1963 No. 1591 (S. 76)

FOOD AND DRUGS

COMPOSITION—SCOTLAND

The Liquid Egg (Pasteurisation) (Scotland) Regulations 1963

Made - - - -	18*th September* 1963
Laid before Parliament	26*th September* 1963
Coming into Operation	1*st January* 1964

In exercise of the powers conferred on 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: —

Citation and commencement

1. These regulations may be cited as the Liquid Egg (Pasteurisation) (Scotland) Regulations 1963 and shall come into operation on 1st January 1964.

Interpretation

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

"the Act" means the Food and Drugs (Scotland) Act 1956;

"liquid egg" means any mixture of yolk and albumen, other than reconstituted dried egg, and includes any such mixture which is frozen, chilled or otherwise preserved;

and other expressions have the same meaning as in the Act.

(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.

(3) The Interpretation Act 1889(b) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Enforcement

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 this regulation "local authority" means the council of a county or of 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.

(a) 4 & 5 Eliz. 2. c. 30.
(b) 52 & 53 Vict. c. 63.
(c) 60 & 61 Vict. c. 38.
(d) 10 & 11 Geo. 6. c. 43.

Liquid egg to be pasteurised

4. No person shall use as an ingredient in the preparation of food intended for sale for human consumption, or import into Scotland with a view to such use, liquid egg which does not satisfy the requirements of Part I of the schedule to these regulations:

Provided that this regulation shall not apply to liquid egg which is removed from the shell on the premises where the food is prepared and is either used forthwith or kept at a temperature not exceeding 50° F. (10° C.) and used within 24 hours.

Penalties

5.—(1) If any person contravenes or fails to comply with any of the foregoing provisions of these regulations he shall be guilty of an offence under these regulations.

(2) Any person who is guilty of an offence under these regulations 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.

Application of various sections of the Act

6.—(1) Sections 41(2) and (5) (which relate to proceedings), 42(1), (2) and (3) (which relate to evidence of certificates of analysis), 44 (which relates to the power of a court to require analysis by the Government Chemist), 46(2) (which relates to the conditions under which a warranty may be pleaded as a defence) and 47 (which relates to offences in relation to warranties and certificates of analysis) of the Act, shall apply for the purposes of these regulations as if references therein to proceedings, or a prosecution, under or taken under the Act included references to proceedings, or a prosecution as the case may be, taken for an offence against these regulations and in addition as if—

(*a*) in the case of section 44(1) of the Act, the reference therein to section 41(5) of the Act included a reference to said section 41(5) as applied by these regulations ; and

(*b*) in the case of section 47(1) and (2) of the Act, the references therein to an offence against the Act included references to an offence against these regulations.

(2) Section 41(4) of the Act shall apply for the purposes of these regulations as if the reference therein to section 47 of the Act included a reference to said section 47 as applied by these regulations.

Michael Noble,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
18th September 1963.

SCHEDULE

PART I

PASTEURISATION

1. Liquid egg shall be pasteurised by being (*a*) retained at a temperature not lower than 148°F. (64·4°C.) for at least 2½ minutes, and immediately thereafter cooled to a temperature below 38°F. (3·3°C.), or (*b*) retained at such temperature and for such time as may be approved by the Secretary of State.

2. The apparatus used shall include such devices as may be necessary to ensure a constant rate of flow of liquid egg, thermostatic control of the heating of the liquid egg and the automatic diversion of flow of any liquid egg not sufficiently heated.

3. Such thermometers shall be used as are necessary to indicate and record compliance with the requirements of paragraph 1 of this schedule. Proper records of the readings of these thermometers shall be preserved for a period of not less than 12 months.

4. A sample of the liquid egg, taken in accordance with Part II of this schedule, shall satisfy the alpha-amylase test described in Part III of this schedule.

5. Liquid egg of which such a sample satisfies the said alpha-amylase test shall be regarded as satisfying the requirements of this Part of this schedule.

PART II

SAMPLING

1. The sample shall consist of not less than 50 g. of the liquid egg. The instruments used for sampling shall be sterile and the sample shall be placed in a sterile container which shall thereupon be immediately closed.

2. The person taking the sample shall mark the container of the sample with a number or other suitable indentification mark at the time of sampling, and shall enter in a book or on a paper which shall accompany the sample the following particulars:—

(*a*) the number or identification mark of the sample;

(*b*) the name and address of the person on whose premises the sample was taken.

3. The container in which the sample has been placed shall be transferred forthwith to an insulated container and transported to the testing laboratory with the least possible delay.

PART III

THE ALPHA-AMYLASE TEST

Examination of sample

1. The sample of liquid egg shall be tested as soon as possible after receipt at the testing laboratory but shall be allowed to come to room temperature immediately before the test.

A sample which shows evidence of having deteriorated shall not be tested.

Precautions

2. The following precautions shall be taken:—

(*a*) distilled or de-ionised water shall be used in the preparation of reagents or in the dilution of reactants;

(*b*) contamination of liquid egg or reagents with saliva shall be avoided;

(*c*) all glassware shall be clean and dry before use;

(*d*) in the event of a sample failing to pass the test, any glassware which has come into contact with the liquid egg shall immediately be sterilised.

Reagents

3. The following reagents shall be used:—

(*a*) *Starch solution* prepared in accordance with the following instructions: Weigh an amount of soluble starch, of analytical reagent quality and of known moisture content, equivalent to 0·70 g. of dry starch. Mix this quantity of starch to a thin cream with cold water. Transfer the whole quantity of this cream to about 50 ml. of boiling water, boil for one minute and cool by immersion in cold water. Add three drops of toluene and dilute with water to 100 ml. in a volumetric flask.

This solution shall not be used if more than a fortnight old.

(*b*) *Solution of iodine*, approximately millinormal, as specified in the British Pharmacopoeia, 1963, Appendix IIA. This solution shall be freshly prepared before use, but may be made by dilution from a stronger solution with appropriate adjustment of potassium iodide concentration.

(*c*) *Solution of trichloroacetic acid:* 15 per cent. weight in volume aqueous solution of trichloroacetic acid of analytical reagent quality.

Method of carrying out the test

4. Weigh out 15·0 g. of the sample of liquid egg into a small flask. Add 2·0 ml. of the starch solution and mix thoroughly. Place this mixture for 30 minutes in a water bath maintained at 44°C.±0·5°C. Remove the mixture and allow to cool. Add 5·0 ml. of the mixture to 5·0 ml. of the solution of trichloroacetic acid and shake thoroughly. Add 15 ml. of water and shake again. Remove the suspended matter by filtration or centrifugation. Add 10 ml. of the clear filtrate after rejecting the first runnings, or of the supernatant liquor, as the case may be, to 2 ml. of the solution of iodine contained in a test-tube.

Interpretation

5. The sample shall be deemed to have passed the alpha-amylase test if the filtrate or liquor in the solution of iodine immediately turns a blue-violet colour. For this purpose colours more blue-violet than 3 of a standard Lovibond Comparator Disc 4/26, or of a comparable spectrophotometric standard, shall be taken as satisfactory.

EXPLANATORY NOTE

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

These regulations, which apply to Scotland only, require the pasteurisation of liquid egg to be used in food intended for sale for human consumption, other than egg broken out on the food manufacturer's premises and used within 24 hours. The regulations prescribe the method of pasteurisation and the test to be satisfied.