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;

(a) 15 & 16 Geo. 6 & 1 Eliz. 2, c. 67.