

## EXPLANATORY NOTE

*(This note is not part of the rules, but is intended to indicate their general purport.)*

Rule 1 inserts a new Order XLID in the Rules of the Supreme Court. The new Order makes provision concerning the registration and variation of certain maintenance orders for the purposes of Part II of the Maintenance and Affiliation Orders Act (Northern Ireland) 1966. The power to decide applications under the Order is delegated to the Registrar under Order LXA. In Order LXIV, which relates to time, a new rule 4 allows the amendment and delivery of pleadings during the Long Vacation (including a petition in a matrimonial matter). In Order LXX, which relates to matrimonial causes and matters, a new rule 26 allows the Registrar to exercise the powers conferred by this rule relating to the admission of evidence at the trial of a matrimonial cause.

1966. No. 288

[C]

## FOOD AND DRUGS

## Composition and Labelling

## Antioxidants in Food

REGULATIONS, DATED 9TH DECEMBER 1966, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER SECTIONS 4, 7 AND 68 OF THE FOOD AND DRUGS ACT (NORTHERN IRELAND) 1958.

The Ministry of Health and Social Services, in exercise of the powers conferred upon it by sections 4, 7 and 68 of the Food and Drugs Act (Northern Ireland) 1958(a), having consulted with such organisations as appear to it to be representative of interests substantially affected by these regulations, hereby makes the following regulations:—

*Citation and commencement*

1. These regulations may be cited as the Antioxidants in Food Regulations (Northern Ireland) 1966 and shall come into operation on 9th December 1966.

*Interpretation*

2.—(1) In these regulations—

“the Act” means the Food and Drugs Act (Northern Ireland) 1958;

“antioxidant” means any substance which delays, retards or prevents the development in food of rancidity or other flavour deterioration due to oxidation but does not include lecithin, ascorbic acid, or its salts or esters, tocopherols, citric acid, tartaric acid, phosphoric acid or any permitted preservative, permitted emulsifier, permitted stabiliser, or permitted colouring matter;

“butter for manufacturing purposes” means butter sold or intended for sale,

(a) 1958. c. 27.

- otherwise than by retail, for use in the manufacture or production of any other article of food;
- “butylated hydroxyanisole” means the substance conforming to the description, specifications and requirements for butylated hydroxyanisole contained in the Addendum 1964 to the British Pharmacopoeia 1963;
- “butylated hydroxytoluene” means the substance conforming to the description, specifications and requirements for butylated hydroxytoluene contained in the Addendum 1964 to the British Pharmacopoeia 1963;
- “container” includes any form of packaging of food for sale as a single item, whether by way of wholly or partly enclosing the food or by way of attaching the food to some other article, and in particular includes a wrapper or confining band;
- “dairy product” means any butter (other than butter for manufacturing purposes), milk, cream, condensed milk, evaporated milk, dried milk or cheese;
- “dodecyl gallate” means the substance conforming to the description, specifications and requirements for dodecyl gallate contained in the Addendum 1964 to the British Pharmacopoeia 1963;
- “ethoxyquin” means 1:2 dihydro-6-ethoxy-2:2:4-trimethylquinoline conforming to the specification relating thereto in Schedule 1;
- “octyl gallate” means the substance conforming to the description, specifications and requirements for octyl gallate contained in the Addendum 1964 to the British Pharmacopoeia 1963;
- “partial glycerol esters” has the meaning assigned to it in the Emulsifiers and Stabilisers in Food Regulations (Northern Ireland) 1962(a);
- “permitted colouring matter” means any colouring matter inasmuch as its use is permitted by the Colouring Matter in Food Regulations (Northern Ireland) 1966(b);
- “permitted emulsifier” means any emulsifier inasmuch as its use is permitted by the Emulsifiers and Stabilisers in Food Regulations (Northern Ireland) 1962;
- “permitted preservative” means any preservative inasmuch as its use is permitted by the Preservatives in Food Regulations (Northern Ireland) 1962(c);
- “permitted stabiliser” means any stabiliser inasmuch as its use is permitted by the Emulsifiers and Stabilisers in Food Regulations (Northern Ireland) 1962;
- “propyl gallate” means the substance conforming to the description, specifications and requirements for propyl gallate contained in the British Pharmacopoeia 1963;
- “sell” includes offer or expose for sale or have in possession for sale and “sale” and “sold” shall be construed accordingly;
- “specified food” means any food of a description specified in column 1 of table 1 or of table 2 of Schedule 2.

(2) All amounts mentioned in these regulations are amounts calculated by weight and are calculated on the weight of the product as sold.

(3) Any reference in these regulations to a label borne on a container shall be construed as including a reference to any legible marking on the container however effected.

(4) For the purposes of these regulations, the supply of food, otherwise than by sale, at, in or from any place where food is supplied in the course of a business shall be deemed to be a sale of that food.

(a) S.R. & O. (N.I.) 1962, No. 90.  
 (b) S.R. & O. (N.I.) 1966, No. 243.

(c) S.R. & O. (N.I.) 1962, No. 173.

*General Exemptions and Savings*

3.—(1) The provisions of these regulations shall not apply to any antioxidant, or to food which has in it or on it any antioxidant, intended at the time of sale for exportation to any place outside the United Kingdom.

(2) Until the Antioxidants in Food Regulations (Northern Ireland) 1961(a) are revoked in accordance with regulation 11, these regulations shall not have effect in relation to anything done in compliance with the provisions of the Antioxidants in Food Regulations (Northern Ireland) 1961; and the provisions of those regulations shall not have effect (pending the revocation in accordance with regulation 11) in relation to anything done in compliance with the provisions of these regulations.

*Sale of food containing Antioxidants*

4.—(1) Save as hereinafter provided, no food shall have in it or on it any added antioxidant:

Provided that:—

- (a) any specified food may have in it or on it the antioxidant specified in relation thereto in column 2 of table 1 or of table 2 of Schedule 2 and in the amounts specified in relation thereto in column 3 of table 1 or of table 2 of that Schedule;
- (b) any food which contains as an added ingredient any specified food, may contain antioxidant of the description specified for, and in the amount appropriate to the quantity of, such specified food in accordance with the foregoing sub-paragraph;
- (c) any food which contains milk fat by reason of the addition as an ingredient of any dairy product, may contain antioxidant of the description, and in the amount specified, in accordance with Schedule 2, in relation to a quantity of anhydrous fat equal by weight to that milk fat.

(2) No person shall sell, consign or deliver any food which does not comply with this regulation.

*Sale and advertisement for sale of Antioxidants*

5. No person shall sell, consign, deliver or advertise for sale any antioxidant for use as an ingredient in the preparation of food unless such antioxidant is an antioxidant specified in column 2 of table 1 or of table 2 of Schedule 2.

*Labelling of Antioxidants*

6. No person shall sell, consign or deliver for use as an ingredient in the preparation of food any antioxidant except in a container bearing a label which complies with the requirements specified in Schedule 3.

*Food for Babies and Young Children*

7. No person shall—

- (a) give with any food sold by him or display with any food offered or exposed by him for sale any label, whether attached to or printed on the container of that food or not, or
- (b) publish, or be a party to the publication of, any advertisement for any food, or
- (c) use on, or in connection with, the sale of food any description, which bears or includes any words or description stating directly or by implication that the food is intended mainly for babies or young

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(a) S.R. & O. (N.I.) 1961, No. 159,

children, if the food to which the label, advertisement or description relates has in it or on it any added antioxidant.

#### *Condemnation of food*

8. Where any food is certified by a public analyst as being food which it is an offence against regulation 4 to sell, consign or deliver, that food may be treated for the purpose of section 9 of the Act (under which food may be seized and destroyed on the order of a justice of the peace) as being unfit for human consumption.

#### *Penalties*

9.—(1) If any person contravenes or fails to comply with any of the foregoing provisions he shall be guilty of an offence and shall be liable on summary conviction—

- (a) to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment; and
- (b) in the case of a continuing offence, to a further fine not exceeding five pounds for each day during which the offence continues after conviction.

(2) The requirement of section 47(3) of the Act (which requires notice to be given to the Ministry of Health and Social Services of intention to begin a prosecution for an offence against any provisions relating to the labelling, advertising or description of food) shall not apply as respects any proceedings instituted by a health authority for an offence against any such provisions.

#### *Defences*

10.—(1) In any proceedings for an offence against regulation 5 or 7 in relation to the publication of an advertisement, it shall be a defence for the defendant to prove that, being a person whose business it is to publish, or arrange for the publication of, advertisements, he received the advertisement for publication in the ordinary course of business and did not himself make or cause to be made any material alteration in the substance of the advertisement.

(2) In any proceedings against the manufacturer or importer of any antioxidant for use as an ingredient in the preparation of food, or of any food having added antioxidant in it or on it, for an offence in relation to the publication of an advertisement, it shall rest on the defendant to prove that he did not publish, and was not a party to the publication of, the advertisement.

#### *Revocation*

11. The Antioxidants in Food Regulations (Northern Ireland) 1961 shall be revoked on 9th September 1967.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 9th day of December 1966.

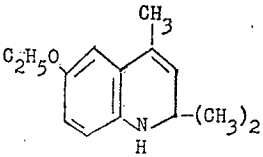
(L.S.)

Lancelot Browne,  
Assistant Secretary.

## SCHEDULE 1

## Regulation 2

## Specification for Ethoxyquin

| Empirical Formula                  | Structural Formula  | Molecular Weight | Description   | Purity  | Boiling Point             | Refractive Index        | Solubility  |
|------------------------------------|---|------------------|---|---|---------------------------|-------------------------|---|
| C <sub>14</sub> H <sub>19</sub> NO |  | 217.3            | Light amber oil when freshly prepared. Tendency to polymerise on exposure to light and oxygen with darkening in colour. | Not less than 92 per cent. by weight of the monomer. Remainder consists of the dimer and higher polymers. | 125°C at 1-2 mm. mercury. | 1.569 to 1.572 at 25°C. | Insoluble in water. Soluble in organic solvents, and oils and fats. |

## SCHEDULE 2

## Regulation 4

**Foods which may have in them or on them added Antioxidant and the kinds and amounts of Antioxidant which may be added in each case**

1. Subject to the provisions of paragraph 2, the articles of food specified in column 1 of the following table may have in them or on them the antioxidant specified in relation thereto in column 2 in amounts not exceeding the number of parts per million specified in relation thereto in column 3:—

TABLE 1

| Column 1  | Column 2  | Column 3          |
|---|---|-------------------|
| Specified Food  | Description of Antioxidant  | Parts per million |
| a. Anhydrous edible oils and fats, whether hardened or not and vitamin oils and concentrates other than preparations containing more than 100,000 I.U's Vitamin A per gram. | Propyl gallate or Octyl gallate or Dodecyl gallate or any mixture thereof | 100               |
|   | or<br>Butylated hydroxyanisole (B.H.A.)                                   | 200               |
|   | or<br>Butylated hydroxytoluene (B.H.T.)                                   | 200               |
|   | or<br>Any mixture of B.H.A. and B.H.T.                                    | 200               |
| b. Partial Glycerol Esters.   | Propyl gallate or Octyl gallate or Dodecyl gallate or any mixture thereof | 100               |
|   | or<br>Butylated hydroxyanisole (B.H.A.)                                   | 200               |
|   | or<br>Butylated hydroxytoluene (B.H.T.)                                   | 200               |
|   | or<br>Any mixture of B.H.A. and B.H.T.                                    | 200               |
| c. Butter for manufacturing purposes.   | Propyl gallate or Octyl gallate or Dodecyl gallate or any mixture thereof | 80                |
|   | or<br>Butylated hydroxyanisole (B.H.A.)                                   | 160               |
|   | or<br>Butylated hydroxytoluene (B.H.T.)                                   | 160               |
|   | or<br>Any mixture of B.H.A. and B.H.T.                                    | 160               |
| d. Essential oils and isolates from the concentrates of essential oils.   | Propyl gallate or Octyl gallate or Dodecyl gallate or any mixture thereof | 1,000             |
|   | or<br>Butylated hydroxyanisole (B.H.A.)                                   | 1,000             |
|   | or<br>Butylated hydroxytoluene (B.H.T.)                                   | 1,000             |
|   | or<br>Any mixture of B.H.A. and B.H.T.                                    | 1,000             |
| e. Apples and Pears.  | Ethoxyquin  | 3                 |

TABLE 2

| Column 1  | Column 2                                | Column 3  |
|---|---|---|
| Specified Food  | Description of Antioxidant              | Parts per million for each 1,000 I.U's Vitamin A per gram |
| Preparations containing more than 100,000 I.U's Vitamin A per gram. | Butylated hydroxyanisole (B.H.A.)<br>or | 10  |
|   | Butylated hydroxytoluene (B.H.T.)<br>or | 10  |
|   | Any mixture of B.H.A. and B.H.T.        | 10  |

2. Butylated hydroxyanisole or butylated hydroxytoluene or mixtures thereof within the limits specified for them in Table 1 may be used in conjunction with propyl gallate or octyl gallate or dodecyl gallate or mixtures thereof within the limits specified for them in Table 1, provided that the total amount of antioxidant shall not exceed, in the case of specified foods in items a and b of Table 1, 300 parts per million, in the case of specified foods in item c of the said Table, 240 parts per million, and in the case of specified foods in item d of the said Table, 1,000 parts per million.

## SCHEDULE 3

## Regulation 6

## Labelling of Antioxidants when sold as such

1. Each container to which regulation 6 relates shall bear a label on which is printed a true statement in the form of the following declaration completed in accordance with paragraph 2:—

|  |
|--|
| <p>This antioxidant contains</p> <p>(X)</p> <p>(Y)</p> |
|--|

2. There shall be inserted at (X) in every such declaration a true statement of the percentage, or the number of parts per million, by weight in figures, excluding fractions, correct to the nearest whole digit, or in words and figures, excluding fractions, correct to the nearest whole digit, of each and every antioxidant present in the preparation in the container and a correct description of each antioxidant to which such statement relates. There shall be inserted at (Y) a correct description of any other substance present in the preparation in the container and where more than one such substance is present such substances shall be declared in the order of the proportion in which they were present at the time of sale by the manufacturer, the substance present in the greatest proportion by weight being specified first.

3. Any declaration required by paragraph 1 shall be printed distinctly and legibly in dark type upon a light-coloured ground or in light type upon a dark-coloured ground, the type being not less than one-eighth of an inch in height, within a surrounding line and no other matter shall be printed within such surrounding line. The words and figures in such declaration shall be of uniform size and colour and the ground within the said surrounding line shall be of uniform colour, provided that the initial letter in any such word may be larger than the other letters in that word.

4. Any label required by paragraph 1 shall be securely affixed to or be part of the wrapper or container and in any case shall be so placed as to be clearly visible and shall be either part of any main label or a separate label placed in close proximity thereto.

## EXPLANATORY NOTE

*(This note is not part of the Regulations, but is intended to indicate their general purport.)*

These regulations supersede the Antioxidants in Food Regulations (Northern Ireland) 1961 and come into operation on 9th December 1966. The Antioxidants in Food Regulations (Northern Ireland) 1961 continue in force, however, for a transitional period ending on 8th September 1967. During that period, the provisions of these regulations will not have effect in relation to the use, labelling, advertising or sale of any antioxidant or of any food containing antioxidant which is in compliance with those regulations, and vice versa (regulation 3(2)).

The regulations—

- (a) prohibit the sale of food having in it or on it antioxidant other than as specified in Schedule 2 (regulation 4(1)(a) and Schedule 2);
- (b) provide that where food contains as an added ingredient any specified food described in Schedule 2 the food may contain antioxidant of a description, and to an amount, specified in that Schedule for that ingredient (regulation 4(1)(b));
- (c) provide that where food contains milk fat by reason of the addition, as an added ingredient, of any dairy product, that food may as respects its milk fat content contain antioxidant of a description, and to an amount, permitted in relation to an amount of anhydrous fat equal to that milk fat (regulation 4(1)(c));
- (d) prohibit the sale or the advertising for sale, with a view to its use in the preparation of food, of any antioxidant which is not permitted by the regulations and impose requirements as to the labelling of antioxidants (regulations 5 and 6);
- (e) prohibit the description or advertisement of any food as being food intended mainly for babies or young children if it has in it or on it any added antioxidant (regulation 7);
- (f) provide that where food is certified by a public analyst as having in it or on it antioxidant not permitted by the regulations that food may be treated for the purpose of section 9 of the Food and Drugs Act (Northern Ireland) 1958 as being unfit for human consumption (regulation 8);
- (g) do not apply to food or antioxidants intended for export (regulation 3).

**1966. No. 289**

This Order has been exempted from printing by the Statutory Rules Act (Northern Ireland) 1958. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading ROADS.



1966. No. 290

[C]

## AGRICULTURE

## Grants to the Pigs Marketing Board

SCHEME, DATED 13TH DECEMBER 1966, MADE BY THE MINISTER OF AGRICULTURE UNDER SECTION 1 OF THE AGRICULTURE (TEMPORARY ASSISTANCE) ACT (NORTHERN IRELAND) 1954(a), AS AMENDED BY THE AGRICULTURE (TEMPORARY ASSISTANCE) (AMENDMENT) ACT (NORTHERN IRELAND) 1957(b).

The Minister of Agriculture with the approval of the Minister of Finance and in exercise of the powers conferred upon him by the Agriculture (Temporary Assistance) Acts (Northern Ireland) 1954 and 1957, and of all other powers him thereunto enabling, hereby makes the following Scheme:—

*Short title and commencement*

- 1.—(1) This Scheme may be cited as the Pigs Marketing (Improvement No. 2) Scheme (Northern Ireland) 1966.  
 (2) This Scheme shall come into operation on the 13th December 1966.

*Interpretation*

2. In this Scheme—

“Ministry” means the Ministry of Agriculture.

“Board” means the Pigs Marketing Board for Northern Ireland.

*Purpose of grants*

3. Subject to the provisions of this Scheme the Ministry may make to the Board grants towards expenditure which in the opinion of the Ministry has been reasonably incurred by the Board during the year ending 31st March 1967 in the carrying out of measures designed to increase efficiency in the production, processing, handling, transporting, storage, presentation and marketing of Northern Ireland pigs and pig products and in maintaining the level of prices to farmers producing pigs, having regard to the costs of transporting pigs and pig products.

4.—(1) The amount or the rate of grant payable shall be such amount or rate as the Ministry shall specify.

(2) The aggregate of grants made to the Board under this Scheme shall not exceed £250,000.

Dated this 13th day of December 1966.

*H. W. West,*

Minister of Agriculture for Northern Ireland.

I approve of the foregoing Scheme.

Dated this 13th day of December 1966.

*H. V. Kirk,*

Minister of Finance for Northern Ireland.

## EXPLANATORY NOTE

*(This Note is not part of the Scheme, but is intended to indicate its general purport.)*

This Scheme enables the Ministry of Agriculture to pay to the Pigs Marketing Board grants towards certain expenditure incurred during the year ending 31st March 1967.