

1989 No. 2321

FOOD
COMPOSITION AND LABELLING

**The Caseins and Caseinates (Amendment) Regulations
1989**

Made - - - - - *8th December 1989*

Laid before Parliament *12th December 1989*

Coming into force - *1st January 1990*

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Health and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 4, 7, 118 and 119 of the Food Act 1984(a) and now vested in them(b) and of all other powers enabling them in that behalf, hereby make the following Regulations after consultation in accordance with section 118(6) of the said Act with such organisations as appear to them to be representative of interests substantially affected by the Regulations:-

Title and commencement

1. These Regulations may be cited as the Caseins and Caseinates (Amendment) Regulations 1989 and shall come into force on 1st January 1990.

Interpretation

2. In these Regulations the expression "the principal Regulations" means the Caseins and Caseinates Regulations 1985(c) and, unless the context otherwise requires, any reference herein to a numbered regulation or to a Schedule shall be construed as a reference to the regulation so numbered in or to the Schedule to the principal Regulations.

Amendment of the principal Regulations

3. The principal Regulations shall be amended in accordance with regulations 4 to 7 of these Regulations.

4. At the end of regulation 2 there shall be added the following regulation:

"2A. Any reference in Part III of the Schedule to a "method" identified by a number shall be construed as a reference to the method of analysis for casein products described under that number in, and as read with the General Provisions of, Annex II to First Commission Directive 85/503/EEC(d).".

(a) 1984 c.30; section 132(1) contains a definition of "the Ministers" relevant to the exercise of the statutory powers under which these Regulations are made.

(b) In the case of the Secretary of State for Health, by virtue of S.I. 1988/1843.

(c) S.I. 1985/2026.

(d) OJ No. L308, 20.11.85, p. 12.

5. After regulation 6 there shall be added the following regulation:

"Sampling

6A. In relation to the sampling of casein products for analysis—

- (a) the powers of a sampling officer or of an officer of the Minister's department under section 78 or 83 respectively of the Food Act 1984 to procure samples, and
- (b) the duty of a sampling officer or of an officer of the Minister's department under section 80 or 83 respectively of and Part I of Schedule 7 to that Act to deal with samples,

shall be exercised and performed in accordance with the methods laid down in the Annex to First Commission Directive 86/424/EEC(a).".

6. Regulation 10 (amendment of the Food Labelling Regulations 1984) shall be revoked.

7. For Part III of the Schedule there shall be substituted the Part III set out in the Schedule to these Regulations.

Amendment of the Food Labelling Regulations 1984

8. As the first item in Schedule 3 (Generic names in list of ingredients) to the Food Labelling Regulations 1984(b), there shall be inserted, in Column 1, the word "Caseinates." and, in Column 2, the words "Any type of caseinate".

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 5th December 1989.



John Selwyn Gummer
Minister of Agriculture, Fisheries and Food

8th December 1989

Kenneth Clarke
Secretary of State for Health

7th December 1989

Peter Walker
Secretary of State for Wales

(a) OJ No. L243, 28.8.86, p. 29.

(b) S.I. 1984/1305, to which no amendments, apart from that specified in regulation 6 above, are relevant to these Regulations.

SCHEDULE

Regulation 7

NEW PART III OF THE SCHEDULE TO THE CASEINS AND CASEINATES REGULATIONS 1985

PART III

STANDARDS

(All percentages are by weight)

Edible acid casein	<p>(a) <i>Essential factors of composition</i></p> <ol style="list-style-type: none"> 1. Moisture content of not more than 10% determined by method 1. 2. Milk protein content, calculated on the dried extract, of not less than 90% determined by method 2. 3. Milk fat content, calculated on the dried extract, of not more than 2.25%. 4. Titratable acidity, expressed in ml of decinormal sodium hydroxide solution per g, of not more than 0.27 determined by method 3. 5. Ash content (including P_2O_5) of not more than 2.5% determined by method 4. 6. Anhydrous lactose content of not more than 1%. 7. Sediment content (burnt particles) of not more than 22.5 mg in 25 g. <p>(b) <i>Contaminants</i></p> <p>Lead content of not more than 1 mg per kg.</p> <p>(c) <i>Impurities</i></p> <p>No extraneous matter (such as wood or metal particles, hairs or insect fragments) in 25 g.</p> <p>(d) <i>Organoleptic characteristics</i></p> <ol style="list-style-type: none"> 1. <i>Odours</i>: No foreign odours. 2. <i>Appearance</i>: Colour ranging from white to creamy white; the product must not contain any lumps that would not break up under slight pressure.
Edible rennet casein	<p>(a) <i>Essential factors of composition</i></p> <ol style="list-style-type: none"> 1. Moisture content of not more than 10% determined by method 1. 2. Milk protein content, calculated on the dried extract, of not less than 84% determined by method 2. 3. Milk fat content, calculated on the dried extract, of not more than 2%. 4. Ash content (including P_2O_5) of not less than 7.5% determined by method 5. 5. Anhydrous lactose content of not more than 1%. 6. Sediment content (burnt particles) of not more than 22.5 mg in 25 g. <p>(b) <i>Contaminants</i></p> <p>Lead content of not more than 1 mg per kg.</p> <p>(c) <i>Impurities</i></p> <p>No extraneous matter (such as wood or metal particles, hairs or insect fragments) in 25 g.</p> <p>(d) <i>Organoleptic characteristics</i></p> <ol style="list-style-type: none"> 1. <i>Odour</i>: No foreign odours. 2. <i>Appearance</i>: Colour ranging from white to creamy white; the product must not contain any lumps that would not break up under slight pressure.

Edible caseinates

(a) *Essential factors of composition*

1. Moisture content of not more than 8% determined by method 1.
2. Milk protein casein content, calculated on the dried extract, of not less than 88% determined by method 2.
3. Milk fat content, calculated on the dried extract, of not more than 2%.
4. Anhydrous lactose content of not more than 1%.
5. pH value of 6.0 to 8.0 determined by method 6.
6. Sediment content (burnt particles) of not more than 22.5 mg in 25 g.

(b) *Contaminants*

Lead content of not more than 1 mg per kg.

(c) *Impurities*

1. No extraneous matter (such as wood or metal particles, hairs or insect fragments) in 25 g.

(d) *Characteristics*

1. *Odour*: No more than very slight foreign flavours and odours.
2. *Appearance*: Colour ranging from white to creamy white; the product must not contain any lumps that would not break up under slight pressure.
3. *Solubility*: Almost entirely soluble in distilled water, except for the calcium caseinate.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to England and Wales only, come into force on 1st January 1990. They amend the Caseins and Caseinates Regulations 1985 as follows:—

- (a) certain of the standards applicable to casein products are now required to be determined by methods of analysis set out in First Commission Directive 85/503/EEC (OJ No. L308, 20.11.85, p. 12) (regulations 4, 7 and Schedule);
- (b) casein products are required to be sampled for the purpose of analysis in accordance with First Commission Directive 86/424/EEC (OJ No. L243, 15.7.86, p. 29) (regulation 5);
- (c) caseinates is reinstated as a generic name for use in lists of ingredients as permitted by the Food Labelling Regulations 1984 (regulations 6 and 8).

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