
STATUTORY INSTRUMENTS

1984 No. 1714 (S. 138)**FOOD****COMPOSITION AND LABELLING****The Meat Products and Spreadable Fish Products
(Scotland) Regulations 1984***Made* - - - - - 29th October 1984*Laid before Parliament* 14th November 1984*Coming into Operation* 5th December 1984**ARRANGEMENT OF REGULATIONS****PART I***Regulation*

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In exercise of the powers conferred on me by sections 4, 7, 26(3) and 56 of the Food and Drugs (Scotland) Act 1956(a) and of all other powers enabling me in that behalf and after consultation in accordance with section 56(6) of the said Act with such organisations as appear to me to be representative of interests substantially affected by these regulations I hereby make the following regulations:—

PART I*Title and commencement*

1. These regulations may be cited as the Meat Products and Spreadable Fish Products (Scotland) Regulations 1984 and shall come into operation on 5th December 1984.

Interpretation

2.— (1) In these regulations, unless the context otherwise requires—

“the Act” means the Food and Drugs (Scotland) Act 1956;

“additive” means any substance permitted for use in food by the Colouring Matter in Food (Scotland) Regulations 1973(b), the Antioxidants in Food (Scotland) Regulations 1978(c), the Preservatives in Food (Scotland) Regulations 1979(d), the Emulsifiers and Stabilisers in Food (Scotland) Regulations 1980(e), the Miscellaneous Additives in Food (Scotland) Regulations 1980(f) and the Sweeteners in Food (Scotland) Regulations 1983(g) and flavourings, smoke and smoke solutions in so far as their use in food is not prohibited by the Preservatives in Food (Scotland) Regulations 1979;

“catering establishment” has the meaning assigned to it by the Food Labelling (Scotland) Regulations 1984(h);

(a) 1956 c.30; section 4(1) was amended by Schedule 4, paragraph 3(1) to the European Communities Act 1972 (c.68); section 26(3) was amended by Schedule 27, paragraph 123 to the Local Government (Scotland) Act 1973 (c.65) and section 22 of the Local Government and Planning (Scotland) Act 1982 (c.43); section 56 was amended by Schedule 15, paragraph 8 to the Criminal Justice Act 1982 (c.48) and S.I. 1984/526.

(b) S.I. 1973/1310; relevant amending instruments are S.I. 1975/1595, 1976/2232, 1979/107.

(c) S.I. 1978/492; the relevant amending instrument is S.I. 1980/1886.

(d) S.I. 1979/1073; relevant amending instruments are S.I. 1980/1232, 1981/1320, 1982/516.

(e) S.I. 1980/1888; relevant amending instruments are S.I. 1982/514, 1983/1815.

(f) S.I. 1980/1889; the relevant amending instrument is S.I. 1982/515.

(g) S.I. 1983/1497.

(h) S.I. 1984/1519.

“cooked”, in relation to a food, means subjected to a process of cooking throughout the whole food so that the food is sold for consumption without further cooking, and “uncooked” shall be construed accordingly;

“cured meat” means a food consisting of meat and curing salt, whether or not the food also contains any of the ingredients specified in Schedule 1, but does not include any food which contains any other ingredient not specified in Schedule 1;

“curing salt” has the meaning assigned to it by regulation 5(5);

“fish” means the edible portion of any fish, including edible molluscs and crustacea;

“ingredient” has the meaning assigned to it by the Food Labelling (Scotland) Regulations 1984;

“labelling” has the meaning assigned to it by the Food Labelling (Scotland) Regulations 1984;

“lean meat content” means the total weight of lean meat free when raw of visible fat;

“meat” means the flesh, including fat, and the skin, rind, gristle and sinew in amounts naturally associated with the flesh used, of any animal or bird which is normally used for human consumption, and includes any part of the carcass specified in Part I of Schedule 2 which is obtained from such an animal or bird, but does not include any other part of the carcass;

“meat product” means any food which consists of meat or of which meat is an ingredient, other than a food specified in Schedule 3;

“prepacked” has the meaning assigned to it by the Food Labelling (Scotland) Regulations 1984;

“sell” includes offer or expose for sale and includes have in possession for sale, and “sale” shall be construed accordingly;

“spreadable fish product” means—

- (a) any product of which fish is an ingredient and in the labelling or advertising of which the name “paste”, “pâté” or “spread” is used as part of the name of the food, or
- (b) any other readily spreadable product of which fish is an ingredient, but does not include any product that contains fish oil but no other constituent of fish;

“ultimate consumer” has the meaning assigned to it by the Food Labelling (Scotland) Regulations 1984.

(2) 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, and references to purchasing and purchasers shall be construed accordingly.

(3) All proportions mentioned in these regulations are proportions calculated by weight.

(4) Any reference in these regulations to a numbered regulation or schedule shall, unless the reference is to a regulation of, or schedule to, specified regulations, be construed as a reference to the regulation or schedule so numbered in these regulations.

Scope

3.— (1) Subject to paragraph (2) of this regulation, these regulations apply to food which is ready for delivery to the ultimate consumer or to a catering establishment.

- (2) These regulations do not apply to any food which is—
- (a) not intended for sale for human consumption;
 - (b) intended at the time of sale for export to any place outside the United Kingdom;
 - (c) supplied under Government contracts for consumption by Her Majesty's forces or supplied for consumption by a visiting force within the meaning of any of the provisions of Part I of the Visiting Forces Act 1952(a); or
 - (d) marked or labelled with a clear indication that the food is intended exclusively for consumption by babies or young children.

PART II

Restrictions on the use of certain names

4.— (1) For the purposes of the Food Labelling (Scotland) Regulations 1984, a name which appears in column 1 of Schedule 4 shall not be used in the labelling or advertising of a meat product or a spreadable fish product as the name of the food, whether or not qualified by other words, unless either—

- (a) the product complies with the appropriate requirements in column 2 of Schedule 4, or
- (b) the name is used in accordance with paragraph (2) of this regulation.

(2) A name which appears in column 1 of Schedule 4 shall not be used in the labelling or advertising of a food, whether or not qualified by other words, in such a way as to suggest, either expressly or by implication, that the product designated by that name is an ingredient of the food unless either—

- (a) (i) that product is an ingredient of the food, and
(ii) that product complied, at the time of preparation of the food, with the appropriate requirements in column 2 of Schedule 4, or
- (b) (i) the name used as the name of the food for that food is a name which appears in column 1 of Schedule 4, and
(ii) the name is used in accordance with paragraph (1) of this regulation.

(3) No person shall sell a food in the labelling of which a name is used in contravention of the foregoing paragraphs of this regulation.

(4) No person shall use a name in contravention of the foregoing paragraphs of this regulation in advertising a food for sale.

(a) 1952 c.67.

Name of the food for certain meat products

5.— (1) Subject to paragraphs (3) and (4) of this regulation, where any person sells any meat product which has the appearance of a cut, joint, slice, portion or carcase of raw meat, cooked meat or cured meat, this regulation shall apply.

(2) For the purposes of the Food Labelling (Scotland) Regulations 1984, the name used as the name of the food in the labelling of any meat product to which this regulation applies shall include an indication of the ingredients used in the preparation of the product other than water and other than—

- (a) in the case of cooked meat, additives or salt, herbs or spices used as seasoning; and
- (b) in the case of cured meat, curing salt or an ingredient specified in column 1 of Schedule 1 and used in accordance with the conditions specified in column 2 of Schedule 1.

(3) For the purposes of paragraph (1) of this regulation, no account shall be taken of the presence in or on the food of any seasoning, flavouring, garnishing or gelatinous substance, nor of any packaging material enclosing the food.

(4) This regulation shall not apply where the name used as the name of the food is a name which appears in column 1 of Schedule 4 whether or not qualified by other words or to a food having the appearance of minced raw meat which has been shaped.

(5) In this regulation “curing salt” means sodium chloride, potassium chloride, sodium nitrate, potassium nitrate, sodium nitrite or potassium nitrite, whether alone or in any combination, except that sodium chloride or potassium chloride alone or a mixture of sodium chloride and potassium chloride alone is to be regarded as a curing salt when used in a meat product only if used in sufficient quantity to have a significant preserving effect on the meat product.

List of ingredients

6.— (1) Notwithstanding regulation 15(1) of the Food Labelling (Scotland) Regulations 1984 (which makes provision as to the name used for an ingredient in a list of ingredients), where a meat product is required by those regulations to be marked or labelled with a list of ingredients and is required by regulation 7 to be marked or labelled with a declaration of its minimum meat content, any animal or bird fat which, because of the requirements of regulation 11, cannot be taken into account in the declaration of the minimum meat content of the meat product shall be separately identified in the list of ingredients.

(2) No person shall sell a meat product if it is marked or labelled with a list of ingredients that does not accord with paragraph (1) of this regulation.

Declaration of meat or fish content

7.— (1) Every meat product, other than a product to which regulation 8 or 9 (2) applies, shall, subject to paragraphs (3) to (7) of this regulation, be marked or labelled with a declaration of its minimum meat content in the form “minimum x% meat”, there being inserted in place of “x” such number as makes the declaration an indication of the minimum meat content of the product.

(2) Every spreadable fish product shall, subject to the following paragraphs of this regulation, be marked or labelled with a declaration of its minimum fish content in the form “minimum y% fish”, there being inserted in place of “y” such number as makes the declaration an indication of the minimum fish content of the product.

(3) In the case of a meat product which includes a liquid medium that is not normally consumed, the declaration shall include an indication that the weight of the liquid medium has not been included in calculating the minimum meat content of the product.

(4) Subject to paragraphs (6) and (7) of this regulation, a meat product which has a meat content of less than 10 per cent and a spreadable fish product which has a fish content of less than 10 per cent may, instead of being marked or labelled in accordance with paragraph (1) or (2) of this regulation, be marked or labelled with the declaration “less than 10% meat” or “less than 10% fish”, as the case may be.

(5) Subject to paragraphs (6) and (7) of this regulation, a meat product which has a meat content of more than 100 per cent and a spreadable fish product which has a fish content of more than 100 per cent shall, instead of being marked or labelled in accordance with paragraph (1) or (2) of this regulation, be marked or labelled with the declaration “not less than 100% meat” or “not less than 100% fish”, as the case may be.

(6) In any declaration with which a meat product or spreadable fish product is marked or labelled pursuant to any of the foregoing paragraphs of this regulation, the word “meat” or “fish” may be replaced by the name of the type of meat or fish.

(7) In any declaration marked or labelled in accordance with the provisions of regulation 10(2)(b), other than a declaration in respect of cured meat, the word “meat” or “fish” or the name of the type of meat or fish may be omitted from the form of words prescribed by this regulation.

Declaration of corned meat content

8.— (1) Subject to paragraph (2) of this regulation, every meat product sold under the name “corned X”, whether or not qualified by other words, there being inserted in place of “X” the name of a type of meat, shall be marked or labelled with the declaration “100% corned X”, there being inserted in place of “X” the aforesaid name of a type of meat.

(2) Every meat product sold under—

- (a) the name “corned X”, qualified by words which include the name of a food other than meat, there being inserted in place of “X” the name of a type of meat, or
- (b) a name which includes the name “corned X”, there being inserted in place of “X” the name of a type of meat, in such a way as to suggest that corned meat is an ingredient of the product,

shall be marked or labelled with a declaration of its minimum corned meat content in the form "minimum $z\%$ corned X". there being inserted in place of "z" such number as makes the declaration an indication of the minimum corned meat content of the meat product and in place of "X" the aforesaid name of a type of meat.

Declaration of added water content

9.— (1) Any food to which regulation 5 applies shall be subject to the provisions of this regulation.

(2) Where the food does not bear an indication in accordance with regulation 5 of the presence of any ingredients and contains added water, it shall be marked or labelled in the case of—

- (a) raw or cooked meat, with a declaration in the form "with not more than $x\%$ added water" there being inserted in place of "x" such number as makes the declaration an indication of the maximum added water content of the food;
- (b) uncooked cured meat of which more than 10 per cent is added water, with a declaration in the form "with not more than $y\%$ added water" there being inserted in place of "y" such number expressed as a multiple of 5 as makes the declaration an indication of the amount by which the maximum added water content of the food exceeds 10 per cent; and
- (c) cooked cured meat with a declaration in the form "with not more than $z\%$ added water", there being inserted in place of "z" such number expressed as a multiple of 5 as makes the declaration an indication of the maximum added water content of the food.

(3) Where the food bears an indication in accordance with regulation 5 of the presence of any ingredients and contains added water, it shall be marked or labelled in the case of—

- (a) raw or cooked meat, or
- (b) cooked cured meat, or uncooked cured meat of which more than 10 per cent is added water,

with a declaration in the form "with added water".

Miscellaneous provisions relating to declarations

10.— (1) A meat product or spreadable fish product which, but for this paragraph, would be required by any of the provisions of regulations 7, 8 or 9 to be marked or labelled with a declaration need not be so marked or labelled if—

- (a) the product is not prepacked or is prepacked for direct sale (within the meaning of regulation 24 of the Food Labelling (Scotland) Regulations 1984(a)) and

(a) S.I. 1984/1519.

- (b) the declaration appears on a ticket or notice displayed in immediate proximity to the food or on a label attached to the food.

(2) A declaration with which a meat product or spreadable fish product is required to be marked or labelled by any of the provisions of regulations 7 and 8 or with which a meat product or spreadable fish product is marked or labelled in pursuance of regulation 7(4), shall, if the product is required by the Food Labelling (Scotland) Regulations 1984 to be marked or labelled with a list of ingredients—

- (a) appear in immediate proximity to the list of ingredients, or
(b) where only one type of meat or cured meat, or fish or cured fish, is present, appear in the list of ingredients in immediate proximity to the name of the aforesaid ingredient.

(3) A declaration with which a meat product is required to be marked or labelled by any of the provisions of regulation 9 shall appear in immediate proximity to the name of the food.

(4) Regulations 32, 33 and 34 of the Food Labelling (Scotland) Regulations 1984 (which relate to the manner of marking or labelling of food) shall apply to the declarations with which a meat product or spreadable fish product is required to be marked or labelled by regulations 7, 8 or 9, or with which a meat product or spreadable fish product is marked or labelled in pursuance of regulation 7(4), or which appear on a ticket or notice pursuant to paragraph (1) of this regulation, as if those declarations were particulars with which food is required to be marked or labelled by, or which appear on a ticket or notice pursuant to, the Food Labelling (Scotland) Regulations 1984.

(5) No person shall sell a meat product or spreadable fish product which is not marked or labelled in accordance with the provisions of regulations 7, 8 or 9 or of the foregoing paragraphs of this regulation, unless, in an appropriate case, the provisions of paragraph (1) of this regulation are observed.

(6) Regulations 7, 8 and 9 do not apply to—

- (a) food prepared on domestic premises for sale for the benefit of the person preparing it by a society registered under the Industrial and Provident Societies Act 1965(a), or
(b) food prepared otherwise than in the course of a trade carried on by the person preparing it, or
(c) food which is not required by the Food Labelling (Scotland) Regulations 1984 to be marked or labelled with the name of the food, or
(d) food to which regulation 28 or 29 of the Food Labelling (Scotland) Regulations 1984 (which relate to food for immediate consumption) applies.

(a) 1965 c.12.

Lean meat content

11.— (1) No person shall sell a meat product which is required by regulation 7 to be marked or labelled with a declaration of minimum meat content, other than a product to which paragraph (2) of this regulation applies, unless the lean meat content of the product is at least 65 per cent of the declared minimum meat content.

(2) No person shall sell—

- (a) a meat pie or part of a meat pie, or
- (b) a sausage or part of a sausage or a meat product of which sausage is an ingredient, or
- (c) a food for which the name of the food for the purposes of the Food Labelling (Scotland) Regulations 1984 is “pâté”, whether or not qualified by other words, if it is a meat product which is required by regulation 7 to be marked or labelled with a declaration of minimum meat content, unless the lean meat content of the product is at least 50 per cent of the declared minimum meat content of the product.

(3) No person shall sell a meat product which is required by regulation 8 to be marked or labelled with a declaration of minimum corned meat content, unless the lean meat content of the product is at least 96 per cent of the meat content of the product.

(4) In this regulation the word—

- (a) “meat pie” means a product containing meat which is wholly or partly encased in pastry, whether or not there are other ingredients also encased in the pastry, and includes meat pudding and sausage roll; and
- (b) “sausage” includes chipolata, frankfurter, link, salami and any similar product, and includes sausage meat.

Calculation of meat content

12.— (1) For the purposes of these regulations the meat content of a meat product is, subject to the following paragraphs of this regulation, the sum of—

- (a) the total weight of meat (calculated as raw meat) used as an ingredient in the preparation of the meat product, and
- (b) the total weight of any solid bone naturally associated with the meat used if the presence of the bone in the product is indicated, either expressly or by implication, in the name of the product,

expressed as a percentage of the total weight of the product as sold.

(2) Where a meat product is in dehydrated or partially dehydrated form, or contains an ingredient in dehydrated or partially dehydrated form, and the product or ingredient, as the case may be, is intended to be reconstituted before consumption, the meat content of the product for the purposes of these

regulations shall be calculated on the basis of the product when reconstituted as directed.

(3) In calculating the meat content of a sausage the weight of any detachable edible skin which wholly or partly encloses the sausage shall not be included either—

- (a) in the total weight of meat used as an ingredient in the preparation of the sausage, or
- (b) in the total weight of the sausage as sold.

(4) In calculating the meat content of a meat product which includes a liquid medium that is not normally consumed, the weight of the liquid medium shall not be included in the total weight of the product as sold.

(5) In this regulation “sausage” has the meaning assigned to it by regulation 11(4).

Calculation of fish content, corned meat content and added water content

13.— (1) For the purposes of these regulations—

- (a) the fish content of a spreadable fish product is the total weight of fish (calculated as raw fish) used as an ingredient in the preparation of the product expressed as a percentage of the total weight of the product as sold;
- (b) the corned meat content of a meat product shall be taken to be five-sixths of the meat content of the product;
- (c) the added water content of a meat product is the total weight of added water in the product expressed as a percentage of the total weight of the product as sold.

(2) For the purposes of these regulations water that is present in a meat product, whether the meat product is cooked or uncooked, shall be regarded as added water to the extent, and only to the extent, that the quantity of water present in the product exceeds the quantity of water that would naturally be present in the meat used in the product when raw.

Parts of the carcass in uncooked meat products

14.— (1) No person shall sell an uncooked meat product in the preparation of which any part of the carcass specified in Part II of Schedule 2 has been used as an ingredient unless that part has been used solely as a sausage skin.

(2) In this regulation “sausage” has the meaning assigned to it by regulation 11(4).

PART III

Penalties and enforcement

15.— (1) If any person contravenes or fails to comply with any of the foregoing provisions of these regulations he shall be guilty of an offence and shall be liable—

- (a) on summary conviction to a fine not exceeding £2000 or to imprisonment for a term not exceeding six months or both;
- (b) on conviction on indictment to a fine or to imprisonment for a term not exceeding one year or both.

(2) Each district and islands council shall enforce and execute these regulations in its area.

Defences

16.— (1) In any proceedings for an offence against these regulations of having in possession for sale any food in the labelling of which a name is used in contravention of regulation 4 or 5, or which is not marked or labelled in accordance with regulations 6 to 10, or which does not comply with regulation 11 or 14, it shall be a defence for the accused to prove that before offering or exposing the food for sale he took all reasonable steps to ensure, as the case may be, that a name was not used in the labelling of the food in contravention of regulation 4 or 5, or that the food was marked or labelled in accordance with regulations 6 to 10, or that the food complied with regulation 11 or 14.

(2) Subject to paragraph (3) of this regulation, in any proceedings for an offence of selling a meat product which is not marked or labelled in accordance with regulation 9(2)(b) or (c) it shall be a defence for the accused to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

(3) If in any case the defence provided by paragraph (2) of this regulation involves an allegation that the commission of the offence in question was due to the act or default of another person or due to reliance on information supplied by another person, the accused shall not, without leave of the court, be entitled to rely on that defence unless he has served on the prosecutor at least seven clear days before the hearing a notice in writing giving such information identifying or assisting in the identification of the other person as was then in his possession.

Application of various provisions of the Act

17.— (1) Subject to paragraph (2) of this regulation, the following provisions of the Act shall apply for the purposes of these regulations as if references therein to proceedings, or a prosecution, under or taken or brought under the Act included references to proceedings, or a prosecution, as the case may be, taken or brought for an offence under these regulations:—

- (a) section 41(2)(3) and (5) (which relates to proceedings);
- (b) section 42(1),(2) and (3) (which relates to evidence of analysis);

- (c) section 44 (which relates to the power of a court to require analysis by the Government Chemist);
- (d) section 45 (which relates to a contravention due to some person other than the person charged);
- (e) section 46(2) (which relates to the conditions under which a warranty may be pleaded as a defence);
- (f) section 47 (which relates to offences in relation to warranties and certificates of analysis).

(2) Section 44 of the Act shall apply for the purposes of these regulations as if the reference therein to section 41(5) of the Act included a reference to that subsection as applied by paragraph (1) of this regulation.

Offences due to fault of another person

18. Where the commission by any person of an offence under these regulations is due to the act or default of another person, that other person shall be guilty of the offence and may be charged with and convicted of the offence by virtue of this regulation whether or not proceedings are taken against the first mentioned person.

Amendment of the Food Labelling (Scotland) Regulations 1984

19. The Food Labelling (Scotland) Regulations 1984(a) shall be amended by substituting in Schedule 3 thereto—

- (a) for the entry in column 2 of the item relating to the generic name “meat” the words “Any type of meat as defined in the Meat Products and Spreadable Fish Products (Scotland) Regulations 1984.”;
- (b) for the entry in column 2 of the item relating to the generic name “other meat” the words “Any type of meat as defined in the Meat Products and Spreadable Fish Products (Scotland) Regulations 1984 other than a type referred to in the labelling of the food of which it is an ingredient.”; and
- (c) for the entry in column 2 of the item relating to the generic name “offal” the words “Any part of the carcass specified in Part I or Part II of Schedule 2 to the Meat Products and Spreadable Fish Products (Scotland) Regulations 1984.”.

Revocations

20. The order and regulations specified in Schedule 5 are hereby revoked.

Transitional provisions

21. In any proceedings for an offence against these regulations it shall be a defence to prove that—

- (a) the act was committed before 1st July 1986; and

(a) S.I. 1984/1519.

- (b) the matters constituting the offence would not have constituted an offence against the Offals in Meat Products Order 1953(a), the Meat Pie and Sausage Roll (Scotland) Regulations 1967(b), the Canned Meat Product (Scotland) Regulations 1967(c), the Sausage and Other Meat Product (Scotland) Regulations 1967(d) or the Fish and Meat Spreadable Products (Scotland) Regulations 1970(e) if that order or those regulations had been in operation when the act was committed.

George Younger,
One of Her Majesty's Principal
Secretaries of State.

New St Andrew's House,
Edinburgh.
29th October 1984.

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- (a) S.I. 1953/246.
(b) S.I. 1967/1077.
(c) S.I. 1967/1079; the relevant amending instrument is S.I. 1969/326.
(d) S.I. 1967/1078; the relevant amending instruments are S.I. 1968/139, 1969/327.
(e) S.I. 1970/1065; the relevant amending instruments are S.I. 1970/1127, 1981/137.

Regulations 2(1), 5(2)

SCHEDULE 1

INGREDIENTS OF CURED MEAT

Column 1 <i>Ingredients</i>	Column 2 <i>Conditions of use, if any</i>
Water.	
Sucrose. Invert sugar. Glucose. Dextrose. Lactose. Maltose. Glucose syrup.	Used in small quantities in accordance with good manufacturing practice, for sweetening purposes only.
Honey. Maple syrup. Molasses. Salt, herbs or spices as seasoning. Any food used solely as a garnish or decorative coating. Additives	Used in small quantities in accordance with good manufacturing practice.
Hydrolysed proteins. Yeast extracts.	Used in small quantities in accordance with good manufacturing practice, for flavouring purposes only.

SCHEDULE 2 Regulations 2(1) and 14(1)

PART I

PARTS OF THE CARCASE

WHICH ARE TO BE

REGARDED AS MEAT

Mammalian species

Diaphragm	Pancreas
Head meat (muscle meat and associated fatty tissue only)	Tail meat
Heart	Thymus
Kidney	Tongue
Liver	

Avian species

Gizzard	Liver
Heart	Neck

PART II

PARTS OF THE CARCASE

WHICH MAY NOT BE

USED IN UNCOOKED MEAT PRODUCTS

Mammalian species

Brains	Rectum
Feet	Spinal cord
Intestine, large	Spleen
Intestine, small	Stomach
Lungs	Testicles
Oesophagus	Udder

Regulation 2(1)

SCHEDULE 3**FOODS WHICH ARE NOT
MEAT PRODUCTS FOR THE PURPOSES
OF THESE REGULATIONS**

1. Raw meat to which no ingredient, or no ingredient other than proteolytic enzymes, has been added.
2. Uncooked chickens, hens, cocks, turkeys, ducks, geese and guinea fowl, and cuts and offals thereof, to which no ingredient has been added other than additives, water, self-basting preparations or seasonings.
3. Haggis, black pudding, white pudding.
4. Brawn, collared head.
5. Sandwiches, filled rolls and similar bread products, which are ready for consumption without further processing, other than products containing meat which are sold under a name, whether or not qualified by other words, included in column 1 of items 1 to 3 of Schedule 4.
6. A food for which the name of the food is "broth", "gravy" or "soup", whether or not qualified by other words.
7. Stock cubes and similar flavouring agents.
8. The products commonly known in Scotland as "potted head", 'potted meat" and "potted hough".
9. Any product containing the fat, but no other meat, of any animal or bird.

SCHEDULE 4

Regulation 4

RESERVED DESCRIPTIONS

Column 1	Column 2
<i>Name of food</i>	<i>Requirements</i>
<p>1. <i>Burger, whether or not forming part of another word, but excluding any name falling within items 2 or 3 of this Schedule.</i></p>	<p>(i) The food must have a meat content of not less than 80 per cent of the food and a lean meat content of at least 65 per cent of the meat content of the food.</p> <p>(ii) If the name “burger” is qualified by the name of a type of meat, at least 80 per cent of the food must consist of meat of the named type.</p> <p>(iii) If the name “burger” is qualified by the name of a type of cured meat, at least 80 per cent of the food must consist of meat of the type from which the named type of cured meat is prepared.</p> <p>(Where the name is used to refer to a compound product consisting of a meat mixture and other ingredients, such as a bread roll, these requirements shall apply only to the meat mixture, as if the meat mixture were the meat product in whose labelling or advertising the name was used as the name of the food.)</p>
<p>2. <i>Economy burger, whether or not burger forms part of another word.</i></p>	<p>(i) The food must have a meat content of not less than 60 per cent of the food and a lean meat content of at least 65 per cent of the meat content of the food.</p> <p>(ii) If the name includes the name of a type of meat, at least 60 per cent of the food must consist of meat of the named type.</p> <p>(iii) If the name includes the name of a type of cured meat, at least 60 per cent of the food must consist of meat of the type from which the named type of cured meat is prepared.</p> <p>(The words in brackets in this column of item 1 of this Schedule apply equally to this item.)</p>

Regulation 4

SCHEDULE 4

RESERVED DESCRIPTIONS (*cont'd.*)

Column 1	Column 2
<i>Name of food</i>	<i>Requirements</i>
3. Hamburger, <i>whether or not forming part of another word.</i>	<p>(i) The meat used in the preparation of the food must be beef, pork, or a mixture of both and the food must have a meat content of not less than 80 per cent of the food and a lean meat content of at least 65 per cent of the meat content of the food.</p> <p>(ii) The name of the food must be qualified by the name of the type of meat used in the preparation of the food.</p> <p>(The words in brackets in this column of item 1 of this Schedule apply equally to this item.)</p>
4. Chopped X, <i>there being inserted in place of "X" the name "meat" or "cured meat" or the name of a type of meat or cured meat, whether or not there is also included the name of a type of meat.</i>	The food must have a meat content of not less than 90 per cent of the food and a lean meat content of at least 65 per cent of the meat content of the food.
5. Corned X, <i>there being inserted in place of "X" the name of a type of meat, unless qualified by words which include the name of a food other than meat.</i>	<p>(i) The food shall consist wholly of meat that has been corned.</p> <p>(ii) The food must have a meat content of not less than 120 per cent of the food and a lean meat content of at least 96 per cent of the meat content of the food.</p> <p>(iii) All the meat used as an ingredient in the preparation of the food must consist of meat of the named type.</p>
6. Luncheon meat. Luncheon X, <i>there being inserted in place of "X" the name of a type of meat or cured meat.</i>	The food must have a meat content of not less than 80 per cent of the food and a lean meat content of at least 65 per cent of the meat content of the food.
7. Meat pie. Meat pudding. <i>The name pie or pudding qualified by the name of a type of meat or cured meat unless qualified also by the name of a food other than meat or cured meat.</i> Melton Mowbray pie. Game pie.	<p>(i) If the food is cooked, it must have a meat content of not less than 25 per cent of the food except that—</p> <p>(a) if the weight of the food is not less than 100g and not more than 200g, it must have a meat content of not less than 21 per cent of the food,</p> <p>(b) if the weight of the food is less than 100g, it must have a meat content of not less than 19 per cent of the food.</p>

SCHEDULE 4

Regulation 4

RESERVED DESCRIPTIONS (*cont'd.*)

Column 1	Column 2
<i>Name of food</i>	<i>Requirements</i>
	(ii) If the food is uncooked, it must have a meat content of not less than 21 per cent of the food except that— <ul style="list-style-type: none"> (a) if the weight of the food is not less than 100g and not more than 200g, it must have a meat content of not less than 18 per cent of the food, and (b) if the weight of the food, is less than 100g, it must have a meat content of not less than 16 per cent of the food. (iii) Whether the food is cooked or uncooked, the lean meat content must be at least 50 per cent of the required meat content of the food.
8. Scottish pie or Scotch pie	(i) If the food is cooked, it must have a meat content of not less than 20 per cent of the food. (ii) If the food is uncooked, it must have a meat content of not less than 17 per cent of the food. (iii) Whether the food is cooked or uncooked, the lean meat content must be at least 50 per cent of the required meat content of the food.
9. <i>The name pie or pudding qualified by the word "meat" or the name of a type of a meat or cured meat and also by the name of a food other than meat or cured meat.</i> Pasty or pastie. Bridie. Sausage roll.	(i) If the food is cooked it must have a meat content of not less than 12.5 per cent of the food. (ii) If the food is uncooked, it must have a meat content of not less than 10.5 per cent of the food. (iii) Whether the food is cooked or uncooked, the lean meat content must be at least 50 per cent of the required meat content of the food.
10. Sausage, link, chipolata or sausage meat.	<i>Meat content</i> A. (i) If the name "sausage", "link", "chipolata" or "sausage meat" is qualified by the name "pork" but not by the name of any other type of meat, the food must have a meat content of not less than 65 per cent of the product and a lean meat content of at least 50 per cent of the meat content of the food.

Regulation 4

SCHEDULE 4

RESERVED DESCRIPTIONS (*cont'd.*)

Column 1	Column 2
<i>Name of food</i>	<i>Requirements</i>
	<p>(ii) In all other cases the food must have a meat content of not less than 50 per cent of the food and a lean meat content of at least 50 per cent of the meat content of the food.</p> <p><i>Named meat content</i></p> <p>B. (i) If the name "sausage", "link" "chipolata" or "sausage meat" is qualified by the name—</p> <p>(a) "beef", but not by the name of any other type of meat, at least 50 per cent of the meat used as an ingredient in the preparation of the food must consist of beef;</p> <p>(b) "liver" or "tongue" or by both such names, at least 30 per cent of the meat used as an ingredient in the preparation of the food must consist of liver or tongue or of a mixture of liver and tongue, as the case may be;</p> <p>(c) of a type of cured meat, at least 80 per cent of the meat used in the preparation of the food must consist of meat of the type from which the named type of cured meat is prepared.</p> <p>(ii) In all other cases where the name "sausage", "link", "chipolata" or "sausage meat" is qualified by the name of a type of meat, at least 80 per cent of the meat used in the preparation of the food must consist of meat of the named type.</p>

SCHEDULE 4

Regulation 4

RESERVED DESCRIPTIONS (*cont'd.*)

Column 1	Column 2
<i>Name of food</i>	<i>Requirements</i>
<p>11. Paste or pâté, unless preceded by words which—</p> <p>(a) include the name of a food other than meat or fish, and</p> <p>(b) do not include the name "meat" or "fish" or the name of a type of meat or fish or of cured meat or cured fish.</p>	<p>(i) If the name "paste" or "pâté" is preceded by the name of a type of meat or fish or of cured meat or cured fish, the food must be characterised by the named type of meat or fish or of cured meat or cured fish.</p> <p>(ii) If the food is a meat product, it must have a meat content of not less than 70 per cent of the food and a lean meat content of at least 50 per cent in the case of pâté, and at least 65 per cent in the case of other meat products, of the meat content of the food. If the food is a spreadable fish product, it must have a fish content of not less than 70 per cent of the food. If the food is both a meat product and a spreadable fish product, the sum of its meat content and its fish content must be not less than 70 per cent of the food, and the food must have a lean meat content of at least 50 per cent in the case of pâté, and at least 65 per cent in the case of other meat products, of the meat content of the food.</p>
<p>12. Spread, unless preceded by words which—</p> <p>(a) include the name of a food other than meat or fish, and</p> <p>(b) do not include the name "meat" or "fish" or the name of a type of meat or fish or of cured meat or cured fish.</p>	<p>(i) The name "spread" must be preceded by the name of a type of meat or fish or of cured meat or cured fish.</p> <p>(ii) If the name "spread" is preceded by the name of a type of meat, fish or cured fish, at least 70 per cent of the food must consist of meat, fish or cured fish of the named type.</p> <p>(iii) If the name "spread" is preceded by the name of a type of cured meat, at least 70 per cent of the food must consist of meat of the type from which the named type of cured meat is prepared.</p> <p>(iv) In the case of a meat product the lean meat content must be at least 65 per cent of the required meat content of the product.</p> <p>(Where the name "spread" is preceded by the names of more than one type of meat or fish or of cured meat or cured fish, the foregoing provisions are to be taken to require at least 70 per cent of the food to consist of a mixture of the named types of meat, fish, or cured fish or, in the case of names of types of cured meat, a mixture of the types of meat from which the named types of cured meat are prepared.)</p>

Regulation 20

SCHEDULE 5

REVOCATIONS

Column 1

Column 2

*S.I. No.**Title*

1953/246.	The Offals in Meat Products Order 1953.
1967/1077.	The Meat Pie and Sausage Roll (Scotland) Regulations 1967.
1967/1079.	The Canned Meat Product (Scotland) Regulations 1967.
1967/1078.	The Sausage and Other Meat Product (Scotland) Regulations 1967.
1968/139.	The Sausage and Other Meat Product (Scotland) Amendment Regulations 1968.
1969/326.	The Canned Meat Product (Scotland) Amendment Regulations 1969.
1969/327.	The Sausage and Other Meat Product (Scotland) Amendment Regulations 1969.
1970/1065.	The Fish and Meat Spreadable Products (Scotland) Regulations 1970.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations, which apply to Scotland only, supersede the Offals in Meat Products Order 1953, the Meat Pie and Sausage Roll (Scotland) Regulations 1967, the Canned Meat Product (Scotland) Regulations 1967, the Sausage and Other Meat Product (Scotland) Regulations 1967, and the Fish and Meat Spreadable Products (Scotland) Regulations 1970.

The principal effect of the regulations is to—

- (a) prohibit the use of certain specified names in the sale of meat products which do not satisfy the appropriate compositional requirements (regulation 4 and Schedule 4);
- (b) require meat products which might be taken to consist purely of meat (whether raw, cooked or cured) to include in the name of the food an indication of the ingredients used in the preparation of the product other than water and certain specified substances (regulation 5 and Schedule 1);
- (c) require meat products to identify in a list of ingredients any animal or bird fat which has not been taken into account in the declaration of the minimum meat content (regulation 6);
- (d) require meat products, other than corned meat or those to which only water and ingredients specified in regulation 5 have been added, to bear a declaration of minimum meat content in a specified form of words, and require spreadable fish products to bear a declaration of minimum fish content in a specified form of words (regulation 7);
- (e) require meat products sold as, or as containing, corned meat, to bear a declaration of minimum corned meat content in a specified form of words (regulation 8);
- (f) require meat products which might be taken to consist solely of meat (whether raw, cooked or cured) and to which water has been added in the preparation of the product, to bear a declaration of the added water content of the product in a specified form of words (regulation 9);
- (g) specify additional requirements as to the making of declarations (regulation 10);
- (h) require that a specified proportion of the declared minimum meat content of the product should consist of lean meat (regulation 11);
- (i) specify how the meat content of a meat product is to be calculated (regulation 12);
- (j) specify how the fish content, corned meat content and added water content of meat products and spreadable fish products is to be calculated (regulation 13);
- (k) specify which parts of the carcass may be treated as meat for the purposes of these regulations and which parts may only be used in the preparation of cooked meat products (regulation 14 and Schedule 2);
- (l) amend the Food Labelling (Scotland) Regulations 1984 by substituting the entry relating to the generic names “meat”, “other meat” and “offal” in Schedule 3 to the regulations of 1984 (regulation 19);
- (m) revoke the instruments controlling meat products and spreadable fish

products superseded by these regulations (regulation 20 and Schedule 5),

The regulations do not apply to food—

- (a) not intended for sale for human consumption;
- (b) intended for export;
- (c) supplied to Her Majesty's forces or for consumption by a visiting force;
or
- (d) marked or labelled with a clear intention that it is intended for babies or young children only (regulation 3).

The regulations come into force on 5th December 1984 (regulation 1) but there are transitional provisions which make it a defence to prove that the act was committed before 1st July 1986 and that the matters constituting the offence would not have constituted an offence against the order or regulations controlling the sale of meat products and spreadable fish products which were in force at the time these regulations were made (regulation 21).

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