

1982 No. 15

FOOD

COMPOSITION AND LABELLING

The Preservatives in Food (Amendment) Regulations 1982

<i>Made</i> - - - - -	8th January 1982
<i>Laid before Parliament</i>	18th January 1982
<i>Coming into Operation</i>	8th February 1982

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Social Services and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 4, 7, 123 and 123A of the Food and Drugs Act 1955(a), and now vested in them(b), and of all other powers enabling them in that behalf, hereby make the following regulations, after consultation in accordance with section 123(6) of the said Act with such organisations as appear to them to be representative of interests substantially affected by the regulations and after reference in accordance with section 82 of the said Act to the Food Hygiene Advisory Council (in so far as the regulations are made in exercise of the powers conferred by the said section 7):—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Preservatives in Food (Amendment) Regulations 1982 and shall come into operation on 8th February 1982.

(2) Any reference in these regulations to a numbered regulation or schedule shall be construed as a reference to the regulation or schedule so numbered in the Preservatives in Food Regulations 1979(c).

Amendment of the Preservatives in Food Regulations 1979

2. The Preservatives in Food Regulations 1979 shall be further amended in accordance with the following provisions of these regulations.

Amendment of regulation 2(1)

3.—(1) In regulation 2(1) the amendments specified in the following paragraphs of this regulation shall be made.

(a) 1955 c. 16 (4 & 5 Eliz. 2); section 4 was amended, and section 123A inserted, by section 4(1) of, and paragraph 3(1) and (2)(a) of Schedule 4 to, the European Communities Act 1972 (c. 68).

(b) S.I. 1968/1699, 1978/272.

(c) S.I. 1979/752, amended by S.I. 1980/931 and 1981/1063.

(2) After the definition of “fruit spread” there shall be inserted the following definition:—

“hermetically sealed container” means a sealed container which is airtight and impermeable to gases;’.

(3) For the definitions of “sausage” and “sausage meat” there shall be substituted the following definition:—

“sausage” does not include any cured meat product which has been acidified or fermented;’.

(4) After the definition of “specified sugar product” there shall be inserted the following definition:—

“sterile pack” means a hermetically sealed container which has been sufficiently heat processed to destroy any *Clostridium botulinum* in the container or in any food which is in the container;’.

Amendment of regulation 4(1)

4.—(1) In paragraph (b) of the proviso to regulation 4(1) the amendments specified in the following paragraphs of this regulation shall be made.

(2) For sub-paragraph (i) there shall be inserted the following sub-paragraph:—

“(i) in the case of candied peel or cut and drained (syruped) peel, fruit spread, sambal oelek, concentrated snack meals with a moisture content of not less than 15% and not more than 60%, soup concentrates with a moisture content of not less than 25% and not more than 60%, wine (including alcoholic cordials) other than wine in respect of which the maximum permitted sulphur dioxide content is prescribed by any Community regulation or wine in respect of which the maximum permitted sulphur dioxide content is prescribed by any Community regulation, to the maximum quantity of each such preservative appropriate thereto in accordance with that Schedule;’.

(3) After sub-paragraph (iv) there shall be inserted the following sub-paragraph:—

“(ivA) in the case of cheese (other than Cheddar, Cheshire, Grana-padano or Provolone type cheeses or soft cheese) or cured meat, in accordance with the appropriate provisions of that Schedule;’.

Amendment of regulation 5

5.—(1) In regulation 5 for the word “Nothing” at the beginning of the regulation there shall be substituted the words “Subject to regulation 6A, nothing”.

(2) In paragraph (iii) of the proviso to regulation 5 after the words “specified food” there shall be inserted the words “other than a cured meat product”.

Insertion of regulation 6A

6. After regulation 6 there shall be inserted the following regulation:—

“Food for babies and young children

6A. No person shall sell any food that is specially prepared for babies or young children if it has in it or on it any added sodium nitrate or sodium nitrite.”.

Amendment of Schedule 2

7.—(1) In Schedule 2 the amendments specified in the following paragraphs of this regulation shall be made.

(2) In the item relating to candied peel or cut and drained (syruped) peel for the entries in columns 2 and 3 there shall be substituted the following entries:—

In column 2 (Permitted Preservative)	In column 3 (Milligrams per kilogram not exceeding—)
“Sulphur dioxide and sorbic acid	100 1,000”.

(3) In the item relating to cheese, other than Cheddar, Cheshire, Grana-padano or Provolone type cheeses or soft cheese for the entries in columns 2 and 3 there shall be substituted the following entries:—

In column 2	In column 3
“Sodium nitrate and sodium nitrite	} 50, of which not more than 5 may be sodium nitrite, expressed in both cases as sodium nitrite”.

(4) After the item relating to the permitted colouring matter E150 caramel there shall be inserted the following item:—

In column 1 (Specified Food)	In column 2 (Permitted Preservative)	In column 3 (Milligrams per kilogram not exceeding—)
“Crabmeat, canned	Sulphur dioxide	30”.

(5) After the item relating to gelatin there shall be inserted the following item:—

In column 1	In column 2	In column 3
“Gelatin capsules	Sorbic acid	3,000”.

(6) For the item relating to cured meat (including bacon and ham) there shall be substituted the following item:—

In column 1	In column 2	In column 3
“Meat, cured. (including cured meat products): Cured meat (including cured meat products) packed in a sterile pack, whether or not it has been removed from the pack	Sodium nitrate and sodium nitrite	} 150, of which not more than 50 may be sodium nitrite, expressed in both cases as sodium nitrite
Acidified and/or fermented cured meat products (including salami and similar products) not packed in a sterile pack	Sodium nitrate and sodium nitrite	} 400, of which not more than 50 may be sodium nitrite, expressed in both cases as sodium nitrite

In column 1	In column 2	In column 3
Uncooked bacon and ham; cooked bacon and ham that is not, and has not been, packed in any hermetically sealed container	Sodium nitrate and sodium nitrite	} 500, of which not more than 200 may be sodium nitrite, expressed in both cases as sodium nitrite
Any cured meat or cured meat product not specified above	Sodium nitrate and sodium nitrite	

(7) After the item relating to raw peeled potatoes there shall be inserted the following item:—

In column 1	In column 2	In column 3
“Prawns, shrimps and scampi	Sulphur dioxide	200 in the edible part”.

(8) After the item relating to sausages or sausage meat there shall be inserted the following item:—

In column 1	In column 2	In column 3
“Snack meals, concentrated, with a moisture content of not less than 15% and not more than 60%	Sorbic acid and methyl 4-hydroxybenzoate	1,500 175”.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 12th December 1981.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

Signed by Authority of the Secretary
of State for Social Services.

5th January 1982.

Gerard Vaughan,
Minister of State
Department of Health and Social Security.

8th January 1982.

Nicholas Edwards,
Secretary of State for Wales.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations, which come into operation on 8th February 1982, further amend the Preservatives in Food Regulations 1979 ("the 1979 regulations").

The regulations—

- (a) insert a provision prohibiting the sale of food specially prepared for babies and young children containing added sodium nitrate or sodium nitrite (regulations 5(1) and 6);
- (b) amend the 1979 regulations to permit candied peel to contain added sorbic acid in addition to sulphur dioxide (regulations 4(1) and (2) and 7(1) and (2));
- (c) reduce the maximum amount of sodium nitrate and sodium nitrite that may be contained in cheese (regulations 4(1) and (3) and 7(1) and (3));
- (d) change the maximum amount of sodium nitrate and sodium nitrite that may be contained in cured meat (regulations 3(1), (2) and (4), 4(1) to (3), 5(2) and 7(1) and (6));
- (e) amend the 1979 regulations so as to prohibit acidified or fermented cured meat products from containing sulphur dioxide (regulation 3(1) and (3)); and
- (f) add canned crabmeat, gelatin capsules, prawns, shrimps and scampi and certain concentrated snack meals to the list of specified foods in Schedule 2 which may contain permitted preservatives and make a consequential amendment (regulations 4(1) and (2) and 7(1), (4), (5), (7) and (8)).

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