EXPLANATORY NOTE

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

Section 1 of the Drugs (Prevention of Misuse) Act 1964 makes it an offence, subject to any exemptions for which provision may be made by regulations and to the provisions of the section, for a person to have in his possession a substance specified in the Schedule to the Act. These regulations make exemptions for (*a*) a carrier and his employees in possession of such a substance in the course of the carrier's business, (*b*) a person having duties in connection with the transmission by post of a packet containing such a substance, and (*c*) the owner of a ship required to carry a first-aid kit in lifeboats or the like when the kit contains such a substance, and the master of such a ship if the ship has no duly qualified medical practitioner as part of her complement. (A duly qualified medical practitioner acting as such is exempted by Section 1 of the Act.)

1964. No. 172 [C]

FOOD AND DRUGS

Composition, Labelling, Etc.

Bread and Flour

REGULATIONS, DATED 19TH OCTOBER, 1964, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTIONS 4, 7 AND 68 OF THE FOOD AND DRUGS ACT (NORTHERN IRELAND) 1958.

The Ministry of Health and Local Government, 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:—

PART I

PRELIMINARY

Citation and commencement

1. These regulations may be cited as the Bread and Flour Regulations (Northern Ireland) 1964, and shall come into operation on 1st July, 1965.

Interpretation

2.—(1) In these regulations—

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

"bleaching agent" means any substance capable of removing colour from ground bolted wheat;

(a) 1958. c. 27.

"bread" means bread in any form intended for sale for human consumption and includes the following, and any part of any of the following, that is to say, rolls, baps, fancy loaves (not including bun loaves) and speciality bread but does not include scones or potato bread;

"caramel" includes malt preparations for the development of colour;

"carbohydrate" means a substance containing carbon, hydrogen and oxygen only in which the hydrogen and oxygen occur in the same proportion as in water;

"cereal breakfast food" means any food obtained by the swelling, roasting, grinding, rolling or flaking of any cereal or cereal product;

"chalk" means the substance so described in the British Pharmacopoeia or the British Pharmaceutical Codex, which conforms to the standards laid down therein and which is of granularity standard—

(*a*) not more than 0·1 per centum to remain on a 100 mesh sieve, and

(*b*) not more than 0·2 per centum to remain on a 240 mesh sieve;

"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;

"dried fruit" means currants, sultanas and raisins;

"enzyme active preparations" include malt extract, malt flour, amylases, proteinases and lipoxidases;

"fibre" means the organic matter contained in the dried defatted residue obtained by digesting a sample of flour or of bread successively with boiling acid and boiling alkali;

"flour" means the product intended for sale for human consumption which is derived from, or separated during, the milling or grinding of wheat, whether or not any of the wheat has been malted or subjected to any process and whether or not the product contains enzyme active preparations, and includes meal but does not include separated wheat offals, separated wheat germ or semolina;

"importer" in relation to imported bread or flour, includes any person who, whether as owner, consignor, consignee, agent or broker, is in possession of the flour or in any way entitled to the custody or control of it;

"improving agent" means any substance capable of simulating the effects produced by the natural aging of flour and includes sulphur dioxide;

"milk" includes condensed milk and dried milk;

"permitted bleaching agent" means any bleaching agent specified in any of the provisos to regulation 26(2);

"permitted improving agent" means any improving agent specified in any of the provisos to regulation 26(2);

"self-raising flour" means flour conforming to the standard prescribed in the Food Standards (Miscellaneous Foods) Regulations (Northern Ireland) 1960(a);

"sell" includes offer or expose for sale or have in possession for sale; and "sale" shall be construed accordingly;

(a) S.R. & O. (N.I.) 1960, No. 160.

"skimmed milk" includes separated or machine-skimmed milk, partly skimmed, separated or machine-skimmed milk and buttermilk; and "skimmed milk solids" shall be construed accordingly;

"soda bread" includes soda farls;

"sugar" means any soluble carbohydrate sweetening matter;

"wheat malt" means wheat that has been steeped, allowed to germinate and then kilned in order to arrest germination;

"wheat malt flour" means flour derived from or separated during the milling or grinding of wheat malt;

"whole milk solids" means the total solids of full cream milk and including not less than 26 per centum of milk fat (calculated by weight);

"yeast stimulating preparation" means a substance or mixture of substances capable of maintaining or accelerating the activity of yeast.

(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.

Exemptions

3. The following provisions of these regulations shall not apply, except insofar as they relate to advertisements other than labels or wrappers, in relation to—

(*a*) any bread or flour intended at the time of sale, consignment or delivery, as the case may be, for exportation to any place outside the United Kingdom;

(*b*) any bread or flour intended at the time of sale, consignment or delivery, as the case may be, for consumption by Her Majesty's forces or by a visiting force within the meaning of any of the provisions of Part I of the Visiting Forces Act 1952(a);

(*c*) any bread intended at the time of sale, consignment or delivery, as the case may be, for use by a manufacturer for the purposes of his manufacturing business.

PART II

BREAD

Composition of bread

4.—(1) White bread shall be composed of dough, made from flour, yeast and water, which has been fermented and subsequently baked.

(2) Save as hereinafter provided, white bread may contain all or any of the following, but no other, additional ingredients:—

(*a*) salt;

(*b*) edible oils and fats;

(*c*) milk and milk products;

(*d*) sugar;

(*e*) enzyme active preparations;

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

(*f*) rice flour and soya bean flour:

Provided that the total proportion of either or both of those ingredients present in the bread, as the case may be, shall not exceed two parts to every hundred parts of flour (calculated by weight);

(*g*) prepared wheat gluten and wheat germ;

(*h*) poppy seeds, carraway seeds, cracked wheat and cracked or kibbled malted wheat;

(*j*) cracked oat grain, oatmeal and oat flakes:

Provided that the total proportion of any, some or all of those ingredients present, as the case may be, whether in or on the bread, shall not exceed two parts to every hundred parts of flour (calculated by weight);

(*k*) yeast stimulating preparations;

(*l*) acetic acid, vinegar, monocalcium phosphate, acid sodium pyrophosphate, lactic acid, potassium acid tartrate and sodium diacetate;

(*m*) lecithin;

(*n*) any permitted bleaching agent or permitted improving agent insofar as its use in all flour other than wholemeal is permitted by these regulations;

(*o*) any substance used as an excipient or diluent of any of the additional ingredients mentioned in this paragraph:

Provided that the total proportion of any such substance or substances present in the bread shall not exceed two hundred and twenty-five parts to every million parts of flour (calculated by weight);

(*p*) any preservative insofar as its use in bread is permitted by the Preservatives in Food Regulations (Northern Ireland) 1962(**a**);

(*q*) any emulsifier or stabiliser insofar as its use in bread is permitted by the Emulsifiers and Stabilisers in Food Regulations (Northern Ireland) 1962(**b**).

5.—(1) Brown bread or wheatmeal bread shall be composed of dough, made from flour, yeast and water, which has been fermented and subsequently baked, and shall contain wheatmeal and not less than 0·6 per centum of fibre (calculated by weight on the dry matter of the bread).

(2) Brown bread or wheatmeal bread may contain all or any of the additional ingredients mentioned in regulation 4(2) in the proportions, if any, so mentioned but no other additional ingredient except caramel:

Provided that the proportion of soya bean flour, if present, in the bread may be not more than five parts to every hundred parts of flour (calculated by weight).

6.—(1) Wheat germ bread shall be composed of dough, made from flour, yeast and water, which has been fermented and subsequently baked, and shall contain not less than 10 per centum of added processed wheat germ (calculated by weight on the dry matter of the bread).

(2) Wheat germ bread may contain all or any of the additional ingredients mentioned in regulation 4(2) in the proportions, if any, so mentioned but no other additional ingredient except caramel:

(**a**) S.R. & O. (N.I.) 1962, No. 173. (**b**) S.R. & O. (N.I.) 1962, No. 90.

Provided that the proportion of soya bean flour, if present, in the bread may be not more than five parts to every hundred parts of flour (calculated by weight).

7.—(1) Wholemeal bread shall be composed of dough, made from wholemeal, yeast and water without the addition of any other flour, which has been fermented and subsequently baked.

(2) Wholemeal bread may contain all or any of the additional ingredients mentioned in regulation 4(2) (*a*), (*b*), (*d*), (*e*), (*h*), (*k*), (*l*), (*m*), (*o*), (*p*) and (*q*) in the proportions, if any, so mentioned but no other additional ingredient except caramel.

8.—(1) Soda bread shall be composed of a baked dough made from flour, sodium bicarbonate and water.

(2) Soda bread may contain yeast, treacle and dried fruit, and all or any of the additional ingredients mentioned in regulation 4(2) in the proportions, if any, so mentioned but no other additional ingredients.

9.—(1) No person shall sell any food under such a description as to lead an intending purchaser to believe that he is purchasing white bread, brown bread or wheatmeal bread, wheat germ bread, wholemeal bread or soda bread respectively if the food does not comply with regulation 4, 5, 6, 7 or 8 as the case may be.

(2) Where a person sells food to a purchaser in response to a request for bread of one of the kinds mentioned in this regulation, he shall be deemed to sell bread of that kind and under such a description as is specified in relation to that kind of bread in the respective regulation unless he clearly notifies the purchaser at the time of sale that the bread is not of that kind.

Sale etc. of bread containing added colouring matter, a bleaching or improving agent, preservative etc.

10.—(1) No bread shall contain any added colouring matter:

Provided that any bread other than white bread or soda bread may contain caramel.

(2) No person shall sell, consign or deliver any bread which does not comply with this regulation.

11. Nothing in these regulations shall permit the presence in, or the use in the preparation of, any bread—

(*a*) of any bleaching agent or improving agent except insofar as the presence of that bleaching agent or improving agent is permitted in all flour other than wholemeal by these regulations;

(*b*) of any preservative except insofar as the presence of that preservative in bread is permitted by the Preservatives in Food Regulations (Northern Ireland) 1962;

(*c*) of any emulsifier or stabiliser except insofar as the presence of that emulsifier or stabiliser in bread is permitted by the Emulsifiers and Stabilisers in Food Regulations (Northern Ireland) 1962;

(*d*) in any case where the bread contains, as an added ingredient, any food of a description specified in column 1 of Schedule 1 to the Antioxidants