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 STATUTORY INSTRUMENTS
 

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## 1985 No. 1438 (S. 110)

## FOOD

## COMPOSITION

**The Lead in Food (Scotland) Amendment Regulations 1985**

*Made* - - - - - 9th September 1985  
*Laid before Parliament* 25th September 1985  
*Coming into Operation* 31st December 1985

In exercise of the powers conferred on me by sections 4 and 56(8) 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:—

*Title and commencement*

1. These regulations may be cited as the Lead in Food (Scotland) Amendment Regulations 1985 and shall come into operation on 31st December 1985.

*Amendment of the Lead in Food (Scotland) Regulations 1979*

2. Part I of the table in Schedule 1 to the Lead in Food (Scotland) Regulations 1979(b) shall be amended as follows—

- (a) items 14 (canned foods) and 25 (canned fish) shall be deleted,  
 (b) for item 27 (corned beef) there shall be substituted the following item:—

“

<i>Description of food</i>	<i>Proportions of lead (expressed in milligrams per kilogram)</i>
Corned beef	2.0

”; and

- (c) after item 39 there shall be added the following item:—

“

<i>Description of food</i>	<i>Proportions of lead (expressed in milligrams per kilogram)</i>
40. Condensed milk	0.5

”.

(a) 1956 c.30.

(b) S.I. 1979/1641, to which there are amendments not relevant to these regulations.

*Transitional provisions*

3. In any proceedings for an offence under regulation 4 (Sale, etc of food containing lead) of the Lead in Food (Scotland) Regulations 1979 which was committed before 1st January 1988, it shall be a defence to prove that—

- (a) the food was canned before 31st December 1985; and
- (b) the matters constituting the offence would not have constituted an offence if these amending regulations had not been in operation when the act was committed.

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

New St Andrews House,  
Edinburgh.  
9th September 1985.

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EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These regulations, which apply to Scotland only come into force on 31st December 1985. They amend the Lead in Food (Scotland) Regulations 1979 which restrict the amount of lead which may be present in food (including drink) intended for sale for human consumption.

The changes made by these regulations are—

- (a) Most canned food is now made subject to the general restriction on lead in food (1.0 milligram of lead per kilogram of food) by removing another item from the list of specified foods in Schedule 1 (regulation 2(a)).
- (b) The amount of lead which may be present in corned beef is reduced from 5.0 to 2.0 milligrams per kilogram of food (regulation 2(b)).
- (c) The amount of lead which may be present in condensed milk is specified as being 0.5 milligram per kilogram of food (regulation 2(c)).

These changes do not apply to food canned before the amending regulations come into operation and sold, consigned, delivered or imported into Scotland before 1st January 1988 (regulation 3).



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