1984 No. 408

FOOD AND DRUGS

Composition and Labelling

Meat Products and Spreadable Fish Products Regulations (Northern Ireland) 1984

Made . . . . . *27th November 1984*

Coming into operation . . . *4th February 1985*

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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) with such organisations as appear to it to be representative of interests substantially affected by these regulations, hereby makes the following regulations:

PART I

Citation and commencement

1. These regulations may be cited as the Meat Products and Spreadable Fish Products Regulations (Northern Ireland) 1984 and shall come into operation on 4th February 1985.

Interpretation

2.—(1) In these regulations—

"the Act" means the Food and Drugs Act (Northern Ireland) 1958;

"additive" means any substance permitted for use in food by the Colouring Matter in Food Regulations (Northern Ireland) 1973(**c**), the Antioxidants in Food Regulations (Northern Ireland) 1978(**d**), the Preservatives in Food Regulations (Northern Ireland) 1980(**e**), the Emulsifiers and Stabilisers in Food Regulations (Northern Ireland) 1981(**f**), the Miscellaneous Additives in Food Regulations (Northern Ireland) 1981(**g**) and the Sweeteners in Food Regulations (Northern Ireland) 1983(**h**) and flavourings, smoke and smoke solutions in so far as their use in food is not prohibited by the Preservatives in Food Regulations (Northern Ireland) 1980;

"catering establishment" has the meaning assigned to it by the Food Labelling Regulations (Northern Ireland) 1984(**i**);

"cooked", in relation to a food, means subjected to a process of cooking throughout the whole food so that the food is sold for consumption without further cooking;

(**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. & O. (N.I.) 1973 No. 466; the relevant amending regulations are S.R. 1975 No. 283, S.R. 1976 No. 382, S.R. 1979 No. 49
(**d**) S.R. 1978 No. 112; the relevant amending regulation is S.R. 1981 No. 191
(**e**) S.R. 1980 No. 28; relevant amending regulations are S.R. 1980 No. 380, S.R. 1982 No. 105, S.R. 1982 No. 297
(**f**) S.R. 1981 No. 194; relevant amending regulations are S.R. 1982 No. 257, S.R. 1984 No. 22
(**g**) S.R. 1981 No. 193; the relevant amending regulation is S.R. 1982 No. 258
(**h**) S.R. 1983 No. 265
(**i**) S.R. 1984 No. 407

"cured meat" means a food consisting of meat and curing salt, whether or not the food also contains any of the ingredients specified in Schedule 1, but does not include any food which contains any other ingredient not specified in Schedule 1;

"curing salt" has the meaning assigned to it by regulation 5(5);

"fish" means the edible portion of any fish, including edible molluscs and crustacea;

"ingredient" has the meaning assigned to it by the Food Labelling Regulations (Northern Ireland) 1984;

"labelling" has the meaning assigned to it by the Food Labelling Regulations (Northern Ireland) 1984;

"lean meat content" means the total weight of lean meat free when raw of visible fat;

"meat" means the flesh, including fat, and the skin, rind, gristle and sinew in amounts naturally associated with the flesh used, of any animal or bird which is normally used for human consumption, and includes any part of the carcase specified in Part I of Schedule 2 which is obtained from such an animal or bird, but does not include any other part of the carcase;

"meat product" means any food which consists of meat or of which meat is an ingredient, other than a food specified in Schedule 3;

"prepacked" has the meaning assigned to it by the Food Labelling Regulations (Northern Ireland) 1984;

"sell" includes offer or expose for sale or have in possession for sale;

"spreadable fish product" means—

(*a*) any product of which fish is an ingredient and in the labelling or advertising of which the name "paste", "pâté" or "spread" is used as part of the name of the food, or

(*b*) any other readily spreadable product of which fish is an ingredient, but does not include any product that contains fish oil but no other constituent of fish;

"ultimate consumer" has the meaning assigned to it by the Food Labelling Regulations (Northern Ireland) 1984.

(2) 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 purchasers shall be construed accordingly.

(3) All proportions mentioned in these regulations are proportions calculated by weight.

Scope

3.—(1) Subject to paragraph (2), these regulations apply to food which is ready for delivery to the ultimate consumer or to a catering establishment.

(2) These regulations do not apply to any food which is—

(*a*) not intended for sale for human consumption;

(*b*) intended at the time of sale for export to any place outside the United Kingdom;

(*c*) supplied under Government contracts for consumption by Her Majesty's forces or supplied for consumption by a visiting force within the meaning of any of the provisions of Part I of the Visiting Forces Act 1952(**a**); or

(**a**) 1952 c. 67

(*d*) marked or labelled with a clear indication that the food is intended exclusively for consumption by babies or young children.

PART II

Restrictions on the use of certain names

4.—(1) For the purposes of the Food Labelling Regulations (Northern Ireland) 1984, a name which appears in column 1 of Schedule 4 shall not be used in the labelling or advertising of a meat product or a spreadable fish product as the name of the food, whether or not qualified by other words, unless either—

(*a*) the product complies with the appropriate requirements in column 2 of Schedule 4; or

(*b*) the name is used in accordance with paragraph (2).

(2) A name which appears in column 1 of Schedule 4 shall not be used in the labelling or advertising of a food, whether or not qualified by other words, in such a way as to suggest, either expressly or by implication, that the product designated by that name is an ingredient of the food unless either—

(*a*) (i) that product is an ingredient of the food, and

(ii) that product complied, at the time of preparation of the food, with the appropriate requirements in column 2 of Schedule 4; or

(*b*) (i) the name used as the name of the food for that food is a name which appears in column 1 of Schedule 4, and

(ii) the name is used in accordance with paragraph (1).

(3) A person shall not sell a food in the labelling of which a name is used in contravention of the foregoing paragraphs.

(4) A person shall not use a name in contravention of the foregoing paragraphs in advertising a food for sale.

Name of the food for certain meat products

5.—(1) Subject to paragraphs (3) and (4), this regulation shall apply where any person sells any meat product which has the appearance of a cut, joint, slice, portion or carcase of raw meat, cooked meat or cured meat.

(2) For the purposes of the Food Labelling Regulations (Northern Ireland) 1984, the name used as the name of the food in the labelling of any meat product to which this regulation applies shall include an indication of the ingredients used in the preparation of the product other than water and other than—

(*a*) in the case of cooked meat, additives or salt, herbs or spices used as seasoning; and

(*b*) in the case of cured meat, curing salt or an ingredient specified in column 1 of Schedule 1 and used in accordance with the conditions specified in column 2 of Schedule 1.

(3) For the purposes of paragraph (1), no account shall be taken of the presence in or on the food of any seasoning, flavouring, garnishing or gelatinous substance, nor of any packaging material enclosing the food.

(4) This regulation shall not apply where the name used as the name of the food is a name which appears in column 1 of Schedule 4 whether or not qualified by other words or to a food having the appearance of minced raw meat which has been shaped.

(5) In this regulation "curing salt" means sodium chloride, potassium chloride, sodium nitrate, potassium nitrate, sodium nitrite or potassium nitrite, whether alone or in any combination, except that sodium chloride or potassium chloride alone or a mixture of sodium chloride and potassium chloride alone is to be regarded as a curing

salt when used in a meat product only if used in sufficient quantity to have a significant preserving effect on the meat product.

List of ingredients

6.—(1) Notwithstanding regulation 15(1) of the Food Labelling Regulations (Northern Ireland) 1984 (which makes provision as to the name used for an ingredient in a list of ingredients), where a meat product is required by those regulations to be marked or labelled with a list of ingredients and is required by regulation 7 to be marked or labelled with a declaration of its minimum meat content, any animal or bird fat which, because of the requirements of regulation 11, cannot be taken into account in the declaration of the minimum meat content of the meat product shall be separately identified in the list of ingredients.

(2) A person shall not sell a meat product if it is marked or labelled with a list of ingredients that does not accord with paragraph (1).

Declaration of meat or fish content

7.—(1) Every meat product, other than a product to which regulation 8 or 9(2) applies, shall, subject to paragraphs (3) to (7), be marked or labelled with a declaration of its minimum meat content in the form "minimum x per cent meat", there being inserted in place of "x" such number as makes the declaration an indication of the minimum meat content of the product.

(2) Every spreadable fish product shall, subject to the following paragraphs, be marked or labelled with a declaration of its minimum fish content in the form "Minimum y per cent fish", there being inserted in place of "y" such number as makes the declaration an indication of the minimum fish content of the product.

(3) In the case of a meat product which includes a liquid medium that is not normally consumed, the declaration shall include an indication that the weight of the liquid medium has not been included in calculating the minimum meat content of the product.

(4) Subject to paragraphs (6) and (7), a meat product which has a meat content of less than 10 per cent and a spreadable fish product which has a fish content of less than 10 per cent may, instead of being marked or labelled in accordance with paragraph (1) or (2), be marked or labelled with the declaration "less than 10 per cent meat" or "less than 10 per cent fish", as the case may be.

(5) Subject to paragraphs (6) and (7), a meat product which has a meat content of more than 100 per cent and a spreadable fish product which has a fish content of more than 100 per cent shall, instead of being marked or labelled in accordance with paragraph (1) or (2), be marked or labelled with the declaration "not less than 100 per cent meat" or "not less than 100 per cent fish", as the case may be.

(6) In any declaration with which a meat product or spreadable fish product is marked or labelled pursuant to any of the foregoing paragraphs, the word "meat" or "fish" may be replaced by the name of the type of meat or fish.

(7) In any declaration marked or labelled in accordance with the provisions of regulation 10(2)(*b*), other than a declaration in respect of cured meat, the word "meat" or "fish" or the name of the type of meat or fish may be omitted from the form of words prescribed by this regulation.

Declaration of corned meat content

8.—(1) Subject to paragraph (2), every meat product sold under the name "corned X", whether or not qualified by other words, there being inserted in place of "X" the name of a type of meat, shall be marked or labelled with the declaration "100 per cent corned X", there being inserted in place of "X" the aforesaid name of a type of meat.