1960. No. 187 **[C]**

FOOD AND DRUGS

Butter and Margarine

REGULATIONS, DATED 23RD NOVEMBER, 1960, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTIONS 4, 48 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, 48 and 68 of the Food and Drugs Act (Northern Ireland), 1958(a), hereby makes the following regulations:—

Citation

1. These regulations may be cited as the Food Standards (Butter and Margarine) Regulations (Northern Ireland), 1960.

Interpretation

2. In these Regulations—

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

"butter" means the substance usually known as butter made exclusively from milk with or without salt and with or without the addition of colouring matter;

"catering business" includes the business or undertaking of an inn, public-house, hotel, restaurant, café, tea-shop, buffet, coffee-stall or any place of refreshment open to the public, or of a club, boarding-house, apartment-house, refreshment contractor, school feeding-centre, staff dining-room or canteen; and the word "caterer" shall be construed accordingly;

"margarine" means the food usually known as margarine being an emulsion of edible oils and fats with water or skimmed milk or other substances, with or without the addition of colouring matter, which is capable of being used for the same purposes as butter; and for the purpose of regulations 4(2), 5 and 6 any reference to "margarine" shall be construed as including a reference to any food, whether mixed with butter or not, which resembles butter;

"sale" includes an offer for sale and exposure for sale;

"sale by retail" means a sale to a person otherwise than for the purpose of re-sale and includes a sale of margarine as such by a caterer in the course of his catering business but does not include a sale to a manufacturer for the purposes of his manufacturing business or a sale to a caterer for the purposes of his catering business;

"vitamin D" means the anti-rachitic vitamins.

Standard for butter

3. The standard for butter as respects any water contained therein shall be as follows, that is to say; butter shall not contain more than 16 per cent. of water.

Standard for margarine

4.—(1) The standard for margarine as respects any water contained therein and as respects the fat content thereof shall be as follows, that is to say:—

(a) 1958. c. 27.

(*a*) margarine shall not contain more than 16 per cent. of water;

(*b*) the fat content of margarine shall not contain more than 10 per cent. of fat derived from milk.

(2) The standard for margarine, as respects vitamin A and vitamin D contained therein, shall be as specified in the First Schedule.

5. The standard for margarine prescribed in regulation 4(2) shall apply only as respects sales by retail.

6. No person shall sell or offer or expose for sale any food intended for human consumption under such a description as to lead an intending purchaser to believe he is purchasing butter or margarine unless the food complies with the said standards.

7. Where a person sells any food to a purchaser in response to a request for butter or margarine he shall be deemed to sell butter or margarine respectively unless he clearly notifies the purchaser at the time of sale that the food is not butter or margarine.

Penalties

8. If any person contravenes or fails to comply with any of the provisions of these regulations he shall be guilty of an offence and shall be liable on summary conviction—

(*a*) to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment; and

(*b*) in the case of a continuing offence, to a further fine not exceeding five pounds for each day during which the offence continues after conviction.

Legal Proceedings—Application of Act

9. In any prosecution for an offence under these regulations the relevant provisions of Sections 46, 48, 50 and 53 of the Act shall apply.

Revocation

10. The Sale of Butter (Ireland) Regulations, 1902, are hereby revoked.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this 23rd day of November, nineteen hundred and sixty, in the presence of

(L.S.) *J. L. O. Andrews,*
Minister of Health and Local Government.