

1966. No. 205

[C]

FOOD AND DRUGS

Composition and Labelling

Butter

REGULATIONS, DATED 31ST AUGUST 1966, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER SECTIONS 4, 7 AND 68 OF THE FOOD AND DRUGS ACT (NORTHERN IRELAND) 1958.

The Ministry of Health and Social Services, in exercise of the powers conferred upon it by Sections 4, 7 and 68 of the Food and Drugs Act (Northern Ireland) 1958(a), having consulted with such organisations as appear to it to be representative of interests substantially affected by these regulations, hereby makes the following regulations:—

Citation and Commencement

1. These regulations may be cited as the Butter Regulations (Northern Ireland) 1966 and shall come into operation on 1st September 1967.

Interpretation

2.—(1) In these regulations—

“the Act” means the Food and Drugs Act (Northern Ireland) 1958;
 “butter” means the fatty substance intended for sale for human consumption which—

(a) is usually known as butter,

(b) is derived exclusively from cow's milk the pH of which may have been adjusted by the addition of an alkali carbonate, and

(c) may contain one or more of the following substances, namely salt, lactic acid cultures, annatto, carotene or turmeric,
 and includes whey butter;

“container” includes any form of packaging of food for sale as a single item, whether by way of wholly or partly enclosing the food or by way of attaching the food to some other article, and in particular includes a wrapper or confining band;

“sell” includes offer or expose for sale or have in possession for sale; and
 “sale” and “sold” shall be construed accordingly;

“sold by retail” means sold to a person buying otherwise than for the purpose of re-sale.

(2) All percentages mentioned in these regulations are percentages calculated by weight and are calculated on the weight of the butter as sold.

(3) Any reference in these regulations to a label borne on a container shall be construed as including a reference to any legible marking on the container however effected.

(4) 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, and references to purchasing and purchaser shall be construed accordingly.

(a) 1958. c. 27.

Exemptions

3. The provisions of these regulations shall not apply in relation to—

- (a) any butter sold for exportation to any place outside the United Kingdom;
- (b) any butter supplied under Government Contracts for consumption by Her Majesty's Forces or for consumption by a visiting force within the meaning of any of the provisions of Part I of the Visiting Forces Act 1952(a);
- (c) any butter sold to a caterer for the purposes of his catering business or to a manufacturer for the purposes of his manufacturing business.

Composition of butter

4.—(1) Subject to the provisions of this regulation, any butter sold, consigned or delivered, shall contain—

- (a) not less than 80 per cent. milk fat,
- (b) not more than 2 per cent. milk solids other than fat, and
- (c) not more than 16 per cent. water:

Provided that any such butter may contain less than 80 per cent. but not less than 78 per cent. milk fat—

- (i) if the amount by which the milk-fat content percentage falls below 80 per cent., does not exceed the amount by which the percentage of salt in such butter exceeds 3 per cent.; and
- (ii) if the words "salted butter" appear clearly and legibly as or as part of or in close proximity to its name on a label on the container of such butter or, in the case of any butter sold by retail otherwise than in a container, on a ticket placed in immediate proximity to such butter.

(2) No person shall sell, consign or deliver, as the case may be, any butter in contravention of this regulation.

General requirements as to composition and description

5.—(1) No person shall sell any food under such a description as to lead an intending purchaser to believe that he is purchasing any butter for which compositional requirements are specified if the food does not comply with the appropriate requirements as to composition set out in relation to that butter.

(2) Where a person sells any food to a purchaser in response to a request for any kind of butter for which compositional requirements are specified, he shall be deemed to sell butter of that kind and conforming to the compositional requirements for butter of that kind which are specified in relation to that kind of butter unless he clearly notifies the purchaser at the time of sale that the food is not of that kind.

Labelling and advertisement of butter

6.—(1) Subject to the provisions of this regulation, no person shall give with any butter sold by him, or display with any butter offered or exposed by him for sale any label, whether attached to or printed on a container or not, or publish or be party to the publication of any advertisement for butter—

- (a) in the case of such label or advertisement bearing or including, as the case may be, the word "butter", unless the butter complies with the compositional requirements specified in regulation 4;

- (b) in the case of butter which does not contain any added salt, unless such label or advertisement bears or includes, as the case may be, conspicuously and legibly, the words "unsalted butter";
 - (c) in the case of butter to which the proviso to regulation 4(1) applies, unless such label or advertisement bears or includes, as the case may be, conspicuously and legibly, the words "salted butter".
- (2) Paragraph (1)(a) shall not apply to any label or advertisement upon or in which, as the case may be, the word "butter" is used—
- (a) to describe any dehydrated butter, butter fat, or butter oil which is used as an ingredient of the food to which the label or advertisement refers, if such dehydrated butter, butter fat or butter oil, as the case may be, complies with the compositional requirements for butter specified in regulation 4;
 - (b) in such a context as to indicate clearly that butter is used as an ingredient of the food to which the label or advertisement refers; if such butter complies with the compositional requirements specified in regulation 4; or
 - (c) in such a context as to indicate clearly that the word "butter" does not refer to the presence in food of butter within the meaning of that word as defined in regulation 2(1).

Penalties

7.—(1) If any person contravenes or fails to comply with any of the foregoing provisions he shall be guilty of an offence and shall be liable on summary conviction—

- (a) to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment; and
- (b) in the case of a continuing offence, to a further fine not exceeding five pounds for each day during which the offence continues after conviction.

(2) The requirement of Section 47(3) of the Act (which requires notice to be given to the Ministry of Health and Social Services of intention to begin a prosecution for an offence against any provisions relating to the labelling, advertising or description of food) shall not apply as respects any proceedings instituted by a health authority for an offence against any such provisions.

Defences

8.—(1) In any proceedings for an offence in relation to the publication of an advertisement, it shall be a defence for the defendant to prove that, being a person whose business it is to publish or arrange for the publication of advertisements, he received the advertisement for publication in the ordinary course of business and did not himself make or cause to be made any material alteration in the substance of the advertisement.

(2) In any proceedings against the manufacturer or importer of butter for an offence in relation to the publication of an advertisement, it shall rest on the defendant to prove that he did not publish and was not a party to the publication of the advertisement.

Revocation

9. On the coming into operation of these regulations the Food Standards (Butter and Margarine) Regulations (Northern Ireland) 1960(a) shall cease to have effect in relation to any butter.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 31st day of August 1966.

(L.S.)

Wm. J. Morgan,
Minister of Health and Social Services.

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations come into operation on 1st September 1967 and supersede the Food Standards (Butter and Margarine) Regulations (Northern Ireland) 1960 insofar as those regulations apply to butter.

The regulations specify compositional requirements regulating the amount of milk fat, milk solids and moisture in butter, including salted and unsalted butter (regulation 4), and requirements for the labelling and advertisement of butter (regulation 6).

The regulations do not apply to butter sold for export, to butter sold for consumption by Her Majesty's Forces or by a visiting force, or to butter sold to a caterer for the purposes of his catering business or to a manufacturer for the purposes of his manufacturing business (regulation 3).

1966. No. 206

[C]

EDUCATION

Institutions of Further Education: Teachers' Salaries and Allowances

REGULATIONS, DATED 1ST SEPTEMBER 1966, MADE BY THE MINISTRY OF EDUCATION UNDER THE EDUCATION ACTS (NORTHERN IRELAND) 1947 TO 1966.

The Ministry of Education (hereinafter referred to as "the Ministry") in pursuance of the powers vested in it by Sections 83 and 112 of the Education Act (Northern Ireland) 1947(b) (hereinafter referred to as "the Act") and of all other powers enabling it in that behalf, and after consultation with the Ministry of Finance, hereby makes the following Regulations:—

1. These Regulations may be cited as the Institutions of Further Education (Salaries and Allowances) Amending Regulations (Northern Ireland) 1966.

2. The existing Regulations hereby amended are the Institutions of Further Education (Salaries and Allowances) Regulations (Northern Ireland) 1965(c).

(a) S.R. & O. (N.I.) 1960, No. 187.

(c) S.R. & O. (N.I.) 1965, No. 280.

(b) 1947. c. 3.