

1985 No. 163

FOOD AND DRUGS

Composition

Lead in Food (Amendment) Regulations (Northern Ireland) 1985

Made

2nd July 1985

Coming into operation

31st December 1985

The Department of Health and Social Services(a), in exercise of the powers conferred on it by sections 4, 7 and 68 of the Food and Drugs Act (Northern Ireland) 1958(b) and of every other power enabling it in that behalf and after consultation in accordance with section 68(2) of that Act with such organisations as appear to it to be representative of interests substantially affected by these regulations, hereby makes the following regulations:

Citation, commencement and interpretation

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

(2) In regulations 2 and 3 any reference to a numbered regulation or Schedule shall be construed as a reference to the regulation or Schedule so numbered in the Lead in Food Regulations (Northern Ireland) 1979(c).

Amendment of the Lead in Food Regulations (Northern Ireland) 1979

2.—(1) In Part I of Schedule 1 the amendments specified in the following paragraphs shall be made.

(2) Items 14 (canned foods) and 25 (canned fish) shall be deleted.

(3) For item 27 (corned beef) there shall be substituted the following item—

<i>"Description of food</i>	<i>Proportion of lead expressed in milligrams per kilogram</i>
Corned beef	2.0".

(4) After item 39 there shall be added the following item—

<i>"Description of food</i>	<i>Proportion of lead expressed in milligrams per kilogram</i>
40. Condensed milk	0.5".

(a) See S.R. & O. (N.I.) 1964 No. 205 art. 5 and Sch. 2 Part I

(b) 1958 c. 27 (N.I.)

(c) S.R. 1979 No. 407, 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) 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.

Amendment of the Sweeteners in Food Regulations (Northern Ireland) 1983

4. The Sweeteners in Food Regulations (Northern Ireland) 1983(a) shall be amended by substituting for regulation 7(3) the following paragraph—

“(3) A permitted sweetener (including a permitted sweetener with which any other substance has been mixed) shall not be regarded as being marked or labelled in accordance with the foregoing paragraphs unless the particulars with which it is required to be marked or labelled by those paragraphs appear—

- (a) on the packaging; or
- (b) on a label attached to the packaging; or
- (c) on a label that is clearly visible through the packaging,

in such a way that they are easy to understand, clearly legible and indelible and are not hidden, obscured or interrupted by any other written or pictorial matter.”.

Sealed with the Official Seal of the Department of Health and Social Services on
2nd July 1985.

(L.S.)

Z. I. Davies

Under Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations come into operation on 31st December 1985. The principal purpose of the regulations is to amend the Lead in Food Regulations (Northern Ireland) 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 that—

- (a) most canned food is made subject to the general restriction on lead in food (1.0 milligram of lead per kilogram of food) by removing certain items from the list of specified foods in Schedule 1 (regulation 2(2));
- (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(3));
- (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(4)).

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

The regulations also amend the Sweeteners in Food Regulations (Northern Ireland) 1983, to correct layout.