



# Food Act 1984

## 1984 CHAPTER 30

### PART II

#### MILK, DAIRIES AND CREAM SUBSTITUTES

##### *Cream substitutes*

#### **48 Misuse of designation "cream"**

- (1) a person is guilty of an offence who sells, or offers or exposes for sale, for human consumption—
  - (a) any substance which resembles cream in appearance, but is not cream, or
  - (b) any article of food containing such a substance,under a description or designation which includes the word "cream" (whether or not as part of a composite word).
- (2) Subsection (1) does not apply to the sale, or offer or exposure for sale—
  - (a) of any substance being reconstituted or imitation cream as defined by this section, or of any article containing such a substance, under a description or designation which identifies the substance as such ; or
  - (b) of any substance under a description or designation which indicates that the substance is not for use as, or as a substitute for, cream.
- (3) In this section "reconstituted cream" means a substance which, not being cream, resembles cream in appearance and contains no ingredient not derived from milk, except—
  - (a) water, or
  - (b) ingredients (not added fraudulently to increase bulk, weight or measure, or conceal inferior quality) which may lawfully be contained in a substance sold for human consumption as cream,and "imitation cream" means a substance which, not being cream or reconstituted cream, resembles cream in appearance and is produced by emulsifying edible oils or fats with water, either by themselves or with other substances which are neither

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*Status: This is the original version (as it was originally enacted).*

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prohibited by regulations made for the purposes of this section under section 4, nor added in quantities so prohibited.

- (4) For the purposes of this section, the description or designation under which a substance or article is sold, or offered or exposed for sale, shall be deemed to include the word "cream" if it includes any other word (composite or otherwise) which is calculated to lead a purchaser to suppose that the substance is or, as the case may be, the article contains either cream or a substance for use as cream.

#### **49 Reconstituted cream**

Such of the following provisions as apply in relation to cream—

- (a) any provision of this Part,
- (b) any provisions of Milk and Dairies Regulations, other than provisions relating to the registration of dairymen and dairies, and
- (c) any provision of Milk (Special Designation) Regulations,

also apply in relation to reconstituted cream as defined by section 48, save as otherwise expressly provided.