Given under the Official Seal of the Minister of Health this tenth day of December, nineteen hundred and fifty-nine.

(L.S.)

Derek Walker-Smith,
Minister of Health.

EXPLANATORY NOTE

(This Note is not part of the regulations, but is intended to indicate their general purport.)

These regulations replace the Fluorine in Food Order, 1947, in its application to England and Wales.

The regulations prescribe reduced maximum limits for the fluorine content of acidic phosphates used for food purposes and of foods containing acidic phosphates.

1959 No. 2182 (S. 120)

The Fluorine in Food (Scotland) Regulations, 1959

Made - - - -	*17th December,* 1959
Laid before Parliament	*23rd December,* 1959
Coming into Operation	*14th March,* 1960

In exercise of the powers conferred upon me by sections 4 and 56 of the Food and Drugs (Scotland) Act, 1956(a), and of all other powers enabling me in that behalf, and after consultation with such organisations as appear to me to be representative of interests substantially affected by these regulations I hereby make the following regulations:—

1. These regulations may be cited as the Fluorine in Food (Scotland) Regulations, 1959; and shall come into operation on the 14th day of March, 1960.

2.—(1) In these regulations unless the context otherwise requires:—

"acidic phosphate" means any acidic substance derived from ortho-, pyro-, or poly-phosphoric acid or from any combination of two or more such acids;

"food" means food intended for sale for human consumption and includes drink, chewing gum and other products of a like nature and use, and articles and substances used as ingredients in the preparation of food or drink or of such products, but does not include—

(*a*) water, live animals or birds, or

(*b*) articles or substances used only as drugs;

"human consumption" includes use in the preparation of food for human consumption;

(a) 4 & 5 Eliz. 2. c. 30.

"importation" has the same meaning as it has for the purposes of the Customs and Excise Act, 1952(a); and "import" shall be construed accordingly;

"preparation" includes manufacture and any form of treatment;

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

(2) The Interpretation Act, 1889(b) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament, and as if these regulations and the order hereby revoked were Acts of Parliament.

3.—(1) The local authority of any area shall, subject to the provisions of the next following paragraph, enforce and execute the provisions of these regulations within their area.

(2) Where any part of the area of a local authority lies within the area of a port local authority such of the functions of the local authority under these regulations in relation to any food imported into that part shall, in so far as these functions fall to be exercised by the port local authority by virtue of any order made under section 172 of the Public Health (Scotland) Act, 1897(c), be exercised by that port local authority.

(3) In these regulations "local authority" means the council of a county or a large burgh within the meaning of the Local Government (Scotland) Act, 1947(d); and any small burgh within the meaning of that Act shall, for the purposes of these regulations be included in the county in which it is situated and "port local authority" includes a joint port local authority.

4.—(1) No food specified in the first column of the following table shall contain any fluorine in a proportion by weight exceeding that specified in relation thereto in the second column of that table:—

Food	*Maximum fluorine content (expressed in terms of parts per million)*
1. Self-raising flour or any similar mixture (not included in item 2 below) containing a farinaceous substance and an acidic phosphate	3
2. Baking powder, including golden raising powder	15
3. Any article or substance (not included in any of the foregoing items) used as an ingredient in the preparation of food and consisting wholly or partly of an acidic phosphate	30 (of the acidic phosphate present)

(2) No person shall sell, consign or deliver, or import any food to which paragraph (1) of this regulation applies which does not comply with the provisions of that paragraph.

(a) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 44.
(b) 52 & 53 Vict. c. 63.
(c) 60 & 61 Vict. c. 38.
(d) 10 & 11 Geo. 6. c. 43.

5. Where any food is certified by a public analyst as being food which it is an offence against regulation 4 hereof to sell, consign or deliver, or import, that food may be treated for the purposes of section 9 of the Food and Drugs (Scotland) Act, 1956 (under which food may be seized and destroyed on an order of a Justice of the Peace) as being unfit for human consumption.

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

(*a*) on summary conviction to—

(i) a fine not exceeding £100 or to imprisonment for a term not exceeding six months or to both such fine and imprisonment; and

(ii) in the case of a continuing offence, to a further fine not exceeding £10 for every day during which the offence is continued; or

(*b*) on conviction on indictment to—

(i) a fine not exceeding £500 or to imprisonment for a term not exceeding one year or to both such fine and imprisonment; and

(ii) in the case of a continuing offence, to a further fine not exceeding £50 for every day during which the offence is continued.

7. The Fluorine in Food Order, 1947(a), is hereby revoked.

Dated this 17th day of December, 1959.

John S. Maclay,
One of Her Majesty's
Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

EXPLANATORY NOTE

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

These regulations replace the Fluorine in Food Order, 1947 in its application to Scotland.

The regulations prescribe reduced maximum limits for the fluorine content of acidic phosphates used for food purposes and of foods containing acidic phosphates.

(a) S.R. & O. 1947/1134 (1947 II, p. 10).

1959 No. 1098

The Condensed Milk Regulations, 1959

Made - - - -	19*th June*, 1959
Laid before Parliament	25*th June*, 1959
Coming into Operation	26*th June*, 1959

The Minister of Agriculture, Fisheries and Food and the Minister of Health, acting jointly, in exercise of the powers conferred on them by sections four, seven and one hundred and twenty-three of the Food and Drugs Act, 1955(a), and of all other powers them enabling in that behalf, hereby make the following regulations, after consultation with such organisations as appear to them to be representative of interests substantially affected by the regulations and reference to the Food Hygiene Advisory Council under section eighty-two of the said Act (insofar as the regulations relate to the labelling, marking or description of food):—

1. These regulations may be cited as the Condensed Milk Regulations, 1959; and shall come into operation on the 26th day of June, 1959.

2.—(1) In these regulations unless the context otherwise requires:—

"condensed milk" means milk, partly skimmed milk or skimmed milk which has been concentrated by the removal of part of its water, whether with or without the addition of sugar, and includes the article commonly known as evaporated milk but does not include the article commonly known as dried milk or milk powder;

"food and drugs authority" has the meaning assigned to it by section 83 of the Food and Drugs Act, 1955;

"gross weight" of a container means the weight of the container and of its contents;

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

"skimmed milk" includes separated or machine-skimmed milk.

(2) The Interpretation Act, 1889(b), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament, and as if these regulations and the regulations hereby revoked were Acts of Parliament.

3. Each food and drugs authority shall enforce and execute the provisions of these regulations in their area.

4. The following provisions of these regulations shall not apply in relation to any condensed milk which is intended for exportation to a destination outside the United Kingdom or which is contained in a container whose gross weight exceeds five pounds.

(a) 4 & 5 Eliz. 2. c. 16. (b) 52 & 53 Vict. c. 63.