
STATUTORY INSTRUMENTS

1984 No. 1518 (S.127)**FOOD****COMPOSITION AND LABELLING****The Bread and Flour (Scotland) Regulations 1984***Made* - - - - - 17th September 1984*Laid before Parliament* 4th October 1984*Coming into Operation* 25th October 1984**ARRANGEMENT OF REGULATIONS****PART I**

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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 Bread and Flour (Scotland) Regulations 1984 and shall come into operation on 25th October 1984.

Interpretation

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

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

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

“bread” means a food of any size, shape or form which—

(a) is usually known as bread, and

(b) consists of a dough made from flour and water, with or without other ingredients, which has been fermented by yeast or otherwise leavened and subsequently baked or partly baked,

but does not include chapatis, pitta bread, chollas, potato bread, buns, bunloaves or bread specially prepared for coeliac sufferers;

“cereal” means the fruit of any cultivated grass of the family Gramineae;

“crude fibre” means the organic matter contained in the dried defatted residue obtained by digesting bread or flour successively with boiling acid and boiling alkali;

“flour” means the product which is derived from, or separated during, the milling or grinding of cleaned cereal, whether or not the cereal has been malted or subjected to any other process, and includes meal, but does not include other cereal products, such as separated cereal bran, separated cereal germ, semolina or grits;

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

(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); section 56(8) was amended by and section 56(8A) inserted by Schedule 15, paragraph 8 to the Criminal Justice Act 1982 (c. 48) and S.I. 1984/526.
(b) S.I. 1984/1519.

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

“malt flour” means flour derived from malted cereal;

“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.

(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.

(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.

(5) The use in these regulations of a name that is prescribed for a food by regulation 5, other than “flour”, shall be taken to be a reference to the food for which the name is so prescribed.

(6) The use in these regulations of the word “bread” preceded by a word that is required by regulation 6 to be included in the name of a type of bread shall be taken to be a reference to bread of that type.

Exemptions

3. These regulations do not apply to any food which is—

- (a) not intended for sale for human consumption; or
- (b) intended at the time of sale for export to any place outside the United Kingdom; or
- (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).

PART II

Composition of flour

4.— (1) Subject to paragraph (2) of this regulation, flour derived from wheat and from no other cereal whether or not mixed with other flour shall contain the substances specified in column 1 of Schedule 1 in accordance with the proportions and conditions prescribed in column 2 of that Schedule and with Schedule 5.

(a) 1952 c. 67.

- (2)(a) The requirements specified for item 1 in column 2 of Schedule 1 shall not apply in the case of—
- (i) wholemeal,
 - (ii) self raising flour which has a calcium content of not less than 0.2 per cent, and
 - (iii) wheat malt flour.
- (b) the substances specified in items 2–4 of Schedule 1 shall in the case of—
- (i) wholemeal, be naturally present in the quantities specified in column 2 of that Schedule, and not added;
 - (ii) flour other than wholemeal, be added where such addition is necessary in accordance with the conditions prescribed in column 2 of that Schedule.
- (3) Subject to paragraph (4) of this regulation—
- (a) no manufacturer of flour shall sell any flour which does not comply with this regulation;
- (b) no importer of flour shall—
- (i) import into Scotland any flour, or
 - (ii) sell any flour imported by him, which does not comply with this regulation.
- (4) This regulation shall not apply as respects any sale or importation into Scotland, of flour—
- (a) for use by the Secretary of State for Scotland, or by any person authorised to purchase or import the flour on his behalf, for stockpiling or experimental purposes;
 - (b) for use in the manufacture of communion wafers, matzos, gluten, starch or any concentrated preparation for use for the purpose of facilitating the addition to flour of the substances referred to in Schedule 1;
 - (c) for use for the purpose of diagnosis, treatment or research.

Name of the food: flour

5.— (1) Subject to paragraph (2) and (4) of this regulation, for the purposes of the Food Labelling (Scotland) Regulations 1984 the name used as the name of the food in the labelling of any flour shall be—

- (a) where the flour is derived from wheat and from no other cereal, the name—
- (i) “wholemeal” or “wholemeal flour” if the flour consists of the whole of the product obtained from the milling or grinding of cleaned wheat;
 - (ii) “brown flour” if the flour has a crude fibre content derived from wheat of not less than 0.6 per cent calculated on the dry matter, but does not consist of the whole of the product obtained from the milling or grinding of cleaned wheat; and

(iii) "flour" in any other case.

(b) where the flour is derived wholly from a cereal other than wheat, "flour", immediately preceded by the names of all the cereals from which the flour is derived.

(2) The name used as the name of the food in the labelling of flour consisting of the whole of the product obtained from the milling or grinding of cleaned cereals may be qualified by the word "wholemeal".

(3) In determining whether flour falls within paragraphs (1) and (2) of this regulation no account shall be taken of the presence of any barley malt flour in small quantities for technological purposes.

(4) The name used for any flour which has an available carbon dioxide content, determined in accordance with Schedule 4, of not less than 0.4 per cent shall include the word "self-raising".

(5) Notwithstanding regulation 9 of the Food Labelling (Scotland) Regulations 1984, it shall not be necessary to include in the name used for any food consisting of flour an indication of the presence of—

- (a) any prepared wheat gluten which has been added in small quantities for technological purposes;
- (b) any barley malt flour or any wheat malt flour which has been added in small quantities for technological purposes; or
- (c) any substance required by regulation 4 to be present in the flour.

Name of the food: bread

6.— (1) Subject to paragraph (4) of this regulation, for the purposes of the Food Labelling (Scotland) Regulations 1984(a) the name used as the name of the food in the labelling of any bread shall include where all the flour used in the preparation of the bread as an ingredient is flour derived from wheat and no other cereal, the word—

- (a) (i) "wholemeal" if all the flour used as an ingredient in the preparation of the bread is wholemeal;
- (ii) "brown" if the bread has a crude fibre content derived from wheat of not less than 0.6 per cent calculated on the dry matter and has an ingredient flour other than wholemeal; (whether or not it also includes such flour),
- (iii) "wheat germ" if the bread has an added processed wheat germ content of not less than 10 per cent calculated on the dry matter of the bread;
- (iv) "white" in any other case; and
- (b) "soda" if sodium hydrogen carbonate has been used as an ingredient in the preparation of the bread.

(2) The name used as the name of the food in the labelling of any bread may include, where all the flour used as an ingredient in the preparation of the

(a) S.I. 1984/1519.

bread consists of the whole of the product obtained from the milling or grinding of cleaned cereal, the word "wholemeal".

(3) In determining whether bread falls within paragraph (1) and (2) of this regulation no account shall be taken of—

- (a) any rice flour used as an ingredient in the preparation of the bread if rice flour does not constitute more than 2 per cent of the flour used; or
- (b) any barley malt flour used as an ingredient in the preparation of the bread in small quantities for technological purposes.

(4) Paragraph (1) of this regulation shall not apply to bread sold under the name "malt bread" or "malt loaf".

(5) The name used for bread that has been aerated shall include the word "aerated" unless it is required by paragraph (1) of this regulation to include the word "soda". For the purpose of this paragraph bread shall be taken to have been aerated if air, carbon dioxide or nitrogen, or a combination thereof, has been incorporated into the dough, whether by mechanical or chemical means, as a major method of leavening, whether or not the bread has been otherwise leavened.

(6) The name used for bread that is not suitable for consumption without further cooking shall include either the expression "part-baked" or the expression "partly baked".

(7) Notwithstanding regulation 9 of the Food Labelling (Scotland) Regulations 1984, and subject to paragraph (8) of this regulation, where any bread contains one or more of the ingredients specified in column 1 of Schedule 2, and—

- (a) the ingredient is present in a proportion not exceeding the proportion, if any, specified for the ingredient in column 2 of Schedule 2; or
- (b) where no proportion is so specified, the ingredient has been used in small quantities for technological purposes

it shall not be necessary to include in the name used for the bread an indication of the presence of the ingredient so specified.

(8) The name used for wholemeal bread in which one or more of the ingredients specified in Part I of Schedule 2 has been used shall include an indication of the presence of that ingredient.

Restrictions on the use of certain names

7.— (1) A name that is prescribed or permitted for a food by regulation 5, other than the name "flour", shall not be used in the labelling or advertising of any food as the name of the food, whether or not qualified by other words, unless the food is the food for which the name is so prescribed or permitted.

(2) A word or expression that is required or permitted by regulation 6 to be included in the name of bread of any type shall not be used in the labelling or advertising of any bread as part of the name of the food unless the bread is bread of the type in whose name the word or expression is required or permitted by regulation 6 to be included.

(3) A name that is prescribed or permitted for flour of any type by regulation 5, other than the name "flour", shall not be used in the labelling or advertising of any food, whether or not qualified by other words, in such a way as to suggest, either expressly or by implication, that the flour designated by that name is an ingredient of the food unless the food has as an ingredient flour of the type for which the name is so prescribed or permitted.

(4) A word or expression that is required or permitted by regulation 6 to be included in the name of bread of any type shall not be used in the labelling or advertising of any food, as part of a name that might be taken to be the name of a type of bread, in such a way as to suggest, either expressly or by implication, that bread of the type designated by that name is an ingredient of the food unless the food has as an ingredient bread of the type in whose name the word or expression is required or permitted by regulation 6 to be included.

(5) The name "wheatmeal", whether or not qualified by other words, shall not be used in the labelling or advertising of any bread or flour.

Additional ingredients

8.— (1) No additive other than an additive specified in column 1 of Schedule 3 shall be used as an ingredient of flour or bread.

(2) No additive specified in column 1 of Schedule 3 shall be used as an ingredient of flour or bread unless—

(a) the flour or bread is flour or bread of a type specified in relation to the additive in column 2 of that Schedule, and

(b) the quantity of the additive used in the flour or bread does not exceed the maximum quantity, if any, specified in the appropriate entry in column 3 of that Schedule, or, if no maximum quantity is so specified, the quantity of the additive used in the flour or bread accords with good manufacturing practice.

(3) Without prejudice to the generality of regulation 18 of the Food Labelling (Scotland) Regulations 1984, where an additive has been used as an ingredient of any bread to serve the function of a flour improver, an indication of the presence of flour improver shall appear—

(a) in the list of ingredients of the bread as prescribed by regulation 15 of the said regulations, where the bread is marked or labelled with a list of ingredients; or

(b) on a label, ticket or notice as prescribed by regulation 33 of the said regulations, where by virtue of regulation 24 of the said regulations the bread is not marked or labelled with a list of ingredients.

(4) For the purposes of this regulation an additive shall not be regarded as having been used as an ingredient of bread if it was a constituent of an ingredient of the bread unless either—

(a) it was a constituent of flour used as an ingredient of the bread, or

(b) it served a significant technological function in the preparation of the bread, or

(c) it serves a significant technological function in the finished product.

Doughs and dry mixes

9. For the purposes of the Food Labelling (Scotland) Regulations 1984 the name used as the name of the food in the labelling of dough or a dry mix that is, in either case, intended to be made into bread shall include the name of the type of bread into which the dough or dry mix is intended to be made, and the name of that type of bread shall include any word or expression that would be required by regulation 5 to be included on a sale of bread of that type.

PART III

Sampling of flour

10.— (1) No prosecution for an offence against regulation 4 shall be begun in respect of any flour unless a sample of that flour has been taken at a mill in accordance with paragraph (2) of this regulation or at a dock in accordance with paragraph (3) of this regulation.

(2) A sampling officer who takes a sample of flour at a mill shall—

- (a) if the flour is in the flour stream, take from the flour stream at a place as near to the end thereof as is practicable either manually or by means of an automatic sampling device not less than six consecutive samples of flour, allowing an interval of not less than ten minutes and not more than fifteen minutes between the taking of each sample, or
- (b) if the flour is in containers, take one sample of flour from each of not less than six containers in any one consignment or among the produce of one milling run.

The said samples shall be thoroughly mixed together and the resulting admixture shall be deemed to be one sample for the purposes of the Act and paragraph (1) of this regulation.

(3) A sampling officer who takes a sample of flour at a dock shall take one sample from each of not less than six containers in any one consignment. The said samples shall be thoroughly mixed together and the resulting admixture shall be deemed to be one sample for the purposes of the Act and paragraph (1) of this regulation.

Offences and penalties

11. 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.

Enforcement

12. Each district and islands council shall enforce and execute these regulations within their area.

Application of various provisions of the Act

13.— (1) Subject to paragraph (2) of this regulation, the following provisions of the Act^(a) 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.

Transitional provisions

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

- (a) (i) the act was committed before 1st July 1986, or
(ii) the act was committed in relation to food prepacked before 1st January 1986; and
- (b) the matters constituting the offence would not have constituted an offence against the Bread and Flour (Scotland) Regulations 1963^(b) if those regulations had been in operation when the act was committed or the food was prepacked.

Amendments

15. The regulations specified in Schedule 6 are hereby amended in accordance with that Schedule.

Revocations

16. The orders and regulations specified in Schedule 7 are hereby revoked to the extent specified in column 3 of that Schedule.

(a) 1956 c. 30.

(b) S.I. 1963/1461, amended by S.I. 1970/1127, 1972/1489, 1981/137.

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

New St Andrew's House,
Edinburgh.
17th September 1984.

SCHEDULE 1

Regulation 4(1)

ESSENTIAL INGREDIENTS OF FLOUR

Column 1	Column 2
<i>Substance</i>	<i>Required quantity, in milligrams per hundred grams of flour, and conditions of use.</i>
1. Calcium carbonate	<p>(a) not less than 235, and</p> <p>(b) not more than 390,</p> <p>(c) which satisfies the purity criteria specified for the entry E170 Calcium carbonate in Part II of Schedule 1 to the Miscellaneous Additives in Food (Scotland) Regulations 1980(a) and which is of granularity standard—</p> <p>(i) not more than 0.1 per cent to remain on a sieve of nominal aperture size 150 μm, and</p> <p>(ii) not more than 0.2 per cent to remain on a sieve of nominal aperture size 63 μm.</p>
2. Iron	<p>(a) not less than 1.65,</p> <p>(b) in the form of any, or any combination of two or more, of the following:—</p> <p>(i) ferric ammonium citrate which satisfies the purity criteria specified for the entry ammonium ferric citrate in Part II of Schedule 1 to the Miscellaneous Additives in Food (Scotland) Regulations 1980;</p> <p>(ii) green ferric ammonium citrate which satisfies the purity criteria specified for the entry ammonium ferric citrate, green in Part II of Schedule 1 to the Miscellaneous Additives in Food (Scotland) Regulations 1980;</p> <p>(iii) ferrous sulphate conforming to the criteria in the monograph for ferrous sulphate contained in the British Pharmacopoeia 1980 at page 193;</p> <p>(iv) dried ferrous sulphate conforming to the criteria in the monograph for dried ferrous sulphate contained in the British Pharmacopoeia 1980 at page 194;</p> <p>(v) iron powder conforming to the description, specification and requirements contained in Schedule 5.</p>
3. Thiamin (Vitamin B ₁)	<p>(a) not less than 0.24,</p> <p>(b) in a form conforming to the criteria in the monograph for thiamine hydrochloride contained in the British Pharmacopoeia 1980 at page 451.</p>

(a) S.I. 1980/1889, to which there are amendments not relevant to these regulations.

Regulation 4(1)

SCHEDULE 1 *cont.*

ESSENTIAL INGREDIENT OF FLOUR

Column 1	Column 2
4. Nicotinic acid <i>or</i> Nicotinamide	(a) not less than 1.60, (b) which satisfies the purity criteria specified for the entry nicotinic acid in Part II of Schedule 1 to the Miscellaneous Additives in Food (Scotland) Regulations 1980; (a) not less than 1.60, (b) in a form conforming to the criteria in the monograph for nicotinamide contained in the British Pharmacopoeia 1980 at page 303.

SCHEDULE 2

Regulation 6(7) and (8)

ADDITIONAL INGREDIENTS OF BREAD

PART I

Column 1	Column 2
<i>Ingredient</i>	<i>Proportion, if any</i>
Milk and milk products. Liquid or dried egg. Wheat germ.	
Rice flour. Cracked oat grain, oatmeal, oat flakes.	20g per kg of flour.

PART II

Column 1	Column 2
<i>Ingredient</i>	<i>Proportion, if any</i>
Soya bean flour.	50g per kg of flour in the case of brown bread. 20g per kg of flour in other cases.
Salt. Vinegar. Oils and fats. Malt extract. Malt flour. Any soluble carbohydrate sweetening matter. Prepared wheat gluten. Poppy seeds, sesame seeds, caraway seeds. Cracked wheat, cracked or kibbled malted wheat, flaked malted wheat, kibbled malted rye, cracked or kibbled malted barley.	
Starch other than modified starch.	225mg per kg of flour.

Regulation 8(1) and (2)

SCHEDULE 3

ADDITIVES PERMITTED IN FLOUR AND BREAD

Column 1	Column 2	Column 3
<i>Additive</i>	<i>Types of flour and bread in which additive may be used</i>	<i>Maximum quantity, if any, in milligrams per kilogram of flour, except where otherwise stated.</i>
E150 Caramel	Wholemeal; brown flour. Wholemeal bread; brown bread; malt bread.	
E170 Calcium carbonate	All flour, except wholemeal. All bread	2000
E220 Sulphur dioxide E223 Sodium metabisulphite	All flour intended for use in the manufacture of biscuits or pastry, except wholemeal.	The total quantity of these additives used must not exceed 200 calculated as sulphur dioxide.
E260 Acetic acid E262 Sodium hydrogen diacetate E270 Lactic acid	All bread.	
E280 Propionic acid E281 Sodium propionate E282 Calcium propionate E283 Potassium propionate	All bread.	The total quantity of these additives used must not exceed 3000 calculated as propionic acid.
E290 Carbon dioxide	Aerated bread; all prepacked bread.	
E300 L-Ascorbic acid	All flour, except wholemeal. All bread.	200
E322 Lecithins	All bread.	
E330 Citric acid E333 <i>tri</i> Calcium citrate	Rye bread.	
E336 <i>mono</i> Potassium L-(+)-tartrate E341 Calcium tetrahydrogen diorthophosphate	Self-raising flour; flour intended for use in the manufacture of buns or scones. All bread.	
E341 <i>tri</i> Calcium diorthophosphate	All flour, except wholemeal. All bread.	600

SCHEDULE 3 *cont.*

Column 1	Column 2	Column 3
<i>Additive</i>	<i>Types of flour and bread in which additive may be used</i>	<i>Maximum quantity, if any, in milligrams per kilogram of flour, except where otherwise stated.</i>
E450 (a) <i>di</i> Sodium dihydrogen diphosphate	Self-raising flour; flour intended for use in the manufacture of buns or scones. All bread.	
E460 <i>alpha</i> -Cellulose E466 Carboxy-methylcellulose, sodium salt	Bread for which a slimming claim is made.	
E471 Mono- and diglycerides of fatty acids E472(b) Lactic acid esters of mono- and diglycerides of fatty acids E472(c) Citric acid esters of mono- and diglycerides of fatty acids E472(e) Mono- and diacetyltartaric acid esters of mono- and diglycerides of fatty acids	All bread.	
E481 Sodium stearoyl-2-lactylate E482 Calcium stearoyl-2-lactylate	All bread.	The total quantity of these additives used must not exceed 5,000 based on the weight of the bread.
E483 Stearyl tartrate	All bread.	
E500 Sodium hydrogen carbonate	Self-raising flour; flour intended for use in the manufacture of buns or scones. Soda bread.	
510 Ammonium chloride	All bread.	
516 Calcium sulphate	All flour except wholemeal All bread	4000
541 Sodium aluminium phosphate, acidic	Self-raising flour; flour intended for use in the manufacture of buns or scones. Soda bread.	

SCHEDULE 3 *cont.*

Column 1	Column 2	Column 3
<i>Additive</i>	<i>Types of flour and bread in which additive may be used</i>	<i>Maximum quantity, if any, in milligrams per kilogram of flour, except where otherwise stated.</i>
575 D-Glucono-1, 5-lactone	Self-raising flour; flour intended for use in the manufacture of buns or scones. Soda bread.	
920 L-Cysteine hydrochloride	(a) All flour used in the manufacture of biscuits, except wholemeal or flour to which E220 Sulphur dioxide or E223 Sodium metabisulphite has been added. (b) Other flour, except wholemeal. All bread, except wholemeal.	300 75
924 Potassium bromate	All flour, except wholemeal. All bread, except wholemeal.	50
925 Chlorine	All flour intended for use in the manufacture of cakes except wholemeal.	2,500
926 Chlorine dioxide	All flour, except wholemeal. All bread, except wholemeal.	30
927 Azodicarbonamide	All flour, except wholemeal. All bread, except wholemeal.	45
Ammonium dihydrogen orthophosphate <i>di</i> Ammonium hydrogen orthophosphate Ammonium sulphate	All bread.	
<i>alpha</i> -Amylases Proteinases	All flour. All bread.	
Nitrogen	Aerated bread.	
Benzoyl peroxide	All flour, except wholemeal. All bread, except wholemeal.	50

SCHEDULE 4

Regulation 5(4)

AVAILABLE CARBON DIOXIDE CONTENT OF FLOUR

1. The available carbon dioxide content of flour is the difference between—
 - (a) the total weight of carbon dioxide in the flour, and
 - (b) the weight of residual carbon dioxide in the flour, expressed as a percentage of the total weight of the flour.
2. The total weight of carbon dioxide in flour is the weight of carbon dioxide evolved when the flour is treated with excess of dilute sulphuric acid, the evolution being completed either by boiling for 5 minutes or by means of reduced pressure.
3. The weight of residual carbon dioxide in flour is determined as follows. The flour (which must weigh not less than 5g) is mixed to a smooth paste with distilled water. A further quantity of distilled water, amounting in all to not less than 20 times the weight of the flour, is then incorporated. The mixture is heated in a boiling water bath for 30 minutes, being vigorously stirred for the first 5 minutes and thereafter for approximately half a minute at intervals of approximately 5 minutes. The mixture is then boiled for 3 minutes, being vigorously stirred all the time, and is then transferred to an apparatus for determining carbon dioxide, through which air that contains no carbon dioxide is passed for not less than 10 minutes. The weight of residual carbon dioxide in the flour is the weight of carbon dioxide evolved when the mixture is then treated with excess of dilute sulphuric acid, the evolution being completed either by boiling for 5 minutes or by means of reduced pressure.

SCHEDULE 5

Regulation 4(1)

SPECIFICATION FOR IRON POWDER

Definition

Iron powder shall consist essentially of finely-divided metallic iron containing not less than 90 per cent by weight of iron and conform to the following requirements.

Chemical name Iron.

Symbol Fe.

Description

Fine greyish-black powder of such granularity that not more than 0.1 per cent by weight shall remain on a British Standard 410:1969 wire sieve nominal aperture size 150 μm and not more than 5 per cent by weight on a British Standard 410:1969 wire sieve nominal aperture size 53 μm .

Assay

Accurately weigh 0.25g of sample into a stoppered flask. Add a hot solution of 1.25g of copper sulphate pentahydrate in 20ml of water and shake for ten minutes. Filter rapidly and wash the filter with water; acidify the mixed filtrate and washings with sulphuric acid, and titrate with N/10 potassium permanganate. Each ml of N/10 potassium permanganate is equivalent to 0.005585g of iron.

Solubility

Not less than 95 per cent of the iron content when determined by the following method.

Accurately weigh 0.1g of sample into a 750ml conical flask. Add 450ml 0.2 per cent weight in weight hydrochloric acid previously warmed to 37°C. Stir continuously for three hours, maintaining the temperature at 37°C. Cool to room temperature and dilute to 500ml with distilled water. Filter; determine the iron content of the filtrate by a suitable method. Calculate the total iron in solution as a percentage of the metallic iron content of the sample taken.

Regulation 15

SCHEDULE 6

AMENDMENTS

The Arsenic in Food (Scotland) Regulations 1959

1.— (1) In regulation 2(1) of the Arsenic in Food (Scotland) Regulations 1959(a) for the definition of “flour” there shall be substituted the words “‘flour’ has the meaning assigned to it by regulation 2(1) of the Bread and Flour (Scotland) Regulations 1984;”

The Solvents in Food (Scotland) Regulations 1968

2. In regulation 2(1) of the Solvents in Food (Scotland) Regulations 1968(b)—

- (a) the definitions of “permitted bleaching agent” and “permitted improving agent” shall be deleted; and
- (b) after the definition of “permitted emulsifier” there shall be inserted the following definition:—

“permitted miscellaneous additive” means any miscellaneous additive in so far as its use is permitted by the Miscellaneous Additives in Food (Scotland) Regulations 1980(c);’ and
- (c) in the definition of “solvent” for the words from “lactic acid” to the end of the definition there shall be substituted the words “any permitted antioxidant, permitted sweetener, permitted colouring matter, permitted emulsifier, permitted miscellaneous additive, permitted preservative or permitted stabiliser”.

(a) S.I. 1959/928; relevant amending instruments are S.I. 1963/1461, 1972/1489.

(b) S.I. 1968/263; to which there are amendments not relevant to these regulations.

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

The Antioxidants in Food (Scotland) Regulations 1978

3. In regulation 2(1) of the Antioxidants in Food (Scotland) Regulations 1978(a)—

- (a) there shall be deleted from the definition of “antioxidant” items (b) and (e);
- (b) the definitions of “permitted bleaching agent” and “permitted improving agent” shall be deleted; and
- (c) for the definition of permitted miscellaneous additive” there shall be substituted the following definition:—

“permitted miscellaneous additive” means any miscellaneous additive in so far as its use is permitted by the Miscellaneous Additives in Food (Scotland) Regulations 1980;’.

The Preservatives in Food (Scotland) Regulations 1979

4.—(1) In regulation 2(1) of the Preservatives in Food (Scotland) Regulations 1979(b)—

- (a) the definitions of “permitted bleaching agent” and “permitted improving agent” shall be deleted;
- (b) for the definition of “permitted miscellaneous additive” there shall be substituted the following definition:—

“permitted miscellaneous additive” means any miscellaneous additive, in so far as its use is permitted by the Miscellaneous Additives in Food (Scotland) Regulations 1980;’; and

- (c) there shall be deleted from the definition of “preservative” items (c) and (f).

(2) In regulation 4(1) of the Preservatives in Food (Scotland) Regulations 1979 there shall be added the following paragraph:—

“(i) flour may contain sulphur dioxide or sodium metabisulphite as prescribed by the Bread and Flour (Scotland) Regulations 1984.”.

(3) In Schedule 2 to the Preservatives in Food (Scotland) Regulations 1979—

for the item relating to bread there shall be substituted the following item:—

In column 1 (Specified Food)	In column 2 (Permitted Preservative)	In column 3 (Except where otherwise stated, milligrams per kilogram not exceeding—)
“Bread	Propionic acid	As prescribed by the Bread and Flour (Scotland) Regulations 1984”.

(a) S.I. 1978/492, to which there are amendments not relevant to these regulations.

(b) S.I. 1979/1073, to which there are amendments not relevant to these regulations.

The Emulsifiers and Stabilisers in Food (Scotland) Regulations 1980

5.— (1) In regulation 2(1) of the Emulsifiers and Stabilisers in Food (Scotland) Regulations 1980(a)—

- (a) there shall be deleted from the definition of “emulsifier” and “stabiliser” items (iv) and (vi);
- (b) the definitions of “permitted bleaching agent” and “permitted improving agent” shall be deleted; and
- (c) for the definition of “permitted miscellaneous additive” there shall be substituted the following definition:—

“permitted miscellaneous additive” means any miscellaneous additive in so far as its use is permitted by the Miscellaneous Additives in Food (Scotland) Regulations 1980;.

(2) In Part II of Schedule 2 to the Emulsifiers and Stabilisers in Food (Scotland) Regulations 1980 for item (a) there shall be substituted the following item:—

In column 1 (Specified food)	In column 2 (Permitted emulsifier or permitted stabiliser)	In column 3 (Milligrams per kilogram not exceeding—)
“(a) Bread	As prescribed by the Bread and Flour (Scotland) Regulations 1984	As prescribed by the Bread and Flour (Scotland) Regulations 1984”.

(3) The note to the said Part II shall be deleted.

The Miscellaneous Additives in Food (Scotland) Regulations 1980

6.— (1) In regulation 2(1) of the Miscellaneous Additives in Food (Scotland) Regulations 1980(b)—

- (a) after the definition of “flavour modifier” there shall be inserted the following definitions:—

“flour bleaching agent” means any substance which is capable, and generally used for the purpose, of removing colour from flour;

“flour improver” means l-Cysteine hydrochloride and sulphur dioxide or sodium metabisulphite when used as prescribed by the Bread and Flour (Scotland) Regulations 1984 and any substance which is capable and generally used for the purpose of simulating the effects produced by the natural ageing of flour;”;

- (b) for the definition of “miscellaneous additive” there shall be substituted the following definition:—

“miscellaneous additive” means any acid, anti-caking agent,

(a) S.I. 1980/1888, to which there are amendments not relevant to these regulations.

(b) S.I. 1980/1889, to which there are amendments not relevant to these regulations.

antifoaming agent, base, buffer, bulking aid, firming agent, flavour modifier, flour bleaching agent, flour improver, glazing agent, humectant, liquid freezant, packaging gas, propellant, release agent or sequestrant, but does not include—

- (a) any natural food substance,
- (b) any permitted antioxidant,
- (c) any permitted sweetener,
- (d) any permitted colouring matter,
- (e) any permitted emulsifier,
- (f) any permitted preservative,
- (g) any permitted solvent,
- (h) any permitted stabiliser,
- (i) starches, whether or not modified,
- (j) caseinates,
- (k) proteins, protein concentrates and protein hydrolysates,
- (l) sodium chloride,
- (m) normal straight chain fatty acids derived from food fats; and

(c) the definitions of “permitted bleaching agent” and “permitted improving agent” shall be deleted.

(2) In Part I of Schedule 1 to the Miscellaneous Additives in Food (Scotland) Regulations 1980—

(a) after the item relating to 2-aminoethanol there shall be inserted the following item:—

In column 1 (Name of Miscellaneous Additive)	In column 2 (Serial number)
“Azodicarbonamide.....	927”;

(b) after the item relating to beeswax, yellow, there shall be inserted the following items:—

In column 1	In column 2
“Benzoyl peroxide.....	924”;
Potassium bromate	

(c) after the item relating to *alpha*-Cellulose there shall be inserted the following items:—

In column 1	In column 2
“Chlorine	925
Chlorine dioxide	926”;

- (d) after the item relating to ammonium ferric citrate, green, there shall be inserted the following item:—

In column 1	In column 2
"L-Cysteine hydrochloride....."	920".

- (3) In Part II of Schedule 1 to the Miscellaneous Additives in Food (Scotland) Regulations 1980—

- (a) after the item relating to 2-aminoethanol there shall be inserted the following item:—

"Azodicarbonamide

The criteria in the monograph for azodicarbonamide contained in the Food Chemicals Codex 1981 at page 31.";

- (b) after the item relating to beeswax, yellow, there shall be inserted the following items:—

"Benzoyl peroxide

The criteria in the monograph for benzoyl peroxide in the Food Chemicals Codex 1981 at page 35.

Potassium bromate

The criteria in the monograph for potassium bromate contained in the Food Chemicals Codex 1981 at page 240.";

- (c) after the item relating to *alpha*-Cellulose there shall be inserted the following items:—

"Chlorine

The standard for chlorine contained in British Standard 3947:1976.

Chlorine dioxide

A gaseous mixture with air containing not more than 4% v/v of chlorine dioxide and not more than 1% v/v of chlorine."; and

- (d) after the item relating to ammonium ferric citrate, green, there shall be inserted the following item:—

"L-Cysteine hydrochloride

Chemical description	L-2-amino-3-mercaptopropanoic acid hydrochloride or L-2-amino-3-mercaptopropanoic acid hydrochloride monohydrate.
Description	White, crystalline powder or colourless crystals.
Content	Not less than 98% of C ₃ H ₇ NO ₂ S.HCl calculated on an anhydrous basis.
Specific rotation $[\alpha]_D^{20^\circ C}$	+5.5° to +7.8° for 8g of sample made up to 100ml with N hydrochloric acid.
Sulphated ash	Not more than 0.1%.".

(4) In Schedule 2 to the Miscellaneous Additives in Food (Scotland) Regulations 1980—

(a) after the item relating to brandy there shall be inserted the following item:—

In column 1 (Specified Food)	In column 2 (Permitted Miscellaneous Additive)	In column 3 (Except where otherwise stated, milligrams per kilogram not exceeding—)
"Bread....."	Azodicarbonamide Benzoyl peroxide Potassium bromate Chlorine dioxide L-Cysteine hydrochloride	As prescribed by the Bread and Flour (Scotland) Regulations 1984"; and

(b) after the item relating to chocolate products there shall be inserted the following item:—

In column 1	In column 2	In column 3
"Flour....."	Azodicarbonamide Benzoyl peroxide Potassium bromate Chlorine Chlorine dioxide L-Cysteine hydrochloride	As prescribed by the Bread and Flour (Scotland) Regulations 1984".

SCHEDULE 7

Regulation 16

REVOCATIONS

Column 1 <i>S.R. & O. or S.I.No.</i>	Column 2 <i>Title</i>	Column 3 <i>Extent of revocation</i>
1944/46	The Food Standards (Baking Powder and Golden Raising Powder) Order 1944	The whole order
1946/157	The Food Standards (Self-Raising Flour) Order 1946	Articles 1 to 3 and Schedule 1
1959/2182	The Fluorine in Food (Scotland) Regulations 1959	The whole instrument
1963/1461	The Bread and Flour (Scotland) Regulations 1963	The whole instrument
1972/1489	The Bread and Flour (Scotland) Amendment Regulations 1972	The whole instrument
1975/1594	The Fluorine in Food (Scotland) Amendment Regulations 1975	The whole instrument

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations which apply in Scotland only, supersede the Bread and Flour (Scotland) Regulations 1963 and other related orders and regulations controlling the composition of flour.

The principal effect of the regulations is to—

- (a) continue to require that wheat flour (subject to certain exceptions) be fortified with specified nutrients (regulation 4, Schedule 1);
- (b) prescribe the names by which flour may be sold, including the names “wholemeal”, “brown flour”, “flour” and “self-raising”, by reference to its composition (regulation 5 and Schedule 4);
- (c) prescribe words which must be included in the names by which bread, other than malt bread, may be sold, including the words “wholemeal”, “brown”, “wheatgerm”, “white”, “soda” and “aerated”, by reference to compositional requirements (regulation 6 and Schedule 2);
- (d) make it an offence to use a name so prescribed or permitted in contravention of the regulations, and prohibit the use of the word “wheatmeal” in the labelling or advertising of bread and flour (regulation 7);
- (e) restrict the additives that may be used in bread and flour and require that an indication of the presence of flour improvers be given in the case both of prepacked and of non-prepacked bread (regulation 8 and Schedule 3);
- (f) require that the name by which dough or dry mix for making into bread is sold should correspond to the name prescribed by those regulations for the appropriate type of bread (regulation 9);
- (g) prescribe the method of sampling flour in respect of which it is intended to bring a prosecution for failing to fortify flour in accordance with regulation 4 (regulation 10);
- (h) make consequential amendments to various regulations controlling the use of additives in food (regulation 15 and Schedule 6).
- (i) prescribe offences and penalties and make supplementary provisions (regulations 11 and 12).

The regulations come into force on 25th October 1984 (regulation 1), but there are transitional provisions which make it a defence, to prove that the act was committed before 1st July 1986, or the food was prepacked before 1st January 1986, and that the matters constituting the offence would not have been an offence under the Bread and Flour (Scotland) Regulations 1963 (regulation 14).

The Food Chemicals Codex 1981, referred to in paragraph 6(3) of Schedule 6, may be inspected at the British Library Lending Division, Boston Spa, Wetherby, West Yorkshire, L523 7BQ (telephone Boston Spa 843434), and by appointment at the library of the Ministry of Agriculture, Fisheries and Food, Great Westminster House, Horseferry Road, London SW1P 2AE (telephone 01-216 7591).

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