STATUTORY INSTRUMENTS

1977 No. 860 (S. 62)

FOOD AND DRUGS

COMPOSITION AND LABELLING

The Preservatives in Food (Scotland) Amendment Regulations 1977

Made - - -	*11th May* 1977
Laid before Parliament	*25th May* 1977
Coming into Operation	*15th June* 1977

In exercise of the powers conferred on me by sections 4, 7 and 56 of the Food and Drugs (Scotland) Act 1956(**a**) as amended by section 4(1) of, and paragraph 3(1) and (2)(*a*) of Schedule 4 to, the European Communities Act1 972(**b**) 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 and after reference to the Scottish Food Hygiene Council under section 25 of the said Act of 1956 (in so far as the regulations are made in exercise of the powers conferred by the said section 7), I hereby make the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Preservatives in Food (Scotland) Amendment Regulations 1977, and shall come into operation on 15th June 1977.

(2) In these regulations a reference to a numbered schedule is a reference to the schedule so numbered in the Preservatives in Food (Scotland) Regulations 1975(**c**), as amended(**d**).

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

Amendment of principal regulations

2.—(1) Part I of Schedule 1 shall be amended—

(*a*) by inserting in column 4 thereof in relation to sodium salt of methyl 4-hydroxybenzoate the serial number "E219" and in relation to potassium nitrite the serial number "E249";

(*b*) by inserting in column 3 thereof immediately after calcium propionate, as part of the item relating to the alternative forms in which propionic acid may be used, the entry "Potassium propionate" and in column 4, in relation thereto, the serial number "E283".

(**a**) 1956 c. 30. (**b**) 1972 c. 68. (**c**) S.I. 1975/1598 (1975 III, p. 5514).
(**d**) S.I. 1976/946, 1910 (1976 II, p. 2462; III, p. 5117). (**e**) 1889 c. 63.

(2) Part II of Schedule 1 shall be amended—

(*a*) by substituting for the item referring to the specific purity criteria applicable to E218 methyl 4-hydroxybenzoate the following item:—

"*E* 218 *Methyl* 4-*hydroxybenzoate*

Synonym Methyl *para*-hydroxybenzoate

The specific purity criteria for methyl *p*-hydroxybenzoate contained in Directive 65/66/EEC of the Council(**a**), as amended by Directive 76/463/EEC of the Council(**b**).";

(*b*) by substituting for the item containing the specific purity criteria applicable to sodium salt of methyl 4-hydroxybenzoate, the following item:—

"*E* 219 *Methyl* 4-*hydroxybenzoate, sodium salt*

Synonym Sodium methyl *para*-hydroxybenzoate

The specific purity criteria for sodium derivative of methyl *p*-hydroxybenzoate contained in Directive 65/66/EEC of the Council, as amended by Directive 76/463/EEC of the Council.";

(*c*) by substituting for the item containing the specific purity criteria applicable to potassium nitrite the following item:—

"*E* 249 *Potassium nitrite*

The specific purity criteria for potassium nitrite contained in Directive 65/66/EEC of the Council, as amended by Directive 76/463/EEC of the Council.";

(*d*) by inserting immediately after the item referring to the specific purity criteria applicable to E 282 calcium propionate the following item:—

"*E* 283 *Potassium propionate*

The specific purity criteria for potassium propionate contained in Directive 65/66/EEC of the Council, as amended by Directive 76/463/EEC of the Council.";

(*e*) by substituting for the item containing the specific purity criteria applicable to E 226 calcium sulphite the following item:—

"*E* 226 *Calcium sulphite*

The specific purity criteria for calcium sulphite contained in Directive 65/66/EEC of the Council, as amended by Directive 76/463/EEC of the Council.";

(*f*) by substituting for the item containing the specific purity criteria applicable to E 227 calcium hydrogen sulphite the following item:—

"*E* 227 *Calcium hydrogen sulphite*

Synonym Calcium bisulphite

The specific purity criteria for calcium hydrogen sulphite contained in Directive 65/66/EEC of the Council, as amended by Directive 76/463/EEC of the Council.";

(**a**) O.J. No. 22, 9.2.65, p. 373 (O.J./S.E. 1965–1966, p. 25).

(**b**) O.J. No. L126, 14.5.76, p. 33.

(*g*) by substituting for the item containing the specific purity criteria applicable to E 233 2-(thiazol-4-yl) benzimidazole the following item:—

"*E* 233 2-(*Thiazol*-4-*yl*) *benzimidazole*

Synonym Thiabendazole

The specific purity criteria for 2-(4-thiazolyl) benzimidazole (thiabendazole) contained in Directive 65/66/EEC of the Council, as amended by Directive 76/463 EEC of the Council.";

(*h*) by substituting for the item containing the specific purity criteria applicable to E 239 hexamine the following item:—

"*E* 239 *Hexamine*

Synonym Hexamethylenetetramine

The specific purity criteria for hexamethylenetetramine contained in Directive 65/66/EEC of the Council, as amended by Directive 76/463/EEC of the Council.".

Bruce Millan,
One of Her Majesty's Principal Secretaries of State.

New St. Andrew's House,
Edinburgh.
11th May 1977.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations come into operation on 15th June 1977 and further amend the Preservatives in Food (Scotland) Regulations 1975. They implement Council Directive 76/462/EEC (OJ No. L. 126, 14.5.76, p. 31) amending for the eleventh time Directive 64/54/EEC on the approximation of the laws of the Member States concerning the preservatives authorised for use in foodstuffs intended for human consumption and Council Directive 76/463/EEC (OJ No. L. 126, 14.5.76, p. 33) amending for the second time Directive 65/66/EEC laying down specific criteria of purity for the preservatives authorised for use in foodstuffs intended for human consumption.

The Regulations—

(*a*) add potassium propionate to the list of alternative forms in which the permitted preservative propionic acid may be used and prescribe purity criteria for it (Regulation 2(1) and (2));

(*b*) adopt the Community reference numbers for the permitted preservatives sodium salt of methyl 4-hydroxybenzoate and potassium nitrite (Regulation 2(1));

(*c*) prescribe new purity criteria for methyl 4-hydroxybenzoate, sodium salt of methyl 4-hydroxybenzoate, potassium nitrite, calcium sulphite, calcium hydrogen sulphite, 2-(thiazol-4-yl) benzimidazole and hexamine (Regulation 2(2)).

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