1980 No. 380

FOOD AND DRUGS

Composition and Labelling

Preservatives in Food (Amendment) Regulations (Northern Ireland) 1980

Made . . . . . *28th October 1980*

Coming into operation . . . *8th December 1980*

The Department of Health and Social Services(**a**) in exercise of the powers conferred on it by sections 4, 7, 68 and 68(A)(**b**) of the Food and Drugs Act (Northern Ireland) 1958(**c**) and of every other power enabling it in that behalf and after consultation 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 Preservatives in Food (Amendment) Regulations (Northern Ireland) 1980, and shall come into operation on 8th December 1980.

(2) In these regulations "the principal regulations" means the Preservatives in Food Regulations (Northern Ireland) 1980(**d**).

Amendment of the principal regulations

2. Regulation 2(1) shall be amended—

(*a*) by substituting for the definition of "canned food" the following definition:—

"'canned food" means food which—

(*a*) is in a hermetically sealed container, and

(*b*)(i) has been sufficiently heat processed to destroy any *Clostridium botulinum* in the food or its container, or

(ii) has a pH of less than 4.5,

and "canned", in relation to any food, shall be construed accordingly;';

(*b*) by inserting immediately after the definition of "fruit spread" the following definition:—

"'ice-cream" has the meaning assigned to it by the Ice-Cream and Other Frozen Confections Regulations (Northern Ireland) 1968(**e**);'.

3. The proviso to regulation 4(1) shall be amended by inserting immediately after the words "sambal oelek", in sub-paragraph (i) of paragraph (*b*) thereof the following words:—

"soup concentrates with a moisture content of not less than 25% and not more than 60%,".

(**a**) *See* S.R. & O. (N.I.) 1964 No. 205 (p. 937) art. 5 and Sch. 2 Part I and 1973 c. 36 s. 40 and Sch. 5 para. 8

(**b**) Added by S.R. & O. (N.I.) 1972 No. 363 (p. 1767)

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

(**d**) S.R. 1980 No. 28

(**e**) S.R. & O. (N.I.) 1968 No. 13 (p. 73)

4. The proviso to regulation 5 shall be amended by inserting after paragraph (iii) thereof the following paragraph:—

"(iv) if the compounded food is ice-cream or an edible ice made with fruit pieces in stabilised syrup which may under these regulations contain the permitted preservative sorbic acid, the compounded food may not contain that permitted preservative in a quantity exceeding three hundred milligrams per kilogram.".

5. Schedule 2 shall be amended—

(*a*) by inserting immediately after the item relating to dried figs the following item:—

In column 1 *(Specified Food)*	In column 2 *(Permitted Preservative)*	In column 3 *(Milligrams per kilogram not exceeding –)*
"Fillings and toppings for flour confectionery which consist principally of a sweetened oil and water emulsion with a minimum sugar solids content of 50%	Sorbic acid	1,000";

(*b*) by inserting immediately after the item relating to fresh fruit the following item:—

In column 1 *(Specified Food)*	In column 2 *(Permitted Preservative)*	In column 3 *(Milligrams per kilogram not exceeding –)*
"Fruit, fruit pulp or fruit purée (including tomatoes, tomato pulp, tomato paste and tomato purée) which, in each case, is not fresh or canned	Sulphur dioxide or benzoic acid or methyl 4-hydroxybenzoate or ethyl 4-hydroxybenzoate or propyl 4-hydroxybenzoate	350 800 800 800 800";

(*c*) by inserting immediately after the item relating to fruit juices the following item:—

In column 1 *(Specified Food)*	In column 2 *(Permitted Preservative)*	In column 3 *(Milligrams per kilogram not exceeding –)*
"Fruit pieces in stabilised syrup for use as ingredients of ice-cream or other edible ices	Sorbic acid	1,000";