
STATUTORY INSTRUMENTS

1987 No. 1523

The Materials and Articles in
Contact with Food Regulations 1987

PART I

PRELIMINARY

Title, commencement, extent and revocations

1.—(1) These Regulations may be cited as the Materials and Articles in Contact with Food Regulations 1987 and shall come into force on 2nd October 1987.

(2) These Regulations shall not extend to Northern Ireland.

(3) The Materials and Articles in Contact with Food Regulations 1978(1), the Materials and Articles in Contact with Food (Amendment) Regulations 1980(2) and the Materials and Articles in Contact with Food (Amendment) Regulations 1982(3) are hereby revoked.

Interpretation

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

“authorised officer” means an officer of an enforcement authority authorised by that authority in writing, either generally or specifically, to act in matters of any specified kind or in any specified matter;

“business” includes the undertaking of a canteen, club, school, hospital or institution, whether carried on for profit or not, and any undertaking or activity carried on by a public or local authority;

“enforcement authority” means—

(a) in England and in Wales

(i) a food and drugs authority, as defined in section 71 of the Food Act 1984(4), in its area, and

(ii) a port health authority in relation to imported materials and articles which are in, or unloaded in, a port health district, or the local authority in whose district the materials and articles are deposited for customs examination in relation to imported materials and articles unloaded elsewhere than in a port health district, and

(b) in Scotland a district or islands council within the meaning of the Local Government (Scotland) Act 1973(5);

(1) S.I.1978/1927.
(2) S.I. 1980/1838.
(3) S.I. 1982/1701.
(4) 1984 c. 30.
(5) 1973 c. 65.

“food” means food intended for human consumption and includes drink, water, natural mineral water, chewing gum and other products of a like nature and use, and articles and substances used as ingredients in the preparation of food, but does not include—

- (a) live animals or birds,
- (b) fodder or feedingstuffs for animals, birds or fish, or
- (c) articles or substances used only as drugs;

“import” means import in the course of a business;

“preparation” in relation to food, includes manufacture and any form of treatment or process;

“public analyst”—

- (a) in England and in Wales has the meaning assigned to it by section 76 of the Food Act 1984, and
- (b) in Scotland has the meaning assigned to it by section 27 of the Food and Drugs (Scotland) Act 1956(6);

“regenerated cellulose film” means a thin sheet material obtained from refined cellulose derived from unrecycled wood or cotton, with or without the addition of suitable substances, either in the mass or on one or both surfaces;

“registered trade mark” means a trade mark which has effect in any member state of the European Economic Community and is duly registered in accordance with the laws of that state;

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

“sell by retail” means sell to a person buying otherwise than for the purpose of re-sale, but does not include selling to a caterer for the purposes of his catering business or to a manufacturer for the purposes of his manufacturing business, and “sold by retail” shall be construed accordingly;

“ship” includes any boat or craft, and for this purpose “craft” includes hovercraft.

(2) Any reference in these Regulations to a numbered regulation or Schedule shall be construed as a reference to the regulation or Schedule bearing that number in these Regulations.

Exemptions

3. The provisions of these Regulations shall not apply to—
- (a) any fixed public or private water supply equipment;
 - (b) any substance which, being used as a covering or coating for a food, forms part of that food and may be consumed with it, including such a substance used as covering or coating for cheese rind or prepared meat products;
 - (c) any material or article intended for export to any place outside the United Kingdom;
 - (d) any material or article which is a collector’s piece of artistic, archaeological or ethnographic interest or to any other material or article of an age exceeding 100 years.