EXPLANATORY NOTE

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

These regulations take the place of section 13 of the Food and Drugs Act, 1938 (which is repealed by the Food and Drugs Amendment Act, 1954), and add a number of new provisions in respect of the hygienic handling of food and the construction and maintenance of premises, stalls, vehicles, etc., where food is handled. They do not apply to slaughterhouses and cold stores or to a number of other types of premises (e.g. dock premises, warehouses, carriers' premises), except in so far as activities such as staff canteens or retail shops, etc. may be carried on there. They also replace regulations 19, 20 and 21 of the Public Health (Meat) Regulations, 1924, in respect of the transport and carrying of meat.

The regulations lay down requirements in respect of (i) the cleanliness of food premises and stalls etc. and of apparatus and equipment, (ii) the hygienic handling of food, (iii) the cleanliness of persons engaged in the handling of food and of their clothing, and the action to be taken where they suffer from, or are carriers of, certain infections, (iv) the construction of food premises, the repair and maintenance of food premises, stalls, vehicles, etc., and the facilities to be provided, and (v) the temperature at which certain foods that are particularly liable to transmit disease are to be kept in food premises.

They prescribe the higher maximum penalties provided for in section 106 of the Food and Drugs Act, 1955. The operation of certain of the regulations which may require alterations to premises or substantial changes in existing practices is made subject to a delay of 6 months and local authorities (who are the enforcing authorities) are empowered to give certificates of exemption from the requirements of certain regulations if through special circumstances compliance with the provisions concerned cannot reasonably be required. There is an appeal to a court of summary jurisdiction against the refusal or withdrawal of a certificate.

LABELLING

1955 No. 1900

The Labelling of Food (Amendment) Regulations, 1955

Made - - - -	*16th December,* 1955
Laid before Parliament	*21st December,* 1955
Coming into Operation	*1st January,* 1956

The Minister of Agriculture, Fisheries and Food and the Minister of Health acting jointly, in exercise of the powers conferred upon them by sections 7 and 123 of the Food and Drugs Act, 1955(a), and of all other powers them enabling in that behalf, having consulted with such organisations as appear to them to be representative of interests substantially affected by these Regulations and having referred a draft of these Regulations to the Food Hygiene Advisory Council in accordance with section 82 of the said Act, hereby make the following Regulations :—

1. These Regulations may be cited as the Labelling of Food (Amendment) Regulations, 1955, and shall come into operation on the first day of January, 1956:

(a) 4 & 5 Eliz. 2. c. 16.

Provided that the provisions referred to in column 1 of the Second Schedule to these Regulations shall not have effect until the later dates specified in relation thereto in column 2 of the said Schedule.

2. The Labelling of Food Order, 1953(**a**), as amended (**b**), shall be further amended as follows:—

(*a*) by inserting in paragraph (1) of Article 2 thereof immediately after the definition of intoxicating liquor the following definitions:—

"'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.

'Margarine-cheese' means any substance prepared in imitation of cheese and containing fat not derived from milk.";

(*b*) by inserting immediately after Part IV thereof the Part set forth in the First Schedule to this Order;

(*c*) by substituting in column 1 and column 3 of item 3 of Table A in the First Schedule to the Order for the words "synthetic cream" wherever they appear the words "imitation cream".

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this sixteenth day of December, nineteen hundred and fifty-five.

(L.S.)

D. Heathcoat Amory,
Minister of Agriculture, Fisheries and Food

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

(L.S.)

Iain Macleod,
Minister of Health.

THE FIRST SCHEDULE

PART IVA

Special requirements as to the labelling, marking and advertising of margarine and margarine-cheese

7A. No person dealing in margarine shall deliver to the purchaser any margarine, whether pre-packed or otherwise, unless—

(*a*) it is so delivered in a wrapper or container bearing the word "MARGARINE" in block letters, legibly printed and conspicuously visible;

(*b*) in the event of any brand or descriptive name appearing on such wrapper or container, the word "MARGARINE", as aforesaid, appears in conjunction therewith wherever such brand or descriptive name appears: save that where any pre-packed margarine is delivered enclosed in a wrapper or container this requirement shall not apply in relation to the two sides which are smaller in area than any of the other sides;

(*c*) in every case where the word "MARGARINE" appears in conjunction with any brand or descriptive name as aforesaid the following requirements are complied with independently as respects each side of the packet on which the brand or descriptive name appears, that is to say:—

(**a**) S.I. 1953/536 (1953 I, p. 665). (**b**) S.I. 1953/1889 (1953 I, p. 685).

(i) If any brand or descriptive name appears in letters not more than $\frac{1}{8}$ of an inch in height the word "MARGARINE" shall be in letters of at least the same height as those of the brand or descriptive name.

(ii) If any brand or descriptive name appears in letters more than $\frac{1}{8}$ of an inch in height but not more than $\frac{1}{4}$ of an inch in height the word "MARGARINE" shall be in letters not less than $\frac{1}{8}$ of an inch in height.

(iii) If any brand or descriptive name appears in letters more than $\frac{1}{4}$ of an inch in height the word "MARGARINE" shall be in letters not less than half the height of the letters of the brand or descriptive name.

(*d*) in every case where the word "butter", "cream" or "milk" appears on the wrapper or container, that word appears in letters not larger nor more conspicuous than those used for the word "MARGARINE".

7AB. No person shall give with any margarine sold by him or display with any margarine exposed by him for sale any label, whether attached to or printed on the wrapper or container or not, which—

(*a*) bears any brand or descriptive name or pictorial device which refers to, or is suggestive of, butter or of anything connected with the dairy interest;

(*b*) claims that any margarine contains or is made with cream or milk unless such claim is made in the following words (and no others), that is to say:—

"Made with (x), milk-fat equivalent to (y) % of butter"

inserting at (x) the word "cream" or "milk" as the case may be and at (y) the figure which represents the percentage of butter calculated on the amount of milk-fat introduced by the cream, or the milk, as the case may be.

The claim shall be in type or characters all of equal size;

(*c*) claims that margarine contains butter unless such claim states the percentage of butter the margarine contains.

Provided that no offence shall be deemed to have been committed under this Article in relation to a figure stated as the percentage of butter if such figure does not differ by more than two from the actual percentage.

7AC.—(1) No person shall publish, or be a party to the publication of any advertisement for margarine which—

(*a*) includes any brand or descriptive name or pictorial device which refers to, or is suggestive of, butter or of anything connected with the dairy interest;

(*b*) makes any claim that any margarine contains or is made with cream or milk unless such claim is made in the following words (and no others), that is to say:—

"Made with (x), milk-fat equivalent to (y) % of butter"

inserting at (x) the word "cream" or "milk" as the case may be and at (y) the figure which represents the percentage of butter calculated on the amount of milk-fat introduced by the cream, or the milk, as the case may be.

Where the claim is made in visual form it shall be in type or characters all of equal size;

(*c*) makes any claim that margarine contains butter unless such claim states the percentage of butter the margarine contains.

Provided that no offence shall be deemed to have been committed under this Article in relation to a figure stated as the percentage of butter if such figure does not differ by more than two from the actual percentage.

(2) In proceedings for an offence against this Article in relation to the publication of an advertisement it shall be a defence for the defendant to prove that, being a person whose business it is to publish, or arrange for the publication of, advertisements he received the advertisement for publication in the ordinary course of business.

(3) In any such proceedings as aforesaid against the manufacturers, producers or importers of the margarine, it shall rest on the defendant to prove that he did not publish, and was not a party to the publication of, the advertisement.

7AD. No person shall expose for sale by retail any margarine, other than pre-packed margarine, unless there is attached thereto, in such a manner as to be clearly visible to a purchaser, a label marked " MARGARINE " in block letters not less than one and a half inches in height.

7AE. With the exception of sub-paragraphs (*b*) and (*c*) of Article 7AB and sub-paragraphs (*b*) and (*c*) of paragraph (1) of Article 7AC, the foregoing provisions of this Part of this Order shall apply in relation to margarine-cheese as if " margarine-cheese " were substituted for " margarine " throughout.

THE SECOND SCHEDULE

DATES OF OPERATION OF PROVISIONS WHICH DO NOT COME INTO OPERATION ON 1ST JANUARY, 1956

Col. 1 *Provisions of the Regulations*	*Col. 2* *Date of Operation*
1. Sub-paragraph (*b*) of Article 7AB in the First Schedule to these Regulations—	
(*a*) as respects margarine sold or exposed for sale otherwise than by retail—	
(i) by the packer or labeller or importer thereof.....	1st February, 1956
(ii) by any other person.....	1st March, 1956
(*b*) as respects margarine sold or exposed for sale by retail.....	1st April, 1956
2. Sub-paragraph (1) (*b*) of Article 7AC in the First Schedule to these Regulations.....	1st April, 1956

EXPLANATORY NOTE

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

These Regulations, which apply in England and Wales only, amend the Labelling of Food Order 1953 as amended (which Order has effect in England and Wales as if contained in regulations under section 7 of the Food and Drugs Act, 1955), to re-enact with modifications certain requirements of the repealed sections 32 (2) and 33 of the Food and Drugs Act, 1938, relating to the labelling, marking and advertising of margarine and margarine-cheese. These requirements, which are set forth in the First Schedule to the Regulations, also include a provision prohibiting, otherwise than in a manner prescribed, claims that margarine contains or is made with cream or milk. This prohibition comes into effect by stages on the dates mentioned in the Second Schedule to the Regulations.

The Regulations also substitute the description " imitation cream " for " synthetic cream " in item 3 of Table A in the First Schedule to the principal Order.