STATUTORY INSTRUMENTS

1985 No. 912

FOOD

COMPOSITION

The Lead in Food (Amendment) Regulations 1985

Made - - - -	12*th June* 1985
Laid before Parliament	24*th June* 1985
Coming into Operation	31*st December* 1985

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Social Services and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred on them by sections 4 and 118 of the Food Act 1984 (**a**) and of all other powers enabling them in that behalf, hereby make the following regulations, after consultation in accordance with section 118(6) of the said Act with such organisations as appear to them to be representative of interests substantially affected by the regulations:—

Title, commencement and interpretation

1.—(1) These regulations may be cited as the Lead in Food (Amendment) Regulations 1985 and shall come into operation on 31st December 1985.

(2) In these regulations, unless the context otherwise requires, any reference to a numbered regulation or schedule shall be construed as a reference to the regulation or schedule so numbered in the Lead in Food Regulations 1979 (**b**).

Amendment of the Lead in Food Regulations 1979

2. The Lead in Food Regulations 1979 shall be amended in accordance with the following provisions of these regulations.

Amendment of Schedule 1

3.—(1) In Part I of Schedule 1 the amendments specified in the following paragraphs of this regulation shall be made.

(2) Items 14 (canned foods) and 25 (canned fish) shall be deleted.

(3) For item 27 (corned beef) there shall be substituted the following item:—

Description of food	Proportion of lead expressed in milligrams per kilogram
Corned beef	2.0

(**a**) 1984 c.30.
(**b**) S.I. 1979/1254, to which there are amendments not relevant to these regulations.

(4) After item 39 there shall be added the following item:—

Description of food	Proportion of lead expressed in milligrams per kilogram
40. Condensed milk	0.5

Transitional provisions

4. In any proceedings for an offence under regulation 4 (Sale, etc. of food containing lead) which was committed before 1st January 1988, it shall be a defence to prove that—

(a) the food was canned before 31st December 1985; and

(b) the matters constituting the offence would not have constituted an offence if these amending regulations had not been in operation when the act was committed.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 6th June 1985.

L.S.

Michael Jopling,
Minister of Agriculture, Fisheries and Food.

Norman Fowler,
Secretary of State for Social Services.

12th June 1985.

Nicholas Edwards,
Secretary of State for Wales.

6th June 1985.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations, which apply to England and Wales only, come into force on 31st December 1985. They amend the Lead in Food Regulations 1979 which restrict the amount of lead which may be present in food (including drink) intended for sale for human consumption.

The changes made by these regulations are—

(a) Most canned food is made subject to the general restriction on lead in food (1.0 milligram of lead per kilogram of food) by removing certain items from the list of specified foods in Schedule 1 (regulation 3(2)).

(b) The amount of lead which may be present in corned beef is reduced from 5.0 to 2.0 milligrams per kilogram of food (regulation 3(3)).

(c) The amount of lead which may be present in condensed milk is specified as being 0.5 milligram per kilogram of food (regulation 3(4)).

These changes do not apply to food canned before the amending regulations come into operation and sold before 1st January 1988 (regulation 4).

SI 1985/912
ISBN 0-11-056912-1

