptions) (Revocations) Regulations 1992;
1996 No 1499	The Food Labelling Regulations 1996.

L: INFANT FORMULA AND FOLLOW-ON FORMULA

SI NUMBER

1995 No 77 **THE INFANT FORMULA AND FOLLOW-ON FORMULA REGULATIONS 1995** - implement Commission Directive 91/321/EEC of 14 May 1991 on infant formula and follow-on formula.

These regulations specify compositional requirements and place restrictions on the conditions for sale, labelling and packaging, advertising, promotion of and provision of information on infant and follow-on formulae. The regulations also place controls on the export of infant formulae to third countries by implementing Council Directive 92/52/EEC of 18 June 1992 on infant formulae and follow-on formulae intended for export to third countries.

Note: Enquiries on relating to infant formula and follow-on formula legislation should be addressed to Ministry of Agriculture, Fisheries & Food, Food Labelling and Standards Division, Branch A, Room 325, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR (Telephone 0171-238-6260).

M: JAM AND SIMILAR PRODUCTS

SI Number

1981 No 1063 **THE JAM AND SIMILAR PRODUCTS REGULATIONS 1981** - implement Council Directive 79/693/EEC of 24 July 1979 on the approximation of the laws of the Member States relating to fruit jams, jellies and marmalades and chestnut purée.

These Regulations specify compositional and labelling requirements for jams, jellies, marmalade, mincemeat, fruit curd and chestnut puree, including jams and jellies containing extra fruit and a range of products with reduced sugar content. Control is exercised over the use of additional ingredients.

The Regulations are amended by:

- | | | |
|-------|---------|---|
| 1982 | No 1700 | The Food Labelling (Amendment) Regulations 1982 which implement no EC measure; |
| 1982* | No 1727 | The Food (Revision of Penalties) Regulations 1982; |
| 1983 | No 1211 | The Sweeteners in Food Regulations 1983; |
| 1985* | No 67 | The Food (Revision of Penalties) Regulations 1985 (Category 1); |
| 1988 | No 2112 | The Sweeteners in Food (Amendment) Regulations 1988; |
| 1989 | No 533 | The Preservatives in Food Regulations 1989; |
| 1990 | No 2085 | The Jam and Similar Products (Amendment) Regulations 1990 implement Council Directive 88/593/EEC of 18 November 1988 amending Directive 79/693/EEC; |
| 1990 | No 2486 | The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990; |
| 1991 | No 1476 | The Food Safety (Exports) Regulations 1991; |
| 1992 | No 2596 | The Food (Forces Exemptions) (Revocations) Regulations 1992; |
| 1995 | No 3123 | The Sweeteners in Food Regulations 1995; |
| 1995 | No 3124 | The Colours in Food Regulations 1995; |
| 1995 | No 3187 | The Miscellaneous Food Additives Regulations 1995; |
| 1996 | No 1499 | The Food Labelling Regulations 1996. |

* See entry on penalties on page 3

N: MEAT PRODUCTS AND SPREADABLE FISH PRODUCTS

SI Number

- | | | |
|------|---------|---|
| 1984 | No 1566 | THE MEAT PRODUCTS AND SPREADABLE FISH PRODUCTS REGULATIONS 1984 - implements no EC Directive. Specifies requirements for the composition of certain products and the labelling and description for all meat products and spreadable fish products. |
|------|---------|---|

The Regulations are amended by:

- | | | |
|------|-------|--|
| 1985 | No 67 | The Food (Revision of Penalties) Regulations 1985; |
|------|-------|--|

1986	No 987	The Meat Products and Spreadable Fish Products (Amendment) Regulations 1986;
1990	No 2486	The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990;
1991	No 1476	The Food Safety (Exports) Regulations 1991;
1992	No 2596	The Food (Forces Exemptions) (Revocations) Regulations 1992;
1995	No 3123	The Sweeteners in Food Regulations 1995;
1995	No 3124	The Colours in Food Regulations 1995;
1995	No 3187	The Miscellaneous Food Additives Regulations 1995;
1996	No 1499	The Food Labelling Regulations 1996.

O: MILK AND MILK PRODUCTS

SI Number

1990 No 607	THE MILK AND MILK PRODUCTS (PROTECTION OF DESIGNATIONS) REGULATIONS 1990 - make provision for the enforcement of Council Regulation (EEC) No 1898/87 of 2 July 1987 and Commission Decision 88/566/EEC of 28 October 1988 (listing the products referred to in Article 3(1) of Regulation 1898/87) which defines dairy names to be protected and prohibits their use for products other than those defined in the Regulation as milk or milk products. There are certain exemptions for a number of products where the "dairy" reference is clearly understood not to imply that the product is a dairy product (e.g. cream sherry, butter beans). The Regulations are amended by:
1990 No 2486	The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990;
1995 No 3267	The Food (Miscellaneous Revocations and Amendments) Regulations 1995;
1996 No 1499	The Food Labelling Regulations 1996.

P: NATURAL MINERAL WATER

SI Number

1985 No 71

THE NATURAL MINERAL WATERS REGULATIONS 1985 -

implements Council Directive 80/777/EEC on the approximation of the laws of Member States relating to the exploitation and marketing of natural mineral waters.

These Regulations define and protect the designation of "natural mineral water" by requiring such water to be officially recognised by a responsible authority; prescribe conditions for the exploitation of the water at source and for marketing; and specify the composition and controls for the labelling and advertisement of "natural mineral water".

The Regulations are amended by:

1990 No 2487

The Food Safety Act 1990 (Consequential Modifications) (No.2) (Great Britain) Order 1990;

1996 No 1499

The Food Labelling Regulations 1996.

Q: QUICK FROZEN FOODS

SI Number

1990 No 2615

QUICK FROZEN FOODSTUFFS REGULATIONS 1990 -

implement Council Directive 89/108/EEC of 21 December 1988 on the approximation of Member State laws relating to quick frozen foodstuffs for human consumption.

These Regulations set out conditions for the packing, labelling and temperature controls during manufacture to retail sale, of quick frozen foodstuffs other than ice cream.

The Regulations are as amended by:

1992 No 2596

The Food (Forces Exemptions) (Revocations) Regulations 1992;

1994 No 298

The Quick Frozen Foodstuffs (Amendment) Regulation 1994 - implement Commission Directives:

92/1/EEC of 13 January 1992 on the monitoring of temperatures in the means of transport, warehousing and storage of quick frozen foodstuffs intended for human consumption;

92/2/EEC also of 13 January 1992 laying down the sampling procedure and the Community analysis for the official control of quick frozen foods intended for human consumption.

R: SPREADABLE FATS

SI Number

- 1995 No 3116 **THE SPREADABLE FATS (MARKETING STANDARDS) REGULATIONS 1995** - these Regulations enforce Council Regulation 2991/94, which lays down compositional, labelling and marketing standards for spreadable fats (butter, margarine, mixtures and reduced fat spreads).

The Regulations revoke the Butter Regulations 1966 and the Margarine Regulations 1967, but retain the fortification requirements for vitamins A and D in margarine.

S: SUGAR

SI Number

- 1976 No 509 **THE SPECIFIED SUGAR PRODUCTS REGULATIONS 1976** - implement Council Directive 73/437/EEC of 11 December 1973 on the approximation of the laws of the Member States concerning certain sugar intended for human consumption.

These Regulations define and control the composition and labelling of a number of sugars, each of which is given a reserved name. They also lay down Community methods of analysis for testing certain sugars intended for human consumption.

The Regulations are amended by:

- 1980 No 1834 The Miscellaneous Additives in Food Regulations 1980;
- 1980 No 1849 The Food Labelling Regulations 1980 implements Council Directives: 79/112/EEC (OJ No. L33, 8.2.79) on the approximation of the laws of the member states relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer (excluding the provisions relating to net quantity, and except in relation to milk and certain additives); 77/94/EEC (OJ No. L26, 3.1.77) on the approximation of the laws of the member states relating to foodstuffs for particular nutritional uses;
- 76/766/EEC (OJ No. L262, 27.9.76) on the approximation of the laws of the member states relating to alcohol tables;
- 1982 No 255 The Specified Sugar Products (Amendment) Regulations 1982 implement First Commission Directive 79/786/EEC of 26 July 1979

laying down Community methods of analysis for testing certain sugars intended for human consumption;

- 1982* No 1727 The Food (Revision of Penalties) Regulations 1982;
- 1985* No 67 The Food (Revision of Penalties) Regulations 1985 (Category 1);
- 1990 No 2486 The Food Safety Act (Consequential Modifications) (England and Wales) Order 1990;
- 1991 No 1476 The Food Safety (Exports) Regulations 1991;
- 1992 No 2596 The Food (Forces Exemptions) (Revocations) Regulations 1992;
- 1995 No 3124 The Colours in Food Regulations 1995;
- 1995 No 3187 The Miscellaneous Food Additives Regulations 1995;
- 1996 No 1499 The Food Labelling Regulations 1996.

* See entry on Penalties on page 3

T: REVOCATIONS

SI Number

- 1991 No 1231 **THE FOOD (MISCELLANEOUS REVOCATIONS) REGULATIONS 1991** - revokes Orders which prescribed compositional standards for mustard, self-raising flour, curry powder, tomato ketchup and suet. Those foods were required to comply with prescribed standards by virtue of article 1 of the Food Standards (General Provisions) Order 1944. These Regulations also revoke:
- the Public Health (Imported Milk) Regulations 1926, which required imported milk to comply with certain hygiene requirements;
- Salad Cream Regulations 1966 and the Salad Cream (Scotland) Regulations 1966, which prescribed compositional requirements for salad cream.
- 1995 No 3267 **THE FOOD (MISCELLANEOUS REVOCATIONS AND AMENDMENTS) REGULATIONS 1995** - these Regulations revoke the following Regulations in England and Wales:
- the Soft Drinks regulations 1964;
- the Ice Cream Regulations 1967;
- the Skimmed Milk with Non-Milk Fat Regulations 1960;

the Food Standards (Fish Cakes) Order 1950;

the Food Standards (General Provisions) Order 1944;

the Potassium Bromate (Prohibition as a Flour Improver) Regulations 1990.

The regulations also revoke the parallel regulations for Scotland. In addition the Regulations amend the Food Labelling Regulations 1984, removing certain controls while retaining definitions and compositional requirements for ice cream and dairy ice cream; specifying requirements for the use of the words "low calorie" in relation to soft drinks and "tonic" in relation to "Indian tonic water"; and include the requirement that skimmed milk with non milk fat should be labelled as unfit for feeding to babies.

PART 4: REGULATIONS DEALING WITH THE CHEMICAL SAFETY OF FOOD

Note: Enquiries regarding the legislation in this part should, unless otherwise stated, be addressed to the Ministry of Agriculture, Fisheries and Food, Additives and Novel Foods Division, Ergon House, c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238- 6267 - colours and sweeteners; 6265 - flavourings and chloroform; or 6262 -other additives).

For enquiries on legislation where a contact is not given please ring the Consumer Helpline on 0345 573012 who will be able to give you a contact.

A: FOOD ADDITIVES LABELLING

SI Number

- | | | |
|------|---------|--|
| 1992 | No 1978 | THE FOOD ADDITIVES LABELLING REGULATIONS 1992 - implement certain provisions in Council Directive 89/107/EEC (OJ No. L40, 11.2.89, p.27) on the approximation of the laws of the Member States concerning food additives authorised for use in foodstuffs intended for human consumption. These Regulations define food additives and lay down labelling requirements at retail and wholesale level for additives sold as such. |
| | | The Regulations are amended by: |
| 1995 | No 3123 | The Sweeteners in Food Regulations 1995; |
| 1995 | No 3124 | The Colours in Food Regulations 1995; |
| 1995 | No 3187 | The Miscellaneous Food Additives Regulations 1995. |

B: AFLATOXINS

SI Number

- 1992 No 3236 **AFLATOXINS IN NUTS, NUT PRODUCTS, DRIED FIGS AND DRIED FIG PRODUCTS REGULATIONS 1992** - prohibit the import from non-EC countries of these products except through a designated place of entry. The import must be in accordance with the sample/analysis procedure specified. Import is prohibited for products which have a level of aflatoxins over 4 micrograms per kilogram, unless products are to be further processed in which case a level of 10 micrograms per kilogram applies on import.

Products at retail sale must comply with a maximum limit of 4 micrograms per kilogram.

C: ARSENIC

SI Number

- 1959 No 831 **THE ARSENIC IN FOOD REGULATIONS 1959** - lay down a general limit of 1 milligram per kilogram for 'arsenic in food. [NB - the schedule to the Regulations gives details of foods to which a separate limit applies].
- The Regulations are amended by:
- 1960 No 2261 The Arsenic in Food (Amendment) Regulations 1960;
- 1973 No 1052 The Arsenic in Food (Amendment) Regulations 1973
- 1982* No 1727 The Food (Revision of Penalties) Regulations 1982;
- 1990 No 2486 The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990;
- 1991 No 1476 The Food Safety (Exports) Regulations 1991;
- 1992 No 1971 The Flavouring in Food Regulations 1992;
- 1995 No 3202 The Bread and Flour Regulations 1995;

* See entry on penalties on page 3

D: CHLOROFORM

SI Number

- 1980 No 36 **THE CHLOROFORM IN FOOD REGULATIONS 1980**
- make it an offence to sell or import food containing added chloroform.
- The Regulations are amended by:
- 1982* No 1727 The Food (Revision of Penalties) Regulations 1982;
- 1985* No 67 The Food (Revision of Penalties) Regulations 1985 (Category 1);
- 1990 No 2486 The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990;
- 1991 No 1476 The Food Safety (Exports) Regulations 1991.

* See entry on penalties on page 3

E: COLOURS

SI Number

- 1995 No 3124 **THE COLOURS IN FOOD REGULATIONS 1995** - implement European Parliament and Council Directive 94/36/EC (OJ No. L237, 10.9.94) on colours for use in foodstuffs and Commission Directive 95/45/EC (OJ No. L226, 22.9.95) laying down specific criteria of purity concerning colours for use in foodstuffs. They define "food additive" and "colour"; list the permitted colours and, by cross-reference, the purity criteria with which they must comply; set down conditions of use for colours in food; control the sale of colours direct to the public and prohibit the sale and use of colours and the sale of food containing colours, which do not comply with these provisions.

F: EXTRACTION SOLVENTS

SI Number

- 1993 No 1658 **THE EXTRACTION SOLVENTS IN FOOD REGULATIONS 1993** - implement the provisions of Council Directive 88/344/EEC (OJ No. L157, 24.6.88) as amended by Council Directive 92/115/EEC (OJ No. L409, 31.12.92) on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients. They lay down a list of permitted extraction solvents and in certain cases, restricted conditions

of use. The Regulations lay down specifications of purity and prescribe labelling requirements for extraction solvents.

The Regulations are amended by:

- 1995 No 1440 The Extraction Solvents in Food (Amendment) Regulations 1995 - which implement European Parliament and Council Directive 94/52/EC (OJ No. L331, 21.12.94).

G: FLAVOURINGS

SI Number

- 1992 No 1971 **THE FLAVOURINGS IN FOOD REGULATIONS 1992** - implement certain provisions in Council Directive 88/388/EEC (OJ No. L184, 15.7.88) on the approximation on the laws of Member States relating to flavourings for use in foodstuffs and to source materials for their production, as amended by Commission Directive 91/71/EEC (OJ No. L42, 15.2.91).

These regulations define categories of flavourings to be controlled; lay down limits for certain undesirable substances which are present in some flavourings and should therefore be restricted; prohibit the sale or importation of food having in it or on it any flavouring which is not a permitted flavouring (i.e. does not comply with the general provisions) and set down labelling requirements for business and consumer sales of flavourings sold as such.

The Regulations are amended by:

- 1994 No 1486 The Flavourings in Food (Amendment) Regulations 1994.

H: FOOD CONTACT MATERIALS AND ARTICLES

SI Number

- 1987 No 1523 **THE MATERIALS AND ARTICLES IN CONTACT WITH FOOD REGULATIONS 1987** as amended by:

- 1994 No 979 The Materials and Articles in Contact with Food (Amendment) Regulations 1994 require that:

materials and articles intended to come into contact with food shall be manufactured in such a way that, they do not transfer their constituents to food in quantities which could endanger human health or make the food otherwise unacceptable to the consumer;

require that materials and articles sold for subsequent use in contact with food shall be clearly labelled (with certain exceptions in the case of

retail goods); set a limit of 1 milligram per kilogram of vinyl chloride monomer in certain food contact materials and articles, and a migration limit of 0.01 milligram per kilogram into food; give analysis methods for levels in the material and article and migration into food; and

prohibit the transfer to food from Regenerated Cellulose Film (RCF) of more than 50 milligrams of diethylene or monoethylene glycol per kilogram of food;

lists the substances which may be used in the manufacture of RCF and the coating which may be applied.

These Regulations also apply in Scotland.

The Regulations are amended by:

1990 No 2487 The Food Safety Act 1990 (Consequential Modifications) (No.2) (Great Britain) Order 1990; and

1991 No 1476 The Food Safety (Exports) Regulations 1991.

The following Regulations lay down requirements governing the use of plastic materials and or articles in contact with food.

SI Number

*1992 No 3145 The Plastic Materials and Articles in Contact with Food Regulations 1992 - limit the transfer of the constituents of a plastic material and article into food by laying down an overall migration limit of 60 milligrams per kilogram of food;

provide a positive list of monomers and other starting substances (some with specific restrictions); sets test conditions and approved substitutes for food when testing (food simulants).

The Regulations are amended by:

1995 No 360 The Plastic Materials and Articles in Contact with Food (Amendment) Regulations 1995 - make amendments to the monomers and other starting substances in the positive list established in SI No. 3145 (1992) and revise the times and temperatures for the testing of plastic materials and articles in contact with food established in SI No 3145 (1992).

1996 No 694 The Plastic Materials and Articles in Contact with Food (Amendment) Regulations 1996 - further updates and amends the 'A' and 'B' lists of monomers. An incomplete SCF approved list is introduced - this is not

yet a positive list. These Regulations implement Directive 95/3/EEC (OJ L41, 23.2.95).

**A Further amendment to SI No 1992/3145 is due to be implemented by 1 January 1997 following the adoption of Directive 96/11/EEC (OJ No. L 61, 12.3.96).*

***Note:** A summary sheet on legislation relating to food contact material and articles is available from the Ministry of Agriculture, Fisheries and Food, Consumer and Nutrition Policy Division, Information Section, Room 303b, Ergon House, c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238-6245)*

1995 No 1012 The N-Nitrosamines and N-Nitrosatable Substances in Elastomer or Rubber Teats and Dummies (Safety) Regulations 1995 - implement Commission Directive No 93/11/EEC concerning the release of these substances from elastomer or rubber teats and soothers. These Regulations apply to the supply of teats or dummies intended to be brought into contact with foodstuffs. They prohibit the supply of any products which do not comply with the requirements.

***Note:** Enquiries on the above legislation should be addressed to Consumer Safety Unit, Consumer Affairs and Competition Directorate, Department of Trade and Industry, 4.H.2, 1 Victoria Street, London SW1H 0ET. (Telephone 0171-215-0361).*

I: LEAD

SI Number

1979 No 1254 **THE LEAD IN FOOD REGULATIONS 1979** 1985 - lay down a general limit of 1 milligram per kilogram for lead in food. [NB - the schedule to the Regulations gives details of those foods for which a separate limit applies].

The Regulations are amended by:

1985 No 912 The Lead in Food (Amendment) Regulations

1982* No 1727 The Food (Revision of Penalties) Regulations 1982;

1990 No 2486 The Food Safety Act 1990 (Consequential Modifications) (England & Wales) Order 1990;

1991 No 1476 The Food Safety (Exports) Regulations 1991;

1992 No 1971 Flavourings in Food Regulations 1992;

1995 No 3124 The Colours in Food Regulations 1995 [minor amendment to revoke reference to SI 1973/1340];

1995 No 3267 The Food (Miscellaneous Revocations and Amendment) Regulations 1995.

J: MINERAL HYDROCARBONS

SI Number

1966 No 1073 **THE MINERAL HYDROCARBONS IN FOOD REGULATIONS**

1966 - prohibit (subject to certain exceptions relating to lubricants, chewing compounds and the rind of cheese and permitted miscellaneous additives on the use of any mineral additives) hydrocarbon in the composition or preparation of food; lay down specifications for mineral hydrocarbon for the presence of polycyclic hydrocarbon.

The Regulations are amended by:

1982* No 1727 The Food (Revision of Penalties) Regulations 1982;

1985* No 67 The Food (Revision of Penalties) Regulations 1985 (Category 1);

1990 No 2486 The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990;

1991 No 1476 The Food Safety (Exports) Regulations 1991;

1995 No 3187 The Miscellaneous Food Additives Regulations 1995.

* See entry on penalties on page 3

K: MISCELLANEOUS ADDITIVES

SI Number

1995 No 3187 **THE MISCELLANEOUS FOOD ADDITIVES REGULATIONS**

1995 - implement European Parliament and Council Directive 95/2/EC (OJ No. L61, 18.3.95) on food additives other than colours and sweeteners ("miscellaneous additives"), together with various directives governing purity criteria. They define each class of miscellaneous food additives and list those which are permitted; specify the purity criteria with which they must comply; set conditions on their use; control their sale direct to the public; and prohibit the sale and use of miscellaneous additives and the sale of food containing them, which do not comply with these provisions.

L: PESTICIDES

SI Number

1994 No 1985 **THE PESTICIDES (MAXIMUM RESIDUE LEVELS IN CROPS, FOOD AND FEEDING STUFFS) REGULATION 1994**

- implement the provisions of Council Directives:

90/642/EEC, 93/57/EEC and 93/58/EEC setting maximum residue levels (MRLs) for fruit and vegetables, cereals and animal products. They also introduce some national MRLs pending the adoption of Community provisions;

1995 No 1483 The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (Amendment) Regulations 1995 implement EC Directives 94/29/EC and 94/30/EC setting further MRLs for fruit and vegetables, cereals and animal products.

Note: Enquiries on pesticides legislation should be addressed to Pesticides Safety Directorate, Mallard House, Kings Pool, 3 Peasholme Green, York, YO1 2PX. (Telephone 01904- 455 751).

M: SWEETENERS

SI Number

1995 No 3123 **THE SWEETENERS IN FOOD REGULATIONS 1995** - implement European Parliament and Council Directive 94/35/EC (OJ No. L237, 10.9.94) on sweeteners for use in foodstuffs and Commission Directive 95/31/EC (OJ No. L178, 28.7.95) laying down specific criteria concerning sweeteners for use in foodstuffs. They define "food additive" and "sweetener"; list the permitted sweeteners and, by cross-reference, the purity criteria with which they must comply; set down conditions of use for sweeteners in food; control the sale of sweeteners direct to the public (table top sweeteners) and specify additional labelling requirements for these products; and prohibit the sale and use of sweeteners and the sale of food containing sweeteners, which do not comply with these provisions.

N: TETRACHLOROETHYLENE

SI Number

1989 No 910 **THE TETRACHLOROETHYLENE IN OLIVE OIL REGULATIONS 1989** - make provision for the enforcement of Article 1 of Commission Regulation (EEC) No 1860/88 which

provides that olive oils and olive-pomace oils with tetrachloroethylene content of more than 0.1 milligram per kilogram may not be offered for retail sale.

The Regulations are amended by:

- 1990 No 2486 The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990;
- 1991 No 1476 The Food Safety (Exports) Regulations 1991.

O: TIN

SI Number

- 1992 No 496 **THE TIN IN FOOD REGULATIONS 1992** - prohibit for sale or import any food containing a level of tin exceeding 200 milligrams per kilogram.

P: TRYPTOPHAN

SI Number

- 1990 No 1728 **THE TRYPTOPHAN IN FOOD REGULATIONS 1990** - prohibit the addition of tryptophan (an amino acid) to food intended for human consumption, and its consequent sale or supply.

The Regulations are amended by:

- 1990 No 2486 The Food Safety Act 1990 (Consequential Modifications) (England & Wales) Order 1990;
- 1991 No 1476 The Food Safety (Exports) Regulations 1991.

Note: Enquiries on tryptophan legislation should be addressed to the Department of Health, Room 679d, Skipton House, 80 London Road, London SE1 6LW. (Telephone 0171-972-5018).

PART 5: EGGS & POULTRY

A: EGG PRODUCTS

SI Number

- 1993 No 1520 **THE EGG PRODUCTS REGULATIONS 1993** - implement Council Directive 89/437/EEC on hygiene and health problems affecting the production and placing on the market of egg products.

The Regulations require that all egg products for human consumption be prepared in approved establishments, subject to certain exceptions. The Regulations make provisions for all egg products to be heat treated, and lay down hygiene and health requirements for the production and placing on the market of egg products.

The Regulations are amended by:

1995 No 1763 The Food Safety (General Food Hygiene) Regulations 1995 (in relation to potable water).

Note: Enquiries on egg products legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, Food Hygiene Division, Branch B, Room 429a, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone (0171-238 6556/6461, fax 0171-238-6745).

B: UNGRADED EGGS

SI Number

1990 No 1323 **THE UNGRADED EGGS (HYGIENE) REGULATIONS, 1990** - prohibit the sale direct from the producer to the consumer of any egg which contains a crack visible to the naked eye without candling.

The Regulations are amended by:

1990 No 2486 The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990.

C: EGGS (MARKETING STANDARDS)

SI Number

1995 No 1544 **THE EGGS (MARKETING STANDARDS) REGULATIONS 1995** - make provision, in Great Britain, for the enforcement and execution of specified regulations of the European Communities which relate to marketing standards for shell eggs and to the production and marketing of eggs for hatching and of farmyard poultry chicks. The Regulations also implement the public health conditions in relation to the sale of shell eggs and to the use of eggs in catering kitchens laid down in Council Decision 93/371/EC. Similar provisions exist in Northern Ireland.

Note: Enquiries on ungraded eggs and marketing standards for eggs legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, Milk, Pigs, Eggs & Poultry Division, Branch B, Whitehall Place (East Block), London SW1A 2HH. (Telephone (0171-270-8491).

PART 6: OTHER LEGISLATION

A: ALCOHOLIC LIQUOR DUTIES ACT 1979 - Section 71

Prescribes a penalty for misdescribing liquor as spirits or as wine fortified with spirits. In practice, therefore, this Section reinforces Section 15 of the Food Safety Act 1990 as far as these products are concerned.

Note: All enquiries concerning Customs and Excise legislation should be addressed to HM Customs and Excise, New King's Beam House, 22 Upper Ground, London SE1 9PJ. (Telephone 0171-620-1311).

B: ANIMALS, MEAT & MEAT PRODUCTS

1991 No 2843 **The Animals, Meat and Meat Products (Examination for Residues and Maximum Residue Limits) Regulations 1991** as amended by:

1993 No 990 The Animals Meat and Meat Products (Examination for Residues and Maximum residue limits) (Amendment) Regulations 1993;

1994 No 2465 The Animals, Meat and Meat Products (Examination for Residues and Maximum residue Limits) (Amendment) Regulations 1994 implement Council Regulation (EEC) No. 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin and Council Directive 86/469/EEC concerning the examination of animals or fresh meat for the presence of residues.

The Regulations make it an offence to:

a) sell for slaughter, or to slaughter, an animal containing residues in excess of maximum residue limits (MRLs) specified in Annexes I or III of Council Regulation 2377/90 and for 2 additional substances for which MRL apply in Great Britain. Create the offence of sale of meat or meat products with excess residues of authorised substances or residues of substances listed in Annex IV of Council Regulation 2377/90 or containing unlicensed or prohibited substances;

b) fail to observe the withdrawal period specified for the veterinary medicinal product administered to the animal;

c) administer an unlicensed medicine or a prohibited substance to a food producing animal and allow meat from such animals to be condemned as unfit for human consumption;

d) fail to maintain records within 72 hours of the administration of a veterinary medicinal product or of the slaughter of an animal.

These Regulations also provide powers to:

- e) detain and sample carcasses at slaughterhouses on suspicion of excess residues of authorised substances being present and, if found positive, condemn as unfit for human consumption;
- f) detain animals to ensure that residues of authorised substances fall to acceptable levels prior to slaughter;
- g) ensure that animals or carcasses found positive for any residues of beta-agonists do not enter the human food supply, unless the level found is below the MRL and evidence of authorisation by a veterinary surgeon can be provided.

***Note:** Enquiries on animals, meat and meat products legislation should be addressed to the Veterinary Medicines Directorate, Woodham Lane, New Haw, Addlestone, Surrey KT15 3NE. (Telephone 01932 336911, Ext. 3044).*

C: BOVINE SPONGIFORM ENCEPHALOPATHY (BSE)

NB Not all the statutory instruments listed in this section make direct provisions for food safety, some for example lay down requirements for animal feedingstuffs. However, they have been included in this list for the sake of completeness.

SI Number

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|--------------|--|
| 1988 No 2264 | The Zoonoses Order 1988, made under the Animal Health Act 1981, came into force on 22 December 1988. The Order designated BSE as a zoonosis, enabling powers under the Act to be used to reduce any risk to human health from BSE. |
| 1991 No 2246 | The Bovine Spongiform Encephalopathy Order 1991, made under the Animal Health Act 1981, came into force on 6 November 1991. It implemented Commission Decision 90/200/EEC. The Order consolidated existing BSE legislation dating back to 1988 and introduced new provisions to prevent the use of meat and bone meal produced from SBO's as a fertiliser. |
| 1994 No 673 | The Bovine Spongiform Encephalopathy Compensation Order, made under the Animal Health Act 1981, came into force on 1 April 1994 and introduced changes to the existing BSE compensation arrangements. |
| 1994 No 2627 | The Bovine Spongiform Encephalopathy (Miscellaneous Amendments) Order 1994, made under the Animal Health Act 1981, came into force on 2 November 1994. It implemented Commission Decision 94/381/EC and Commission Decision 94/474/EC. The Order extended the ban on use of SBO's in animal feed, banning the use of mammalian protein in ruminant feedingstuffs and making notifiable |

laboratory suspicion of spongiform encephalopathies in species other than cattle, sheep and goats.

- 1996 No 961 The Beef (Emergency Control) Order 1996, made under the food Safety Act 1990, came into force on 29 March 1996. It prohibits the sale for human consumption of any meat from bovine animals showing more than two permanent incisors. The prohibition was introduced as an emergency measure pending consideration of a more targeted approach to protecting human health.
- 1996 No 962 The Bovine Spongiform Encephalopathy (Amendment) Order 1996, made under the Animal Health Act 1981, came into force on 29 March 1996. The Order prohibits the sale or supply of any feedingstuff known to include mammalian meat and bone meal, for the purpose of feeding to farm animals, including horses and farmed fish. This requirement was introduced on the advice of the independent Spongiform Encephalopathy Advisory Committee.
- 1996 No 1043 The Beef (Emergency Control) (Amendment) Order 1996, made under the Food Safety Act 1990, came into force on 4 April 1996. The Order provides for the use of a Cattle Identification Document to identify the age of animals even if they have more than two teeth.
- 1996 No 1091 The Beef (Emergency Control) (Amendment) (No2) Order 1996, made under the Food Safety Act 1990, came into force on 13 April 1996. The Order amends the Emergency Control Order to exempt from the restriction meat for human consumption derived from animals slaughtered in certain third countries where no cases of BSE have been recorded.
- 1996 No 1125 The Fertilisers (Mammalian Meat and bone Meal) Regulations 1996, made under the Agriculture Act 1970, came into force on 19 April 1996. The Regulations prohibit the use of meat and bonemeal as, or in, fertiliser used on agricultural land. It is only permitted for use in private gardens, and within greenhouses and glass or plastic structures.
- 1996 No 1166 The Beef (Emergency Control) (Amendment) (No3) Order 1996, made under the Food Safety Act 1990, came into force on 29 April 1996. The Order provides for a document which can demonstrate the age of cattle in which more than two permanent incisors have erupted and which are not issued with a national identification document. The latter are only issued to traded male cattle and the amendment will provide for documentary checks for female cattle.
- 1996 No 1192 The Specified Bovine Materials (No2) Order 1996, made under the Animal Health Act 1981 as applied by the Zoonoses Order 1988, came into force on 1 May 1996. The Order amends and replaces the

- 1996 No 1192 The Specified Bovine Materials (No2) Order 1996, made under the Animal Health Act 1981 as applied by the Zoonoses Order 1988, came into force on 1 May 1996. The Order amends and replaces the specified Bovine Material Order Order 1996. Its effect is to amend the way in which existing controls apply to specified material from animals slaughtered under Commission Regulation 716/96. It requires specified bovine material (SBM) to be removed from carcasses and handled separately, just as for animals below 30 months. The carcass meat from cattle slaughtered under the Commission Regulation must be dyed a different colour from SBM. The Order also brings the existing rules on rendering and disposal into line with EU requirements.
- 1996 No 1193 The Bovine Animals (Enforcement of Community Purchase Scheme) Regulations 1996, made under the European Communities Act 1972, came into force on 1 May 1996. They make provision for the enforcement of certain new requirements of Commission Regulation 716/96. The new legislation creates offences in respect of breaches of the provisions of these Regulations and specifies the penalties involved. They apply to approved operators of incinerators or rendering plants, approved under the Specified Bovine Material (No2) Order 1996 and to licensed operators of slaughterhouses licensed under the Fresh Meat (Hygiene and Inspection) Regulations 1995, whose premises are designated under the terms of Commission Regulation 716/96.
- 1996 No 1351 The Bovine Spongiform Encephalopathy Compensation (Amendment) Order 1996, made under the Animal Health Act 1981, came into force on 23 May 1996. The Order amends the definition of "market value" and the formula used to calculate the indicative market price (IMP).

Note: Enquiries on BSE legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, Animal Health (BSE Division), Room 28c, Block B Government Buildings, Hook Rise South, Tolworth, Surbiton, Surrey KT6 7NF. (Telephone 0181-330-8400).

D: FEEDINGSTUFFS

THE AGRICULTURE ACT 1970 (as amended)

This is the primary legislation governing controls on feedingstuffs. One of its main requirements is that feedingstuffs when sold should be fit for their intended purpose and free from harmful ingredients. A statutory statement is required on the composition of the feed and other information. The following sets of regulations are made under (Part IV) of the above Act and cover Great Britain (Northern Ireland has separate but parallel legislation).

SI Number

1995 No 1412 **THE FEEDING STUFFS REGULATIONS 1995** - implements the following main EC Directives:

Council Directive 70/524/EEC (OJ No. L270, 14.12.70) concerning additives in feedingstuffs;

Council Directive 74/63/EEC (OJ No. L38, 11.2.74) on undesirable substances and products in animal nutrition;

Council Directive 77/101/EEC (OJ No. L32, 3.2.77) on the marketing of straight feedingstuffs;

Council Directive 79/373/EEC (OJ No. L86 6.4.79) on the marketing of compound feedingstuffs;

Council Directive 80/511/EEC (OJ No. L125, 21.5.80) authorising in certain cases, the marketing of compound feedingstuffs in unsealed packages and containers;

Council Directive 82/471/EEC (OJ No. L213, 21.7.82) concerning certain products used in animal nutrition;

Council Directive 93/74/EEC (OJ No. L237, 22.9.93) on feedingstuffs intended for particular nutritional purposes.

These regulations contain detailed provisions on the composition and labelling of feedingstuffs. They contain a list of additives and protein sources which are permitted for use in feeds and limits for undesirable substances.

The Regulations are amended by:

1996 No 1260 The Feeding Stuffs (Amendment) Regulations 1996;

1982 No 1144 **The Feeding Stuffs (Sampling and Analysis) Regulations 1982** - implements the following Directives:

Council Directive 70/373/EEC of 20 July 1970 on the introduction of Community methods of sampling and analysis for the official control of feedingstuffs;

New methods and amendments to existing methods are introduced by Commission amending directives. The most recent of which are:

Commission Directive 93/28/EEC (OJ No. L179, 22.7.93);

Commission Directive 94/14/EEC (OJ No. L94, 13.4.94).

The Regulations set out methods for certain additives and feed constituents, such as protein, fibre and ash for the enforcement of the labelling provisions, and also methods for certain undesirable substances.

The Regulations are amended by:

- | | | |
|------|---------|--|
| 1984 | No 52 | The Feeding Stuffs (Sampling and Analysis) (Amendment) Regulations 1984; |
| 1985 | No 1119 | The Feeding Stuffs (Sampling and Analysis) (Amendment) Regulations 1985; |
| 1994 | No 1610 | The Feeding Stuffs (Sampling and analysis) (Amendment) Regulations 1994. |

Note: Enquiries on feedingstuffs standards legislation should be addressed to Ministry of Agriculture, Fisheries and food, Feeds and Fertilisers Branch, Room 224, Ergon House c/o Nobel House, 17 Smith Square, London, SW1P 3JR. (Telephone 0171-238-6340).

E: POULTRY MEAT

SI Number

- | | | |
|---------------------------------|---------|---|
| 1984 | No 1145 | THE POULTRY MEAT (WATER CONTENT) REGULATIONS 1984 - provide for the enforcement in England and Wales of Council Regulation 2967/76/EEC (as amended) laying down common standards for the water content of frozen and deep frozen chickens, hens and cocks. |
| The Regulations are amended by: | | |
| 1990 | No 2486 | The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990. |

F: PRODUCTS OF ANIMAL ORIGIN: IMPORT AND EXPORT

SI Number

- | | | |
|------|---------|---|
| 1992 | No 3298 | THE PRODUCTS OF ANIMAL ORIGIN (IMPORT AND EXPORT) REGULATIONS 1992 - implement Council Directives:

89/662/EEC concerning veterinary checks in intra-Community trade with a view to the completion of the internal market;

90/675/EEC laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries. |
|------|---------|---|

These regulations give effect to the Community's checking regime for assuring that intra-Community trade in and imports from third countries of products of animal origin comply with harmonised EC or, in their absence national, animal and public health rules.

The Regulations are amended by SI 1991 No 3299 on third country imports detailed below.

G: SALMONELLA IN POULTRY

SI Number

1989 No 661 **THE PROCESSED ANIMAL PROTEIN ORDER 1989** - this Order primarily provides for microbiological testing and standards which must be met by plants which process animal protein (as defined). Such premises must also be registered under the Order for identification and, hence microbiological testing purposes.

1993 No 1898 **THE POULTRY BREEDING FLOCKS AND HATCHERIES ORDER 1993** - this Order requires persons owning a breeding flock of 250 birds or more and persons using any premises as a hatchery where incubator capacity is 1,000 eggs or more, to be registered by MAFF and to take samples from breeding flocks or hatcheries for bacteriological testing for salmonella.

These Regulations implement in parts EC Directive 92/117/EEC on Zoonoses.

Note: Enquiries on salmonella in poultry legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, Animal Health (Disease Control), Room 21, Block B Government Buildings, Hook Rise South, Tolworth, Surbiton, Surrey KT6 7NF. (Telephone 0181 330 8269).

H: THIRD COUNTRY IMPORTS

SI Number

1992 No 3299 **THE PRODUCTS OF ANIMAL ORIGIN (THIRD COUNTRY IMPORTS) (CHARGES) REGULATIONS 1992** - implement Council Directive 90/675/EEC laying down principles governing the organisation of veterinary checks on products entering the Community from third countries.

The regulations make provision for the Minister of Agriculture, Fisheries and Food or the local authority to recover charges from any person importing any products of animal origin from a country other than a member State under Council Directive 90/675/EEC, to cover the cost of veterinary checks carried out on such goods.

Note: Enquiries on legislation listed in Parts 6E, F & H should be addressed to Ministry of Agriculture, Fisheries and Food, Meat Hygiene Division, Hook Rise South, Tolworth, Surbiton KT6 7NF. (Telephone 0181-330-8365).

PART 7: OTHER PRIMARY LEGISLATION PROVIDING REGULATIONS AFFECTING FOOD

A: EUROPEAN COMMUNITIES ACT, 1972

Section 2(2) of the European Communities Act makes provision for any designated Minister or department to make regulations for the purpose of implementing any European Community obligations of the United Kingdom.

The following regulations have been made under this Act:

SI Number

- | | |
|-------------|--|
| 1982 No 626 | <p>THE MEDICINES (STILBENES AND THYROSTATIC SUBSTANCES) REGULATIONS 1982 - Implement in part Council Directive 81/602/EEC (OJ No. L222, 7.8.81) concerning the prohibition of certain substances having a hormonal action and of any substances having a thyrostatic action by prohibiting (in Regulation 3(1) and subject to the exception in Regulation 3(2)) the administration to certain animals specified in the regulations of any:</p> <ul style="list-style-type: none">• stilbenes;• thyrostatic substances;• medicinal product consisting of or containing stilbenes or thyrostatic substances; and• animal feeding stuff in which a medicinal product consisting of or containing stilbenes or thyrostatic substances has been incorporated. |
| 1988 No 705 | <p>THE MEDICINES (HORMONE GROWTH PROMOTERS) (PROHIBITION OF USE) REGULATIONS 1988 - prohibit the administration of hormone growth promoters to animals except for therapeutic treatment or for certain other purposes concerning fertility or reproduction. These Regulations revoke the Medicines (Hormone Growth Promoters) (Prohibition Of Use) Regulations 1986. The regulations implement in part Council Directives 81/602/EEC (OJ No. L222, 7.8.81) and 88/146/EEC (OJ No. L70, 16.03.88) concerning the use in livestock farming of certain substances having a hormonal action. The latter Directive was adopted by the council to reinstate the provisions of Directive 85/649/EEC.</p> |

THE ANIMALS AND FRESH MEAT (HORMONAL SUBSTANCES) REGULATIONS 1988 - implement in part Council

Directives:

81/602/EEC (OJ No. L222, 7.8.81) concerning the prohibition of certain substances having a hormonal action and of any substances having a thyrostatic action;

81/358/EEC (OJ No. L191 23.7.85) supplementing Directive 81/602/EEC (OJ No. L70, 16.3.88) and Directive 88/146/EEC prohibiting the use in livestock farming of certain substances having a hormonal action.

These Regulations prohibit the sale or slaughter for human or animal consumption of:

- an animal to which a prohibited hormone has been administered;
- an animal to which an authorised hormone has been administered, unless the withdrawal period has elapsed.

Note: Enquiries on the legislation listed in Part 7A should be addressed to the Veterinary Medicines Directorate, Woodham Lane, New Haw, Addlestone, Surrey KT15 3NE, (Telephone 01932-336911, Ext. 3044).

B: AGRICULTURE AND HORTICULTURE ACT 1964 (CHAPTER 28 PART III)

Provides for the application and enforcement in Great Britain of European Community Regulations specifying the grading, marketing and labelling requirements for certain fresh fruit and vegetables and makes certain acts or omissions that contravene those rules punishable offences. Similar legislation applies in Northern Ireland. The Act is amended by:

The Trade Description Act, 1968 - CHAPTER 29, and:

SI Number

- | | |
|-----------------|---|
| 1973 No 22 | The Grading of Horticultural Produce (Amendment) Regulations 1973; |
| 1983 No 1053 | The Grading of Horticultural Produce (Amendment) Regulations 1983; |
| 1986 Chapter 20 | Horticultural Produce Act 1986 which extends the powers of the Horticultural Marketing Inspectorate (Marketing Officers in Scotland), who enforce the Regulations, to the control of the movement of produce. |

Note: Enquiries on the legislation listed in Part 7B should be addressed to the Ministry of Agriculture, Fisheries and Food, Horticulture and Potatoes Division Branch A, Ergon House, c/o Nobel House 17 Smith Square, London SW1P 3JR. (Telephone 0171-238-6499).

PART 8: FOOD CONTROL

A: OFFICIAL CONTROL OF FOODSTUFFS

The Official Control of Foodstuffs Directive (89/397/EEC) was a key framework directive for the harmonisation of aspects of food law between EC member states. Adopted in 1989, it aimed to help establish the Single Market in Europe by achieving a consistent approach in the level of food law enforcement between EC member states in the run up to establishing the intended Single Market in 1992. The Directive did this by laying down the general principles to be followed by the national enforcement authorities of each EC member state. It established the main principles that:

- food should be inspected regularly at the point of production to avoid the need for border controls between member states;
- inspection procedures should be harmonised between member states;
- there should be mutual recognition of standards within the European Community; and
- details of member states' food law enforcement programmes should be submitted annually to the European Commission.

This Directive was implemented in the UK through the Food Safety Act 1990 and through statutory the Codes of Practice that guide UK enforcement authorities and which are made under that Act.

B: ADDITIONAL FOOD CONTROL MEASURES

The Official Control of Foodstuffs Directive was supplemented in October 1993 by the adoption of the Additional Food Control Measures Directive (93/99/EEC). This Directive continued the theme of harmonising food law enforcement between member states by:

- requiring that all member states have, or have access to, a sufficient number of qualified and experienced food control officials;
- setting standards for food control laboratories, and criteria for validating methods of analysis;
- establishing a small Commission Food Inspectorate;
- improving the exchange of information between member states and between the European Commission and member states.

***Note:** Enquiries relating to the legislation listed in Parts 8A & B should be addressed to the Ministry of Agriculture, Fisheries and Food, Food Labelling and Standards Division, Branch B, Room 325b, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3HX. (Telephone 0171-238-6762).*

C: FOOD CONTROL OF IRRADIATION

SI Number

1990 No 2490

THE FOOD (CONTROL OF IRRADIATION) REGULATIONS

1990 - implement the control system through which applications to use the process shall be granted. The Regulations ensures the microbiological quality of food to be irradiated and empowers National Authorities to inspect premises and maintain satisfactory hygiene conditions. The Regulations also restricts imports of irradiated food to overseas plants that match regulatory controls on domestic facilities.

Note: Enquiries relating to the legislation listed in Part 8C should be addressed to the ministry of agriculture, Fisheries and Food, Additives and Novel Foods Division, Room 239c, address as above. (Telephone 0171-238-6380).

PART 9: FOOD PROTECTION IN AN EMERGENCY

A: THE FOOD AND ENVIRONMENT PROTECTION ACT 1985

Part I of the Act empowers Ministers to make emergency orders where they consider that circumstances exist, or may exist, which are likely to create a hazard to human health through human consumption of food. Such orders prohibit the distribution of affected produce from an area where foodstuffs have, or may have, been contaminated. In practice these powers are used only where there are no other statutory means of dealing with contaminated food (e.g. sector-specific legislation under the Food Safety Act 1990).

Part I of the Food and Environment Protection Act was amended by Section 51 of the Food Safety Act 1990.

The Act also applies in Scotland and Northern Ireland.

Note: Enquiries relating to Part I of the above Act should be addressed to the Ministry of Agriculture, Fisheries and Food, Radiological Safety Division, Room 504, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238 5380/5465).

B: RADIOACTIVE CONTAMINATION OF FOODSTUFFS AND FEEDING STUFFS

Fixes the maximum permitted levels for radioactive contamination of foodstuffs and feeding stuffs following a nuclear accident or radiological emergency made under Article 31 of the EC Treaty.

Council Regulation (Euratom) No. 3954/87

Subsequent Regulations relating to this Regulation are:-

Council Regulation (Euratom) No. 944/89

Council Regulation (Euratom) No. 2218/89

Council Regulation (Euratom) No. 2219/89

Council Regulation () No. 770/90

Relevant EC Directive: Directive 80/836 (Euratom) as amended by Directive 84/467
Euratom)

C: RADIOACTIVITY IN FOODSTUFFS AND FEEDINGSTUFFS ORIGINATING FROM THIRD COUNTRIES

Fixes the maximum permitted levels for radioactivity in foodstuffs and feeding stuffs originating from third countries (following the accident at the Chernobyl Nuclear Power Station) made under Article 113 of the EC Treaty.

Council Regulation (EEC) No. 3955/87

Subsequent Regulations relating to this Regulation are:-

Council Regulation (EEC) No. 4003/89

Council Regulation (EEC) No. 737/90

Council Regulation (EEC) 598/92

Council Regulation (EEC) No 1518/93

Council Regulation (EEC) No. 3034/94

Council Regulation (EEC) No. 686/95

Note: Enquiries on the legislation listed in Parts 9B & C should be addressed to the Ministry of Agriculture, Fisheries and Food, Radiological Safety Division, Room 535, Ergon House c/o Nobel House, London SW1P 3JR. (Telephone (0171- 238-6113).

PART 10: GENETICALLY MODIFIED ORGANISMS

1992 No 3280

THE GENETICALLY MODIFIED ORGANISMS (DELIBERATE RELEASE) REGULATIONS 1992 - implement Council Directive 90/220/EEC on the deliberate release into the environment of genetically modified organisms. Part III of these Regulations makes provision as to the circumstances in which consents for the marketing of genetically modified organisms are required, and makes provision as to applications for consents to market.

The Regulations are amended by:

- 1993 No 152 The Genetically Modified Organisms (Deliberate Release) Regulations 1993;
- 1995 No 304 The Genetically Modified Organisms (Deliberate Release) Regulations 1995.

Note: Enquiries relating to the genetically modified organism legislation should be addressed to the Department of the Environment, Biotechnology Unit, Room B 351, Romney House, London SW1P 3PY. (Telephone 0171-276-8331).

PART 11: HEALTH AND HYGIENE LEGISLATION

A: FISHERY PRODUCTS

- 1992 No 1507 **THE FOOD SAFETY (FISHERY PRODUCTS) (DEROGATIONS) REGULATIONS 1992** - lay down the conditions under which factory vessels, auction and wholesale markets and establishments may apply for temporary derogations from certain equipment and structural requirements of EC Directive 91/493/EEC.
- 1992 No 1508 **THE FOOD SAFETY (LIVE BIVALVE MOLLUSCS) (DEROGATIONS) REGULATIONS 1992** - lay down the conditions under which dispatch and purification centres may apply for temporary derogations from certain equipment and structural requirements of EC Directive 91/492/EEC.
- 1992 No 3163 **THE FOOD SAFETY (FISHERY PRODUCTS) REGULATIONS 1992** - lay down the health conditions for the production and placing on the market of fishery products, and cover factory vessels, auction and wholesale markets and processing establishments.
- 1992 No 3164 **THE FOOD SAFETY (LIVE BIVALVE MOLLUSCS AND OTHER SHELLFISH) REGULATIONS 1992** - lay down the health conditions for the production and placing on the market of live bivalve molluscs.
- 1992 No 3165 **THE FOOD SAFETY (FISHERY PRODUCTS ON FISHING VESSELS) REGULATIONS 1992** - lay down the minimum hygiene rules applicable to fishery products caught on board fishing vessels, other than factory vessels which are laid down in SI 3163.
- 1994 No 2782 **THE FOOD SAFETY (LIVE BIVALVE MOLLUSCS AND OTHER SHELLFISH) (IMPORT CONDITIONS AND MISCELLANEOUS AMENDMENTS) REGULATIONS 1994** implement the import conditions contained in Council Directive

91/492/EEC in respect of live shellfish originating in third countries. These regulations also make various technical amendments to existing legislation.

1994 No 2783 **THE FOOD SAFETY (FISHERY PRODUCTS) (IMPORT CONDITIONS AND MISCELLANEOUS AMENDMENTS) REGULATIONS 1994** - implement the import conditions contained in Council Directive 91/493/EEC in respect of fishery products originating in third countries. These regulations also make various technical amendments to existing legislation.

1996 No 1547 **THE FOOD SAFETY (FISHERY PRODUCTS AND LIVE BIVALVE MOLLUSCS AND OTHER SHELLFISH) (MISCELLANEOUS AMENDMENTS) REGULATIONS 1996** - implements a number of European Commission Decisions and tidies up the existing regulations. These Regulations also make technical changes that clarify existing requirements. The Regulations came into force on 8 July 1996.

Note: Enquiries on fishery products legislation should be addressed to the Ministry of Agriculture, Fisheries & Food, Salmon, Whaling and Inland Fisheries Division, Branch C, Room 410, Nobel House, London SW1P 3JR. (Telephone. 0171-238-5883) or to the Department of Health, Health Aspects of the Environment and Food Division, Room 501a, Skipton House, 80 London Road, London SE1 6LW. (Telephone 0171-972-5064).

B: FOOD HYGIENE (GENERAL)

EC Directive 93/43 on the hygiene of foodstuffs lays down general rules of hygiene and procedures for verification of compliance with these rules. The Directive covers the preparation, processing, manufacturing, packaging, storing, transportation, distribution, handling and offering for sale or supply of foodstuffs not covered elsewhere by product-specific hygiene Directives. It also covers gaps in the product-specific hygiene Directives. For example, few of these Directives cover the sale or supply of their foodstuffs, and where they do not then Directive 93/43 does. EC Directive 96/3/EEC grants a derogation from certain dedicated transport provisions of Directive 93/43 above, as regards the transport of bulk liquid oils and fats by sea.

SI Number

1982* No 1727 The Food (Revision of Penalties) Regulations 1982.

1985* No 67 The Food (Revision of Penalties) Regulations 1985.

1995 No 1763 **THE FOOD SAFETY (GENERAL FOOD HYGIENE) REGULATIONS 1995** - brings EC Directive 93/43 into UK law. It places obligations on food business proprietors to ensure their activities are carried out in a hygienic way. The Regulations also implement Council Directive 80/778/EEC on the quality of water for

human consumption, where it relates to water used in food production.

1995 No 2200

THE FOOD SAFETY (TEMPERATURE CONTROL)

REGULATIONS 1995 - requires food business proprietors to observe certain temperature controls on the holding of food, where otherwise there would be a risk to health.

* See entry on penalties on page 3

Note: Enquiries on food hygiene legislation should be addressed to the Department of Health, General Food Hygiene Team, Room 501a, Skipton House, 80 London Road, London SE1 6LW. (Telephone (0171- 972-5071/5064) or to the Ministry of Agriculture, Fisheries and Food, Food Hygiene Division, Branch B, Room 429a, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone (0171-238-6556/6461; fax 0171-238-6745).

C: ICE CREAM (HEAT TREATMENT)

SI Number

1959 No 734

THE ICE-CREAM (HEAT TREATMENT, ETC) REGULATIONS

1959 - require ingredients used in the manufacture of non-dairy ice-cream to be pasteurised or sterilised, as specified, include temperature control provisions and prohibit the sale or offer for sale of ice-cream that has not been so treated.#

The Regulations are amended by:

1962 No 1287

The Food and Drugs (Legal Proceedings) Regulations 1962;

1963 No 1083

The Ice-Cream (Heat Treatment, etc) (Amendment) Regulations 1963;

1982* No 1727

The Food (Revision of Penalties) Regulations 1982;

1985* No 67

The Food (Revision of Penalties) Regulations 1985 (Category 2);

1990 No 2486

The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990;

1995 No 1086

The Dairy Products (Hygiene) Regulations 1995.

For heat treatment requirements for dairy ice cream see Dairy Products (Hygiene) Regulations 1995 see page 55.

Note: Enquiries about these regulations should be addressed to the Department of Health, Health Aspects of Food and the Environment Division, Room 501a, Skipton House, 80 London Road, London SE1 6LW. (Telephone 0171-972-5070).

D: MEAT HYGIENE

(i). POULTRY MEAT, FARMED GAME BIRD MEAT & RABBIT MEAT

1995 No 540

THE POULTRY MEAT, FARMED GAME BIRD MEAT AND RABBIT MEAT (HYGIENE AND INSPECTION) REGULATIONS 1995 - implement Council Directives:

91/495/EEC of 27 November 1990 (part) concerning public health and animal health problems affecting the production and placing on the market of rabbit meat and farmed game meat;

92/116/EEC of 17 December 1992 amending and updating Directive 71/118/EEC on health problems affecting trade in fresh poultry meat.

These Regulations apply to poultry meat derived from domestic fowls, turkeys, guinea fowls, ducks and geese, farmed game bird meat derived from quail, pheasants, partridges, etc. and farmed rabbit meat. They prescribe the conditions which must be satisfied for the production, cutting up and storage of such meat intended for sale for human consumption. The Regulations have transferred enforcement responsibility from local authorities to Agriculture Ministers acting through the Meat Hygiene Service (MHS).

The Regulations are amended by:

1995 No 1763 The Food Safety (General Food Hygiene) Regulations 1995.

(ii). FRESH RED MEAT

SI Number

1995 No 539

THE FRESH MEAT (HYGIENE AND INSPECTION) REGULATIONS 1995 - implement Council Directives:

91/497/EEC of 2 July 1991 laying down health conditions for the production and the placing on the market of fresh meat;

91/495/EEC (part) of 27 November 1990 concerning public health and animal health problems affecting the production and placing on the market of rabbit meat and farmed game meat.

The Regulations give effect to the EC Directive covering public health and animal health problems affecting the production and marketing of fresh meat and large farmed game. They cover all red meat premises involved in the production of red meat intended to be sold for human consumption. The Regulations have transferred enforcement

responsibility from local authorities to Agriculture Ministers acting through the Meat Hygiene Service (MHS).

The Regulations are amended by:

- 1995 No 3124 The Colours in Food Regulations 1995;
- 1995 No 3189 The Fresh Meat (Hygiene and Inspection) (Amendment) Regulations 1995 - implement changes to Directive 91/497/EEC made by Directive 95/23/EEC of 22 June 1995;
- 1995 No 1763 The Food Safety (General Food Hygiene) Regulations 1995;
- 1996 No 1148 The Fresh Meat Hygiene and Inspection (Amendment) Regulations 1996 - extend the provision allowing the slaughter in licensed premises of animals not intended for human consumption to allow the slaughter of animal pursuant to, and in accordance with, a slaughter scheme introduced by or under Council Regulation (EEC) No 805/68.
- Council Decision 95/409/EC (part) of 22 June 1995 laying down rules for the microbiological testing by sampling of fresh beef and veal and pigmeat intended for Sweden and Finland;
- and Commission Decision 95/287/EC (part) of 18 July 1995 concerning certain protection measures relating to BSE.

(iii). WILD GAME MEAT

- 1995 No 2148 **THE WILD GAME MEAT (HYGIENE AND INSPECTION) REGULATIONS 1995** - implement (in part) Council Directive 92/45/EEC of 16 June 1992 on public health and animal health problems relating to the killing of wild game and the placing on the market of wild game meat.
- The Regulations lay down the requirements to be met for the production of wild game meat for human consumption which is intended for consignment, or sale for consignment, to another EEA State. They require all such meat to be processed in a licensed premises and prescribe the conditions which must be satisfied for the processing and storage of such meat. Enforcement responsibilities lie with Agriculture Ministers acting through the Meat Hygiene Service (MHS).

(iv). INSPECTION CHARGES

1995 No 361

THE FRESH MEAT (HYGIENE, INSPECTION AND EXAMINATIONS FOR RESIDUES) (CHARGES)

REGULATIONS 1995 - implement the provisions concerning the level of fees to be charged for health inspections and controls of meat contained in Council Directive 85/73/EEC of 29 January 1985 on the financing of health inspections and controls of fresh meat and poultry meat as amended by Council Directive 93/118/EC of 22 December 1993.

The Regulations provide for charges for the purposes of the Fresh Meat (Hygiene and Inspection) Regulations 1995, the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995 and the Wild Game Meat (Hygiene and Inspection) Regulations 1995.

(v). MEAT PRODUCTS AND OTHER PRODUCTS OF ANIMAL ORIGIN

SI Number

1994 No 3082

THE MEAT PRODUCTS (HYGIENE) REGULATIONS 1994 -

implement Council Directive 92/5/EEC of 10 February 1992 concerning public health problems affecting the production and placing on the market of meat products and certain other products of animal origin

The Regulations apply to meat products, meat based prepared meals, meat products in hermetically sealed containers and certain other products of animal origin intended for human consumption e.g. melted animal fats, greaves, meat powders, stomachs, bladders and intestines (tripe, natural sausage casings). They prescribe the conditions which must be satisfied for the manufacture, storage and distribution of meat products intended for sale for human consumption and the first stage processing (rendering or processing from raw materials) of other products of animal origin.

These Regulations are amended by:

1995 No 1763

The Food Safety (General Food Hygiene) Regulations 1995

Council Directive 95/68/EC of 22 December 1995 (OJ No. L332) amends Council Directive 92/5/EEC. Regulations to implement Directive 95/68 will be made in due course.

(vi). MINCED MEAT AND MEAT PREPARATIONS

SI Number

1995 No 3205 **THE MINCED MEAT AND MEAT PREPARATIONS (HYGIENE) REGULATIONS 1995** - implement Council Directive 94/65/EC of 14 December 1994 concerning public health aspects affecting the production and placing on the market of minced meat and meat preparations.

The Regulations apply to the production of minced meat and meat preparations intended for human consumption. They take account of the different ways in which minced meat is prepared and consumed in different EC Member States and set separate standards for mince and meat preparations intended for the national market. Meat Preparations include beefburgers, chicken kiev, seasoned steaks and the traditional British sausage.

Note: Enquiries on meat hygiene legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, Meat Hygiene Division "A", Block B, Government Buildings (Toby Jug Site), Hook Rise South, Tolworth, Surbiton, Surrey KT6 7NF. (Telephone 0181-330-4411).

E: MILK AND MILK PRODUCTS

SI Number

1995 No 1086 **THE DAIRY PRODUCTS (HYGIENE) REGULATIONS 1995** - implement Council Directive 92/46/EEC of 16 June 1992 (as amended by Directive 92/118, Decisions 94/330, 95/165, 95/340 and Directive 94/71) laying down the health rules for the production and placing on the market of raw milk, heat-treated milk and milk-based products from cows, goats, ewes and buffaloes.

The Regulations are amended by:

1996 No 1699 The Dairy Products (Hygiene) (Amendment) Regulations 1996.

The Regulations provide for:

- registration of dairy farm premises and approval of dairy establishments (e.g. milk processors) subject to compliance with specified hygiene requirements;
- conditions for the heat treatment of milk, cream and dairy ice-cream#;
- microbiological standards, handling, storage, transport, wrapping, packaging, health marking and labelling requirements ♦ for dairy products;
- restrictions on sales of raw cows drinking milk;

- derogations for low capacity dairy establishments and for certain cheeses and "traditional" milk based products;

- import requirements*.

For heat treatment requirements for non dairy ice cream see *Ice Cream (Heat Treatment) Regulations 1959* see page 51

✧ For labelling requirements at retail level see *Food Labelling Regulations 1984* page 7 onwards

* New Regulations are forthcoming which will implement EC rules on third country imports

For compositional standards of certain dairy products see page 11 onwards.

HEAT TREATMENT ORDERS - COWS MILK

SI Number

1959 No 27 **THE MILK AND DAIRIES (GENERAL) REGULATIONS 1959 (Parts I and VII)[#]** - specify the rules under which Local Authorities can issue heat treatment orders for infected milk.

The Regulations are amended by:

1990 No 2486 The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990;

1992 No 3143 The Milk and Dairies (Standardisation and Importation) Regulations 1992.

Other parts of these Regulations were revoked by the Dairy Products (Hygiene) Regulations 1995

CHARGES

SI Number

1995 No 1122 **THE DAIRY PRODUCTS (HYGIENE) (CHARGES) REGULATIONS 1995** - provide for charges for the purposes of the Dairy Products (Hygiene) Regulations 1995 (for inspection and sampling visits made to dairy farms by ADAS on behalf of the Minister).

Note: Enquiries on milk and milk products hygiene legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, Food Hygiene Division, Branch B, Room 429a, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238-6368; fax 0171-238-6745).

PART 12: IMPORTED FOOD

A: FISHERY PRODUCTS AND LIVE BIVALVE MOLLUSCS

SI Number

- 1992 No 1601 **THE IMPORTED FOOD (BIVALVE MOLLUSCS AND MARINE GASTROPODS) REGULATIONS 1992** - give effect to EC Decisions that provide for protective measuring against paralytic toxin which has been found in Bivalve Molluscs and Marine Gastropods originating in Japan. The Regulations prohibit the importation into Great Britain of Bivalve Molluscs and Marine Gastropods (whether dead or alive) originating in Japan, and products thereof with the exception of frozen or processed scallops of the family Pectinidae. Revoked on 8 July by the Food Safety (Fishery Products and Live Bivalve Molluscs and other Shellfish) (Miscellaneous Amendments) Regulations 1996.

B: GENERAL

SI Number

- 1984 No 1918 **THE IMPORTED FOOD REGULATIONS 1984** - contain measures for the protection of public health in relation to food imported from outside the European Union. The Regulations include provisions that prohibit the importation of food not subject to the Products of Animal Origin Regulations, which is unsound or unwholesome, or is otherwise unfit for human consumption.
- The Regulations are amended by:
- 1990 No 2486 The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990;
- 1992 No 3298 The Products of Animal Origin (Import and Export) Regulations 1992.

* See entry on penalties on page 3

Note: Enquiries about the import of

- products of animal origin should be addressed to the Ministry of Agriculture, Fisheries and Food, Meat Hygiene Division, Block B, Government Buildings, Hook Rise South, Tolworth, Surbiton, Surrey KT6 7AF (Telephone 0181-330-8365); and

- fishery products and shellfish for human consumption should be addressed to the Department of Health, HEF 1B, Room 501a, Skipton House, 80 London Road, London SE1 6LW. (Telephone 0171-972-5064).

- general enquiries about food which is not of animal origin and is to be imported from outside the European Union should be addressed to the Department of Health, Health Aspects of Environment of Food, Room 501a, Skipton House, 80 London Road, London SE1 6LW. (Telephone 0171-972-5078).

PART 13: KITCHENWARE LEGISLATION

A: COOKING UTENSILS

SI Number

- 1972 No 1957 **THE COOKING UTENSILS (SAFETY) REGULATIONS 1972** - restrict the lead content of any tin or other metallic coating used on any surface of kitchen utensils designed to come into contact with food. The sale and possession for sale of such goods which exceed specified lead levels is prohibited.

B: CERAMIC WARE

SI Number

- 1988 No 1647 **THE CERAMIC WARE (SAFETY) REGULATIONS 1988** - call up BS 6748: 1986, the British Standard specification for limits of metal release from ceramic ware, glassware, glass ceramic ware and vitreous enamel ware.

Note: Enquiries on kitchenware legislation should be addressed to Consumer Safety Unit, Consumer Affairs and Competition Policy Directorate, Department of Trade and Industry, 4.G.6, 1 Victoria Street, London SW1H 0ET. (Telephone 0171-215-0362).

PART 14: MARKETING STANDARDS - DESCRIPTIONS & DESIGNATIONS

A: EGGS - MARKETING STANDARDS - SEE SECTION 5C

B: OLIVE OIL

SI Number

- 1987 No 1783 **THE OLIVE OIL (MARKETING STANDARDS) REGULATIONS 1987**, as amended by:
- 1990 No 2487 The Food Safety Act 1990 (Consequential Modifications) (No 2) (Great Britain) Order 1990;

1992 No 2590 The Olive Oil (Marketing Standards) (Amendment) Regulations 1992.

These regulations enforce the marketing standards for olive oil laid down in Articles 35 and 35a and the Annex to of EEC Council Regulation 136/66 as amended by Council Regulation (EEC) 1915/87 and (EEC) 356/92. This makes the use of prescribed descriptions and definitions of olive oils and olive-pomace (formerly known as olive-residue) oils compulsory for the purposes of trade and prohibits the marketing by retail of certain categories of such oil.

Note: Enquiries on olive oil legislation should be addressed to the Ministry of Agriculture Fisheries and Food, Sugar, Tobacco, Oilseeds and Proteins Division, Branch B, Whitehall Place East, London SW1A 2HH. (Telephone 0171-270-8222).

C: ORGANIC FOOD

SI Number

1992 No 2111 **THE ORGANIC PRODUCTS REGULATIONS, 1992** - implement Council Regulation (EEC) 2092/91 of 24 June 1991 and set rules for the production of food to be sold as "organic". It is illegal to use the description "organic", in relation to food sold as organic, unless it has been produced in accordance with the Regulation and by a registered producer. In the UK, producers must be registered either directly with the Register of Organic Food Standards (UKROFS), the designated authority to enforce Council Regulation 2092/91 in the UK, or with one of the organic sector bodies which are themselves registered with UKROFS. Those involved in the preparation of organic food (when done out of sight of the consumer) or in importing from countries outside the EC, must also be registered. All registered operators are subject to inspection from their sector bodies and from UKROFS to check on application of organic standards.

The Regulations are amended by:

1993 No 405 The Organic Products (Amendment) Regulations 1993;

1994 No 2286 The Organic Products (Amendment) Regulations 1994.

Note: Enquiries on organic food legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, Agricultural Resources Policy Division I, Branch A, Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238-6348).

D: PRESERVED FISH PRODUCTS

SI Number

1990 No 1084 **Preserved Sardines (Marketing Standards) Regulations 1990**

1994 No 2127 **Preserved Tuna and Bonito (Marketing Standards) Regulations 1994**

The Regulations enforce the provisions of Community Regulations 2136/89 and 1536/92 respectively, by creating offences and penalties. The Community Regulations establish common marketing standards in the EU for the products concerned, with a view to improving quality and facilitating trade on fair terms. The standards are enforced in the UK by Trading Standards Officers.

Note: Enquiries on preserved fish products legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, Fisheries Division I, Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238-5884).

E: PROTECTION OF FOOD NAMES

A package of European legislation came into force in 1993 which provides for a system of the protection of food names on a geographical or traditional recipe basis. Under these Regulations a named food or drink registered at a European level will be given protection throughout the European Union.

Council Regulation (EEC) No 2081/92 (OJ L 208 of 1992) on the protection of geographical indications and designations of origin for agricultural products and foodstuffs.

Protected Designation of Origin (PDO) is open to products produced, processed and prepared within a particular geographical area, and with features and characteristics which must be due to the geographical area. The methods used to produce the product must be unique in that area.

Protected Geographical Indication (PGI) is open to products which must be produced or processed or prepared within a geographical area and have a reputation, features or certain qualities attributable to that area.

Subsequent regulation laying down detailed implementation rules:

Commission Regulation (EEC) No 2037/93 (OJ L 185 of 1993)

Council Regulation (EEC) No 2082/92 (OJ L 208 of 1992) on certificates of specific character for agriculture products and foodstuffs.

Open to products which are traditional or have customary names and have a set of features which distinguish them from other similar products. These features must not be due to the

geographical area the product is produced or not entirely based on technical advances in the method of production.

Subsequent regulation laying down detailed implementation rules:

Commission Regulation (EEC) No 1848/93 (OJ L 168 of 1993)

Note: Enquiries on protection of food names regulations should be addressed to the Ministry of Agriculture, Fisheries and Food, International Relations and Export Promotion Division, Branch D, Room 318, Whitehall Place, (West Block), London SW1A 2HH. (Telephone 0171-270-8170).

F: SPIRIT DRINKS

The Scotch Whisky Act 1988 - makes provision as to the definition of Scotch Whisky and production and sale of whisky.

SI Number

1990 No 997 **THE SCOTCH WHISKY ACT 1988 (COMMENCEMENT AND TRANSITIONAL PROVISIONS) ORDER 1990** - brings the Act into force;

1990 No 998 **THE SCOTCH WHISKY ORDER 1990** - clarify production rules for Scotch Whisky and specify a 40% minimum alcoholic strength.

The EC Spirit Drinks Regulation 1576/89 (Official Journal L160 of 1989). This Council Regulation lays down the general rules on the definition, description and presentation of spirit drinks produced in, imported into or exported from the Community.

Subsequent regulations relating to this regulation are as follows:

Commission Regulation 3773/89 (OJ L365 of 1989)

Commission Regulation 1014/90 (OJ L105 of 1990)

Commission Regulation 1759/90 (OJ L162 of 1990)

Commission Regulation 3207/90 (OJ L307 of 1990)

Commission Regulation 3750/90 (OJ L360 of 1990)

Commission Regulation 1180/91 (OJ L115 of 1991)

Commission Regulation 1781/91 (OJ L160 of 1991)

Council Regulation 3280/92 (OJ L327 of 1992)

Commission Regulation 3458/92 (OJ L350 of 1992)

Commission Regulation 2675/94 (OJ L285 of 1994)

SI Number

1990 No 1179 The Spirit Drinks Regulations 1990 - provide for the enforcement of and are made under the EC Spirit Drinks Regulation 1576/89 in England and Wales (see above).

1995 No 732 The Spirit Drinks (Amendment) Regulations 1995.

Note: Enquiries on spirit drinks legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, Food and Drink Industry, Branch D, Room 201, Whitehall Place (East Block), London SW1A 2HH. (Telephone 0171-270-8899 or 0171-270-8930).

G: OTHER LEGISLATION

The Trade Descriptions Act 1968 makes it an offence for a person acting in the course of a trade or business to make false or misleading statements about goods, or knowingly or recklessly to make false or misleading statements about services, accommodation or facilities. It contains Order making powers to require that goods bear or be accompanied by specific information in the course of their supply, and to define terms for the purposes of the Act. The Act prohibits the unauthorised use of devices or emblems signifying Royal approval or award.

The Consumer Protection Act 1987 (Part III) makes it an offence for a consumer to be given a misleading indication, by any means, of the price at which goods, services, accommodation or facilities are available. Guidance on how the requirements of Part III might be met is contained in The Code of Practice for Traders on Price Indications, available from the address below. The Act also contains powers to regulate specific price indications practices.

THE PRICES ACT 1974

The Price Indications (Food and Drink on Premises) Order 1979, made under the Prices Act 1974, requires prices to be displayed on any premises where food and drink is or may be for sale for consumption by the public. The Order contains provisions on the number of prices to be shown, the inclusion of VAT and the circumstances under which the requirements differ, for example, whether the food or drink is supplied by self-service or not.

1991 No 1382 **THE PRICE MARKING ORDER 1991;**

1991 No 1690 The Price Marking (Amendment) Order 1991;

1994 No 1853 The Price Marking (Amendment) Order 1994;

1995 No 1441 The Price Marking (Amendment) Order 1995;

The Price Marking Order 1991 implements the provisions of Council Directives 79/581/EEC as amended by 88/315/EEC and 95/58/EC in respect of foodstuffs. The Order requires the selling price and in certain circumstances, the unit price to be shown.

A proposal for a new directive is currently under discussion in Brussels which is likely to require most food products to be unit priced whether loose, catchweight or in fixed quantity pre-packs.

Note: All enquiries concerning trade descriptions and price indications legislation should be addressed to the Consumer Affairs and Competition Directorate, Department of Trade and Industry, Room 4.L.12, 1 Victoria Street, London SW1H 0ET. (Telephone 0171-215-0327).

PART 15: WEIGHTS AND MEASURES LEGISLATION

THE WEIGHTS AND MEASURES ACT 1985

Section 28 of the 1985 Act makes short weight an offence. Orders made under Section 22 require prepacked food to carry on the container an indication of the net quantity of the contents. When sold other than prepacked, food is required to be sold either by quantity or, in certain circumstances, the seller has to make the quantity known to the customer. Orders also limit the quantities in which certain goods (the prescribed quantity goods) may be prepacked when offered for retail sale.

Part V of the 1985 Act provides for the "average" system of quantity control for prepacked goods.

The average system is designed primarily for application at the point of production or importation and requires the packer or importer to ensure that packages will pass an Inspector's reference test.

The Act is amended by the Weights and Measures Act 1985 (Metrication) (Amendment) Order 1994 and the Units of Measurement Regulations 1994.

SI Number

1986	No 2049	THE WEIGHTS AND MEASURES (PACKAGED GOODS) REGULATIONS 1986 - provide for the detailed application of the average system.
		The Regulations are amended by:
1992	No 1880	The Weights and Measures (Packaged Goods) (Amendment) Regulations 1992;
1994	No 1258	The Weights & Measures (packaged Goods) (Amendment) Regulations 1994;
1994	No 1852	The Weights and Measures (Packaged Goods and Quantity Marking and Abbreviation of Units) (Amendment) Regulations 1994.

These Regulations implement EC Directive 75/106/EEC as amended by Directives 78/891/EEC and 79/005/EEC on the making up by

volume of certain pre-packaged liquids and EC Directive 76/211/EEC as amended by 78/891/EEC on the making up by weight or volume of certain pre-packed products where they relate to the average system.

- 1987 No 1538 **THE WEIGHTS AND MEASURES (QUANTITY MARKING AND ABBREVIATIONS OF UNITS) REGULATIONS 1987** - prescribe the units of measurement to be used for quantity marking, the manner of marking and the permitted symbols and abbreviations.

The Regulations are amended by:

- 1988 No 627 The Weights and Measures (Quantity Marking and Abbreviations of Units) (Amendment) Regulations 1988;

- 1994 No 1852 The Weights and Measures (Packaged Goods and Quantity Marking and Abbreviation of Units) (Amendment) Regulations 1994.

- 1986 No 1082 **THE UNITS OF MEASUREMENT REGULATIONS 1986** - define and authorise the use of SI units of measurements for economic, health, safety and administrative purposes and provide that certain imperial and other units are no longer authorised for the same purposes.

The Regulations are amended by:

- 1994 No 2867 The Units of Measurement Regulations 1994.

These Regulations implement the Units of Measurement Directive 80/181/EEC as amended by Directives 85/10/EEC and 89/617/EEC.

***Note:** Enquiries concerning weights and measures legislation (i.e. prescribed quantity legislation, packaged goods regulations, drained weight, unit pricing legislation, marking of goods and sales of loose goods (including draught beer and wine by the glass) and Metrication should be addressed to the Consumer Affairs Division, Department of Trade and Industry, , Room 4.N.15, 1 Victoria Street, London SW1H 0ET. (Telephone 0171-215-0334).*

Enquiries concerning the units of measurement legislation should be addressed to the National Weights and Measures Laboratory, Stanton Avenue, Teddington, Middlesex, TW11 0JZ. (Telephone 0181-943-7272 or 7277).

