

1972. No. 318

[C]

FOOD AND DRUGS

Labelling

REGULATIONS, DATED 28TH NOVEMBER 1972, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER SECTIONS 7 AND 68 OF THE FOOD AND DRUGS ACT (NORTHERN IRELAND) 1958.

The Ministry of Health and Social Services, on behalf of the Secretary of State and in exercise of the powers conferred upon it by sections 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 Labelling of Food (Amendment) Regulations (Northern Ireland) 1972, and shall come into operation as respects regulation 5(4) on 5th January 1976 and as respects the remainder on 1st December 1972.

Interpretation

2. In these regulations “the 1970 Regulations” means the Labelling of Food Regulations (Northern Ireland) 1970(b) and “the 1964 Regulations” means the Soft Drinks Regulations (Northern Ireland) 1964(c).

Amendment of the 1970 Regulations

3.—(1) In this regulation a reference to a numbered regulation or schedule is a reference to the regulation or schedule so numbered in the 1970 Regulations.

(2) Regulation 2(1) shall be amended—

(a) by substituting in the definition of flour confectionery for the words “any meat or fish” the words “any meat or fish or any animal, vegetable or microbial material processed before or during the preparation of the product to resemble the texture of meat or fish”;

(b) by substituting for the definition of intoxicating liquor the following definition:—

“‘intoxicating liquor’ means spirits, wine, beer, cider, perry, British wine and any other fermented, distilled or spirituous liquor, but (apart from cider and perry) does not include any liquor for the sale of which by wholesale no excise licence is required;”;

(c) by inserting after the definition of meat the following definition:—

“‘mineral’ does not include salt;”;

(d) by inserting in the definition of pre-packed after the words “in relation to any food with one main ingredient” the words “or to any bread or sandwiches”.

(a) 1958. c. 27.

(b) S.R. & O. (N.I.) 1970, No. 80.

(c) S.R. & O. (N.I.) 1964, No. 94.

(3) Regulation 3 shall be amended—

(a) by substituting for paragraph (3) the following paragraph:—

“(3) Where an appropriate designation of any food—

(a) contains the names of two or more ingredients of that food, used otherwise than adjectivally, those names shall be used in the order of the proportion by weight in which the ingredients were used in the manufacturing process (greatest first) unless these regulations or any other regulations made under the Act provide otherwise;

(b) contains the names of two or more ingredients of that food, used adjectivally, those names shall not be used in an order calculated to mislead as to the proportions by weight of the ingredients used in the manufacture of the food:

Provided that where any food is sold in vinegar, brine, syrup or other carrying liquor, the name of the food may precede the name of the liquor.”;

(b) by substituting for the proviso to paragraph (5) the following proviso:—

“Provided that—

(a) any such appropriate designation may be qualified by the inclusion of a descriptive word or descriptive words in such a way as to make it a more specific name or name and description of the species of fish in relation to which it is specified;

(b) nothing in this paragraph shall prevent the use of a traditional name for a fish which has been subjected to smoking or any similar process.”;

(c) by adding at the end the following paragraph:—

“(7) Nothing in this regulation shall permit the use in relation to any food referred to in paragraphs (2), (5) or (6), of any appropriate designation other than an appropriate designation which is prescribed or of which the use is permitted in relation to that food by the paragraph which refers to it.”.

(4) Regulation 6 shall be amended by substituting in paragraphs (2) and (3)(a) for the words “sold by a retailer on the premises where it was pre-packed by him or sold from a delivery van used by him” the words “pre-packed by a retailer and sold by him on the premises where it was pre-packed or from a delivery van used by him”.

(5) Regulation 9(2) shall be amended by inserting after the words “No person shall sell by retail any food” the words “consisting of two or more ingredients”.

(6) The following regulation shall be substituted for regulation 15:—

“15.—(1) No person shall sell pre-packed by retail for human consumption any dry mix or similar food which is intended to be made into another food and to which this regulation applies, if the name of that other food is included in any name or description referring to the first mentioned food (whether an appropriate designation, a common or usual name, or brand or trade name or not) on any label relating to the first mentioned food, unless a true statement in compliance with this regulation appears on such label.

(2) No person shall advertise for sale for human consumption any dry mix or similar food which is intended to be made into another food and to which this regulation applies, if the advertisement includes a statement relating to the use of the first mentioned food in making the other food, unless a true statement in compliance with this regulation is made in such advertisement.

(3) The said true statement shall specify—

- (a) as respects any label, the substance or substances other than water required to be added to the first mentioned food, clearly, legibly and in immediate proximity to the appropriate designation or common or usual name which appears on the label in compliance with the provisions of regulation 5 in the form of the statement "Add Y", the statement having been completed by inserting at "Y" the name or names of the substance or substances other than water required to be added, or in the form of a statement substantially similar thereto;
- (b) as respects any advertisement presented other than orally, the substance or substances other than water required to be added to the first mentioned food and that it has or they have to be added, clearly, legibly, conspicuously and in immediate proximity to the most prominent statement relating to the use of the first mentioned food in making the other food;
- (c) as respects any advertisements presented orally, the substance or substances other than water required to be added to the first mentioned food and that it has or they have to be added, audibly and clearly at least once.

(4) This regulation applies to any dry mix or similar food which is intended to be made into another food, whether or not that other food is intended for sale, by the addition of any substance or substances other than water, whether or not water is also to be added, except—

- (a) where that other food is intended to be made either by the addition of water alone or by the addition of any substance or substances other than water, whether or not water is also to be added, and
- (b) in the case of the foods commonly known as custard powder and blancmange powder."

(7) Regulation 21 shall be amended—

- (a) by deleting from paragraph (ab) of the proviso to paragraph (1)(iii) the words "a statement, without further elaboration, that the food contains protein if such statement is accompanied by a true statement of the minimum protein content or";
- (b) by inserting in paragraph (2)(a) after the word "carbohydrate" the words "(expressed as monosaccharide)".

(8) The following regulation shall be substituted for regulation 22:—

- "22.—(1) Subject to the provisions of regulation 27, no person shall—
- (a) give with any food sold by him any label, whether attached to or borne on the container or not, or display with any food offered or exposed by him for sale any ticket or notice, or
 - (b) publish, or be party to the publication of, any advertisement for food,

which bears or includes any words, device or description—

- (i) constituting a general claim that vitamins or minerals are present in that food unless that food contains, in the case of a claim as to vitamins, one or more of the substances specified in column 1 of the table in, or in paragraph 1 of, Part I of Schedule 4 or, in the case of a claim as to minerals, one or more of the substances specified in column 1 of Part II of that Schedule and the words, device or description, as the case may be, are or is accompanied by a true statement in compliance with this regulation;
- (ii) constituting any claim or in any way suggesting that any particular substance or substances specified in column 1 of the table in, or in paragraph 1 of, Part I of Schedule 4 or in column 1 of Part II of that Schedule is or are present in that food unless the words, device or description, as the case may be, are or is accompanied by a true statement in compliance with this regulation:

Provided that the requirement of this sub-paragraph shall not apply in relation to any substance specified in Schedule 4 if the only claim or suggestion that the substance is present in a food is contained in a list of the ingredients of that food made on a label on the container thereof in compliance with the provisions of regulation 5;

- (iii) constituting any claim or in any way suggesting that any particular vitamin or mineral not specified in Schedule 4 is present in that food:

Provided that the requirements of this sub-paragraph shall not apply in relation to any vitamin or mineral not specified in Schedule 4 if the only claim or suggestion on the label or in the advertisement that the vitamin or mineral is present in a food is a mention of such vitamin or mineral in an appropriate designation of the food in compliance with the provisions of regulation 5, in a list of ingredients in compliance with those provisions, in a true statement in compliance with the provisions of regulation 26 or in a statement of the minimum vitamin or mineral content (being a statement which, when taken as a whole, does not give undue prominence to that vitamin or mineral) as part of a statement of the total nutrient content or chemical analysis of such food.

(2) The true statement referred to in paragraph (1)(i) and (1)(ii) shall specify in the manner prescribed in Schedule 4, the minimum quantity of every substance present in the food and referred to in the said paragraph (1)(i) or (1)(ii), as the case may be, contained in each ounce, fluid ounce, hundred grammes or hundred millilitres of the food, so that where the minimum quantity of the food in the container is stated by weight, the minimum quantity of every such substance shall be specified per ounce or, if the minimum quantity of the food in the container is stated in grammes or in kilogrammes shall be specified per hundred grammes, and where the minimum quantity of the food in the container is stated by volume, the minimum quantity of every such substance shall be specified per fluid ounce or, if the minimum quantity of the food in the container is stated in millilitres or litres, shall be specified per hundred millilitres.”

(9) Regulation 24(2)(a) shall be amended by inserting after the words “minerals or vitamins” the words “or both vitamins and minerals”.

(10) The Schedule set out in Schedule 1 to these regulations shall be substituted for Schedule 1 to the 1970 Regulations.

(11) Part I of Schedule 2 shall be amended—

(a) by substituting in column 2 of item 1 for the words “Edible oil, or oil or shortening, or edible fat, or fat or shortening” the words “Oil, or fat or shortening (whether or not qualified as appropriate by the adjectives ‘edible’, ‘vegetable’ or ‘animal’, or any combination thereof)”;

(b) by deleting from column 1 of item 4 the words “Any preparation which is the subject of, and conforms with the requirements of, a monograph in the 1968 edition of the British Pharmacopoeia or the addendum thereto of 1969 or in the formulary section of the 1968 edition of the British Pharmaceutical Codex, if the letters ‘B.P.’ or ‘B.P.C.’, as the case may be, appear as part of the appropriate designation or common or usual name of the preparation.”.

(12) Schedule 2 to these regulations shall be substituted for Part I of Schedule 4 to the 1970 Regulations.

(13) Paragraph 5(2) of Schedule 5 shall be amended by adding at the end the words “under normal conditions of purchase”.

4.—(1) Until revoked any provision of the Labelling of Food Regulations (Northern Ireland) 1961(d), shall not apply in relation to any food, label, statement, advertisement or invoice which would have complied with a corresponding provision of the 1970 Regulations immediately before the coming into operation of these regulations.

(2) From 1st January 1973 until 1st July 1973—

(a) any provision of the 1970 Regulations as amended by regulation 3 of these regulations shall not apply in relation to any food, label, ticket, notice, advertisement, designation, name, list, statement or invoice which would have complied with the corresponding provision of the 1970 Regulations immediately before the coming into operation of these regulations;

(b) regulation 22 of and Schedule 4 to the 1970 Regulations as amended by paragraphs (8) and (12) respectively of regulation 3 of these regulations shall not apply in relation to any label or advertisement which would have complied with regulation 16 of and the Second Schedule to the Labelling of Food Regulations (Northern Ireland) 1961, revoked by the 1970 Regulations.

Amendment of the 1964 regulations

5.—(1) In this regulation a reference to a numbered regulation or schedule is a reference to the regulation or schedule so numbered in the 1964 Regulations.

(2) Regulation 14 shall be amended by inserting at the beginning the words “Subject to the provisions of regulation 14A”.

(3) The following regulation shall be inserted after regulation 14:—

“14A. Until 5th January 1976 where any label on the container of any soft drink complies—

(d) S.R. & O. (N.I.) 1961, No. 160.

(a) with the provisions of regulation 5 of the Labelling of Food Regulations (Northern Ireland) 1970, and

(b) with the provisions of Schedule 5 to those regulations in relation to any designation, name, list, statement, word or words required by the provisions of the said regulation 5 to appear on that label,

the provisions of regulations 13 and 14 shall not apply to that label.”

(4) Further amendments (to come into operation on 5th January 1976) shall be made as follows:—

(a) The following regulation shall be substituted for regulation 12:—

“12. No person shall sell in or from any vending machine any soft drink whether in a container or not, unless there appears in clear lettering in a prominent position on the front of that vending machine a declaration giving the description specified in these regulations for the soft drink which is offered or exposed for sale, where applicable, and otherwise the descriptive name of that soft drink, and where such soft drink contains permitted artificial sweetener the declaration shall also include the expression ‘saccharin added’ or ‘contains saccharin’ or where appropriate, any one of the following expressions:—

(a) ‘saccharin and sugar added’;

(b) ‘sugar and saccharin added’;

(c) ‘contains saccharin and sugar’;

(d) ‘contains sugar and saccharin’;

(e) ‘sweetened with sugar and saccharin’;

(f) ‘sweetened with saccharin and sugar’;

Provided that the said description or descriptive name need not be included in the said declaration if a label on a container of the soft drink dispensed from the vending machine, or an exact facsimile of such label, bearing the said description, where applicable, and otherwise the said descriptive name is conspicuous and legible to an intending purchaser on or through the outside of the vending machine.”

(b) Regulation 13 shall be deleted;

(c) Regulation 14 shall be amended by substituting for the word and figures “11 and 13” the word and figure “and 11”;

(d) Schedule 3 to these regulations shall be substituted for Schedule 4 to the 1964 Regulations.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 28th day of November 1972.

(L.S.)

S. E. Taylor,
Assistant Secretary.

SCHEDULE 1

Régulation 3(10)

APPROPRIATE DESIGNATIONS OF FISH

Column 1	Column 2
<i>Appropriate designation</i>	<i>Species</i>
SEA FISH	
Anchovy	All species of <i>Engraulis</i> .
Angler or Monk-fish	<i>Lophius piscatorius</i> L.
Argentine	All species of <i>Argentina</i> .
Atherine	All species of <i>Atherina</i> .
Bass	All species of <i>Roccus</i> .
	All species of <i>Morone</i> .
	All species of <i>Dicentrarchus</i> .
Beluga	<i>Huso huso</i> (L.).
Brill	<i>Scophthalmus rhombus</i> (L.).
Brisling or Sprat	<i>Sprattus sprattus</i> (L.).
Cod or Codling	<i>Gadus morhua</i> L.
Conger or Conger Eel	All species of <i>Conger</i> .
Dab	<i>Limanda limanda</i> (L.).
Dory or John Dory	<i>Zeus faber</i> L.
Eel	All species of <i>Anguilla</i> .
	All species of <i>Galeorhinus</i> .
	All species of <i>Mustelus</i> .
Flake or Huss or Rigg or Dogfish	All species of <i>Scyliorhinus</i> .
	<i>Galeus melastomus</i> (Rafin.).
	<i>Squalus acanthias</i> L.
Flounder or Fluke	<i>Platichthys flesus</i> (L.).
Forkbeard	All species of <i>Phycis</i> .
	All species of <i>Urophycis</i> .
Garfish	<i>Raniceps raninus</i> (L.).
Greenland Halibut or Mock Halibut	All species of <i>Belone</i> .
	<i>Reinhardtius hippoglossoides</i> (Walbaum).
Grey Mullet	All species of <i>Mugil</i> .
	All species of <i>Liza</i> .
	All species of <i>Chelon</i> .
	All species of <i>Trigla</i> .
	All species of <i>Eutrigla</i> .
Gurnard	All species of <i>Aspitrigla</i> .
	All species of <i>Trigloporus</i> .
	<i>Peristedion cataphractum</i> (L.).
Haddock	<i>Melanogrammus aeglefinus</i> (L.).
Hake	All species of <i>Merluccius</i> .
Halibut	<i>Hippoglossus hippoglossus</i> (L.).
Herring	<i>Clupea harengus</i> L.
Kingfish	All species of <i>Scomberomorus</i> .
Lascar	<i>Pegusa lascaris</i> (Risso).
Lemon Sole	<i>Microstomus kitt</i> (Walbaum).
Ling	All species of <i>Molva</i> .
Mackerel	All species of <i>Scomber</i> .
Megrim	All species of <i>Lepidorhombus</i> .
Pilchard	<i>Sardina pilchardus</i> (Walbaum).

Column 1	Column 2
Appropriate designation	Species
Californian Pilchard Chilean Pilchard Japanese Pilchard	<i>Sardinops sagax caerulea</i> (Girard). <i>Sardinops sagax sagax</i> (Jenyns). <i>Sardinops sagax melanosticta</i> (Schlegel).
South African Pilchard Plaice Pollack or Lythe Pouting or Pout	<i>Sardinops sagax ocellata</i> (Pappe). <i>Pleuronectes platessa</i> L. <i>Pollachius pollachius</i> (L.). <i>Trisopterus luscus</i> (L.).
Redfish	All species of <i>Sebastes</i> . <i>Helicolenus dactylopterus</i> (De la Roche).
Red Mullet Rockfish Rough-back Saithe or Coley or Coal Fish Sardine Sardineella Scad	All species of <i>Mullus</i> . All species of <i>Anarhichas</i> . <i>Hippoglossoides platessoides</i> (Fabr.). <i>Pollachius virens</i> (L.). Small <i>Sardina pilchardus</i> (Walbaum). All species of <i>Sardinella</i> . All species of <i>Trachurus</i> .
Sea-Bream	All species of <i>Dentex</i> . All species of <i>Pagellus</i> . All species of <i>Sparus</i> . All species of <i>Spondylisoma</i> . All species of <i>Boops</i> .
Sild Skate or Ray or Roker Smelt or Sparling Sole or Dover Sole Canary Sole Sprat or Brisling Sturgeon Thickback	All species of <i>Pagrus</i> . All species of <i>Chrysoblephus</i> . Small <i>Clupea harengus</i> L. All species of <i>Raja</i> . All species of <i>Osmerus</i> . <i>Solea solea</i> (L.). <i>Solea senegalensis</i> . <i>Sprattus sprattus</i> (L.). All species of <i>Acipenser</i> .
Tuna or Tunny Albacore Tuna Bonito Tuna Skipjack Tuna	<i>Microchirus variegatus</i> (Don.). All species of <i>Thunnus</i> except <i>Thunnus alalunga</i> (Bonnaterre). All species of <i>Neothunnus</i> . <i>Thunnus alalunga</i> (Bonnaterre). All species of <i>Sarda</i> .
Turbot Tusk Whitebait	All species of <i>Euthynnus</i> . <i>Katsuwonus pelamis</i> (L.). <i>Scophthalmus maximus</i> (L.). <i>Brosme brosme</i> (Ascanius).
Whiting Winter Flounder	Young of <i>Clupea harengus</i> L. Young of <i>Sprattus sprattus</i> (L.). <i>Merlangius merlangus</i> (L.). <i>Pseudopleuronectes americanus</i> (Walbaum).
Witch	<i>Glyptocephalus cynoglossus</i> (L.).

Column 1	Column 2
<i>Appropriate designation</i>	<i>Species</i>
SALMON AND FRESHWATER FISH	
<p>Bream Carp Char Perch Pike Pikeperch Salmon Cherry Salmon Chum Salmon or Keta Salmon Medium Red Salmon or Coho Salmon or Silver Salmon Pink Salmon Red Salmon or Sockeye Salmon Spring Salmon or King Salmon or Chinook Salmon Brown Trout Cut-throat Trout Rainbow Trout or Steelhead Trout Sea Trout or Salmon-Trout</p>	<p>All species of <i>Abramis</i>. <i>Cyprinus carpio</i> L. All species of <i>Salvelinus</i>. <i>Perca fluviatilis</i> L. <i>Esox lucius</i> L. <i>Stizostedion lucioperca</i> (L.). <i>Salmo salar</i> L. <i>Oncorhynchus musou</i> (Walbaum). <i>Oncorhynchus keta</i> (Walbaum). <i>Oncorhynchus kisutch</i> (Walbaum). <i>Oncorhynchus gorbuscha</i> (Walbaum). <i>Oncorhynchus nerka</i> (Walbaum). <i>Oncorhynchus tshawytscha</i> (Walbaum). <i>Salmo trutta</i> L. which has spent all its life in fresh water. <i>Salmo clarkii</i> Richardson. <i>Salmo gairdneri</i> Richardson. <i>Salmo trutta</i> L. which has spent part of its life in sea water.</p>

Column 1	Column 2	Column 3
Appropriate designation	Species	Appropriate designation
SHELL-FISH		
Abalone or Ormer	All species of <i>Haliotis</i> .	
Clam	All species of <i>Venerupis</i> (= <i>Paphis</i>).	Soft shell clam.
	<i>Mya arenaria</i> L.	Hard shell clam.
	<i>Venus (Mercenaria) mercen-</i> <i>aria</i> L. and <i>Venus verrucosa</i> L.	Razor clam.
Cockle	All species of <i>Ensis</i> and <i>Solen</i> .	
	All species of <i>Cardium</i> (= <i>Cerastoderma</i> or <i>Parvicardium</i>).	
Crab	All species of the section <i>Brachyura</i> .	
	All species of the family <i>Lithodidae</i> .	
Crawfish or Spiny Lobster or Rock Lobster	All species of the family <i>Palinuridae</i> .	
	All species of the family <i>Astacidae</i> .	
Crayfish	All species of the family <i>Parastacidae</i> .	
	All species of the family <i>Austroastacidae</i> .	
Lobster Norway Lobster or Dublin Bay	All species of <i>Homarus</i> .	
Prawn or Scampi	<i>Nephrops norvegicus</i> (L.).	
Squat Lobster	All species of the family <i>Galatheididae</i> .	
Mussel	All species of <i>Mytilus</i> .	
	All species of <i>Crassostrea</i> except <i>Crassostrea angulata</i> (Lmk.) and <i>Crassostrea</i> <i>gigas</i> .	
Oyster	All species of <i>Ostrea</i> except <i>Ostrea edulis</i> L.	Portuguese Oyster.
	<i>Crassostrea angulata</i> (Lmk.).	Pacific Oyster.
	<i>Crassostrea gigas</i> .	Native Oyster.
	<i>Ostrea edulis</i> L.	Deepwater Prawn.
	Large <i>Pandalus borealis</i> Krøyer.	
Prawn	Large fish of:—	
	All species of <i>Palaemonidae</i> .	
	All species of <i>Penaeidae</i> .	
	All species of <i>Pandalidae</i> .	
Scallop or Escallop	All species of <i>Pectinidae</i> .	

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Appropriate designation</i>	<i>Species</i>	<i>Appropriate designation</i>
Queen Scallop or Queen Escallop. Shrimp Whelk Winkle	<i>Chlamys</i> (\equiv <i>Acquipepton</i>) <i>opercularis</i> (L.). <i>Pandalus montagui</i> Leach. All species of <i>Crangon</i> . Small fish of:— All species of <i>Palaemonidae</i> . All species of <i>Penaeidae</i> . All species of <i>Pandalidae</i> . All species of <i>Buccinum</i> . All species of <i>Neptunea</i> . All species of <i>Littorina</i> .	Pink Shrimp Brown Shrimp.

SCHEDULE 2

Regulation 3(12)

VITAMINS

Column 1	Column 2
<i>Substance and Alternative Name or Names</i>	<i>To be calculated as</i>
<p><i>Group 1</i> Biologically active carotenoids</p>	<p>Microgrammes of retinol, on the basis that 6 microgrammes of beta-carotene or 12 microgrammes of other biologically active carotenoids equals 1 microgramme of retinol, or until 31st December 1974, international units of vitamin A, on the basis that 0.6 microgrammes of beta-carotene equals one international unit of vitamin A.</p>
<p><i>Group 2</i> Retinol or Vitamin A</p>	<p>Microgrammes of retinol, or until 31st December 1974, international units of vitamin A.</p>
<p><i>Group 3</i> Thiamin or Vitamin B₁</p>	<p>Milligrammes of thiamin hydrochloride.</p>
<p><i>Group 4</i> Riboflavin or Vitamin B₂</p>	<p>Milligrammes of riboflavin.</p>
<p><i>Group 5</i> Nicotinic acid or Niacin Nicotinamide or Niacinamide</p>	<p>Milligrammes of nicotinic acid.</p>
<p><i>Group 6</i> Ascorbic acid or Vitamin C Dehydroascorbic acid or Vitamin C</p>	<p>Milligrammes of ascorbic acid.</p>
<p><i>Group 7</i> Ergocalciferol or Vitamin D or Vitamin D₂ Cholecalciferol or Vitamin D or Vitamin D₃</p>	<p>Microgrammes of cholecalciferol, or until 31st December 1974, international units of vitamin D.</p>

1. Each substance specified in column 1 of the table shall include its biologically active equivalent or derivative and the Groups specified in column 1 shall be constituted accordingly.

2. The quantity of any substance specified in column 1 (as extended by the preceding paragraph) shall be calculated in the manner prescribed in relation thereto in column 2 and shall either be specified accordingly or in the manner prescribed in paragraphs 3 or 4 of this Part of this Schedule.

3. Where the quantities of any substances included in Groups 1 and 2 specified in column 1 (as extended by paragraph 1 of this Part of this Schedule) are calculated—

- (a) as international units of vitamin A, they may, until 31st December 1974, be added together and specified accordingly;
- (b) as microgrammes of retinol, they may be added together and specified accordingly.

4. The quantity of any substance included in Groups 2, 3, 4, 5, 6 or 7 specified in column 1 (as extended by paragraph 1 of this Part of this Schedule) may be specified—

- (a) by reference to any one of the names or alternative names, specifically listed in column 1, of the substances in the Group to which the first mentioned substance belongs;
- (b) where the first mentioned substance is a biologically active equivalent or derivative of a substance specifically listed in column 1, by reference to the name of that first mentioned substance.

SCHEDULE 3

Regulation 5(4)(d)

LABELLING OF CONTAINERS AND VENDING MACHINES

1. The provisions of Schedule 5 to the Labelling of Food Regulations (Northern Ireland) 1970 shall apply to every letter and word required to appear on a label on a container by virtue of regulations 7, 8(2), 9, 10 and 11 of these regulations, as they apply to any appropriate designation or common or usual name required by regulation 5(2) of the Labelling of Food Regulations (Northern Ireland) 1970.

2. Every letter and word appearing on a vending machine which is required to appear by virtue of regulation 12 shall be printed in dark block type upon a light coloured ground or in a light block type upon a dark coloured ground, shall be of uniform colour and size and—

- (a) if it is part of the description or descriptive name referred to in that regulation, shall not be less than 12 millimetres in height;
- (b) if it is part of any expression specified in that regulation, shall not be less than 6 millimetres in height.

3. For the purposes of paragraph 2 any requirement that letters or words shall be of uniform height, colour or size shall be construed as being subject to the saving that any inconsiderable variation in height, colour or size, as the case may be, may be disregarded.

EXPLANATORY NOTE

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

These regulations amend the Labelling of Food Regulations (Northern Ireland) 1970 ("the 1970 Regulations") which come into operation on 1st January 1973. Transitional arrangements are provided until 1st July 1973 (regulation 4). The regulations—

- (a) amend the definitions of "flour confectionery", "intoxicating liquor" and "pre-packed" in the 1970 Regulations and add a definition of the word "mineral" (regulation 3(2));
- (b) amend the provisions relating to appropriate designations in regulation 3 of and Schedule 1 to the 1970 Regulations, as to names of ingredients used adjectivally in such designations, as to the designations of species of fish and as to the use of appropriate designations prescribed or permitted by regulation 3(2), (5) and (6) (regulation 3(3) and (10) and Schedule 1);
- (c) amend the exemption provisions in regulation 6 of and Schedule 2 to the 1970 Regulations (regulation 3(4) and (11));
- (d) substitute a regulation as to the labelling and advertisement of dry mixes in place of regulation 15 of the 1970 Regulations (regulation 3(6));
- (e) amend the restrictions imposed by regulation 21 of the 1970 Regulations on claims that foods are a source of protein (regulation 3(7));
- (f) substitute a regulation imposing restrictions on claims as to the presence of vitamins and minerals in place of regulation 22 of the 1970 Regulations and replace Part 1 of Schedule 4 to those regulations (regulation 3(8) and (12) and Schedule 2).

Other amendments are made to regulation 9(2) (Labelling of food, other than pre-packed, for sale by retail), regulation 24(2)(a) (Slimming claims) and Schedule 5 (Manner of marking or labelling) (regulation 3(5), (9) and (13)).

The regulations also further amend the Soft Drinks Regulations (Northern Ireland) 1964, so that:—

- (a) until 5th January 1976 any label on the container of a soft drink which complies with the provisions of the 1970 Regulations as to labelling and manner of marking will not need to comply with regulations 13 and 14 of the Soft Drinks Regulations (Northern Ireland) 1964 (regulation 5(3));
- (b) from 5th January 1976 (the expiry date of the exemption provided for certain soft drinks by regulation 6(7) of the 1970 Regulations) new provision is made for the labelling and manner of marking of soft drinks (regulation 5(4)(b), (c) and (d) and Schedule 3);
- (c) from 5th January 1976 the existing provisions of the Soft Drinks Regulations (Northern Ireland) 1964 as to declarations on vending machines containing soft drinks will continue to apply in an amended form (regulation 5(4)(a) and (d) and Schedule 3).