1967 No. 1078 (S.86)

FOOD AND DRUGS

COMPOSITION AND LABELLING—SCOTLAND

The Sausage and Other Meat Product (Scotland) Regulations 1967

Made - - -	17*th July* 1967
Laid before Parliament	28*th July* 1967
Coming into Operation	31*st May* 1969

In exercise of the powers conferred upon me by sections 4, 7 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 and after reference to the Scottish Food Hygiene Council under section 25 of the said Act (in so far as the regulations relate to the labelling, marking or description of food), I hereby make the following regulations:—

PART I

PRELIMINARY

Citation and commencement

1. These regulations may be cited as the Sausage and Other Meat Product (Scotland) Regulations 1967, and shall come into operation on 31st May 1969.

Interpretation

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

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

" canned " in relation to any food means packed in a tin, jar or other hermetically sealed container, and either sterilised or pasteurised after sealing, and " canning " shall be construed accordingly;

" canned sausage " means any sausage canned for human consumption, and any reference to canned sausage includes any such sausage after removal from its container;

" cereal " includes potato flour, potato starch, rice flour, rice starch, ground rice, and soya flour but does not include grain rice, pastry, dumplings or any form of pasta;

" complete meat product " means any meat product which is homogeneous and complete in itself and is capable of being removed from a container in a single piece when the contents of the container are not frozen or congealed;

(a) 1956 c. 30.

" container " includes any form of packaging of food for sale as a single item, whether by way of wholly or partly enclosing the food or by way of attaching the food to some other article, and in particular includes a wrapper or confining band;

" drained weight " means the weight of any canned sausage when removed from its container and from any medium in which it has been canned;

" food " means food intended for sale for human consumption;

" gravy " means the product usually known by that name, and consisting of a liquid, thickened or unthickened, frozen or otherwise, having a flavour essentially derived from meat and including gravy sauce and any other product having characteristics similar to gravy;

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

" lean meat content " means the total weight of lean meat free of visible fat, when raw or after curing or any other similar processing, contained in any meat product expressed as a percentage of the total weight of that product;

" meat " means the flesh, including fat, and the skin, rind, gristle and sinew in amounts naturally associated with the flesh used, of any animal or bird which is normally used for human consumption and includes cured meat and permitted offal but does not include fish;

" meat content " means the total weight of meat when raw or after curing or any other similar processing contained in any meat product expressed as a percentage of the total weight of that product;

" meat paste " means any readily spreadable product of which meat is a major ingredient and includes potted meat, chopped meat, minced meat, flaked meat and pâté intended in each case for a use similar to any normal use of meat paste;

" meat pie " means any product containing meat which is wholly or partly encased in pastry and is intended for sale for human consumption and includes meat pasty and meat pudding but does not include sausage roll or vol-au-vent;

" meat product " means any product intended for sale for human consumption containing meat;

" meat with cereal " means any meat product which has a vegetable content of less than 25 per cent. and of which the principal ingredient by weight, other than meat, is cereal, and includes luncheon meat, but does include any faggot, rissole, croquette or meat ball described as such;

" meat with gravy " means any meat product which has a vegetable content of less than 25 per cent. and of which the principal ingredient by weight, other than meat, is added gravy;

" meat with jelly " means any meat product which has a vegetable content of less than 25 per cent. and of which the principal ingredient by weight, other than meat, is added jelly;

" meat with sauce " means any meat product which has a vegetable content of less than 25 per cent. and of which the principal ingredient by weight, other than meat, is added sauce;

" permitted offal " means any offal other than offal prohibited to be used in any uncooked open meat product by the Offals in Meat Products Order 1953(a);

(a) S.I. 1953/246 (1953 I, p. 686).

" sauce " means a liquid, thickened or unthickened, frozen or otherwise, used as a garnish with food and having a colour and flavour derived essentially from ingredients other than meat, but does not include gravy sauce or any other product having characteristics similar to gravy;

" sausage " means a product of a shape usually known as sausage shape or part of that such product made of comminuted meat with or without the addition of cereal and other minor ingredients, whether contained in an edible or inedible casing or not, and includes any chipolata, frankfurter, salame, saveloy and polony;

" sausage meat " means a product made of meat, with or without the addition of cereal and other minor ingredients, commonly used for or intended for the making of sausages or sold under any description which states or implies that the product is sausage meat;

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

" vegetable " means any product usually regarded as a vegetable for culinary pruposes and includes mushroom and other edible fungus, tomato and grain rice as normally consumed;

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

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

(3) All percentages mentioned in these regulations are percentages calculated by weight and, unless a contrary intention is expressed, are calculated on the weight of the product as sold.

(4) Any reference in these regulations to a label borne on a container shall be construed as including a reference to any legible marking on the container however effected.

(5) For the purpose 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, and references to purchasing and purchasers shall be construed accordingly.

(6) Any reference in these regulations to any order or other regulations shall be construed as a reference to such order or regulations as amended by any subsequent order or regulations.

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(b), 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(c); and any small burgh within the meaning of that Act shall, for the

(a) 1889 c. 63. (b) 1897 c. 38. (c) 1947 c. 43.

purposes of these regulations, be included in the county in which it is situated; and " port local authority " includes a joint port local authority.

Exemptions

4. The provisions of these regulations shall not apply in relation to—

(*a*) any meat paste;

(*b*) any canned meat product to which the provisions of the Canned Meat Product (Scotland) Regulations 1967(a) apply;

(*c*) any meat pie or sausage roll to which the provisions of the Meat Pie and Sausage Roll (Scotland) Regulations 1967(b) apply, except that the provisions of regulation 7(1) of these regulations shall apply as therein mentioned in relation to any such meat pie or sausage roll which is part of some other meat product;

(*d*) any meat pie or sausage roll which weighs 1½ ounces or less;

(*e*) any meat product bearing a clear statement that such meat product is intended for consumption exclusively by invalids, babies or young children, and no statement to the effect that such meat product is intended for consumption by any other class of person;

(*f*) any product containing the fat, but no other meat, of any animal or bird normally used for human consumption;

(*g*) any gravy or sauce in each case described as such;

(*h*) any haggis, black pudding or white pudding in each case described as such;

(*i*) any sandwich or vol-au-vent in each case described as such;

(*j*) any canned, dehydrated or frozen soup or any other form of soup in each case described as such;

(*k*) any whole carcase of any bird or half-carcase thereof (from which in each case no bones except those of the head, the neck or the feet have been removed) or any whole leg or whole wing of any bird in each case described as such;

(*l*) any meat product which is sold for exportation to any place outside the United Kingdom;

(*m*) any meat product supplied under Government contracts for consumption by Her Majesty's Forces or for consumption by a visiting force within the meaning of any of the provisions of Part I of the Visiting Forces Act 1952(c);

(*n*) any meat product sold, consigned or delivered to a manufacturer for the purposes of his manufacturing business or to a caterer for the purposes of his catering business.

PART II

COMPOSITION OF SAUSAGES AND OTHER MEAT PRODUCTS

Calculation of meat content

5.—(1) Any egg which is present in any meat product, not exceeding one fifth by weight of the meat content of such meat product, may be reckoned as part of the meat content of such meat product for the purposes of regulation 6 of these regulations, if the meat product bears, as part of or in immediate

(a) S.I. 1967/1079 (1967 II, p. 3199). (b) S.I. 1967/1077 (1967 II, p. 3174). (c) 1952 c. 67.

proximity to its name, a description indicating the presence of egg in such meat product.

(2) The minimum meat content required by regulation 6 of these regulations for any sausage or sausage meat shall include a lean meat content of not less than 50 per cent. of such minimum meat content and, in the case of any other meat product, shall include a lean meat content of not less than 60 per cent. of such minimum meat content.

(3) The weight of any bone which is present as part of, or adhering to, any meat product, being bone which a purchaser may expect to be present by reason of a specific declaration on the container of such meat product, or by words otherwise disclosing or implying the presence of bone, shall be calculated as meat, for the purposes of regulation 6 of these regulations, but any bone otherwise present shall be reckoned as part of the total weight of the meat product, but not as part of the weight of the meat.

(4) Any edible casing used to enclose any meat product shall not be included in calculating, for the purposes of regulation 6 of these regulations, the total weight of any such meat product or the percentage of meat, jelly, gravy, sauce or cereal in such meat product.

(5)(*a*) The meat content of any dehydrated meat product shall be calculated, for the purposes of regulation 6 of these regulations, on the weight of such meat product as reconstituted if such meat product bears a clear statement that the ingredients are intended to be reconstituted before consumption.

(*b*) The total weight of any meat product of which one or more but not all of the ingredients is or are dehydrated shall, if such meat product bears a clear statement that the dehydrated ingredients are intended to be reconstituted before consumption, be calculated, for the purposes of regulation 6 of these regulations, as if the dehydrated ingredients were reconstituted, and the percentage of the total meat product which such ingredients represent shall be calculated on the weight of such ingredients as if they were reconstituted.

Composition of sausages and other meat products

6.—(1) Any meat product sold, consigned or delivered shall comply with such one of the compositional requirements as is specified in relation to such meat product in the following sub-paragraphs, namely—

(*a*) any sausage or sausage meat or polony or hog pudding shall have a meat content of not less than 50 per cent.;

(*b*) any sausage or sausage meat, which is described directly or by implication as a pork sausage or as pork sausage meat, shall have a meat content of not less than 65 per cent.;

(*c*) any sausage, (other than a canned sausage to which sub-paragraph (*d*) of this paragraph applies), which is described directly or by implication as a " frankfurter ", " Vienna sausage " or " salame " shall have a meat content of not less than 75 per cent.;

(*d*) any sausage, canned in brine or other liquid medium, which is described directly or by implication as a " frankfurter ", " Vienna sausage " or " salame " shall have a meat content of not less than 70 per cent. calculated on the drained weight of the sausage;

(*e*) any meat with jelly shall have a meat content of not less than 80 per cent.:

Provided that any meat with jelly may have a meat content of not less than 60 per cent.—

(i) if there is included in the description of such meat with jelly, as or as part of or in immediate proximity to its name, the expression " brawn " or " collared head " or " pressed meat " or " pressed X " and such description has been completed, where appropriate, by inserting at " X " the common or usual name of the meat present, and

(ii) such description does not contain any words stating or implying that such meat with jelly has a meat content of not less than 80 per cent.;

(*f*) subject to the provisions of paragraph (2) of this regulation, any meat with gravy shall have a meat content of not less than 75 per cent.:

Provided that any meat with gravy may—

(i) have a meat content of not less than 60 per cent. if such meat with gravy—

(aa) contains no meat other than sliced meat, and

(ab) bears as a description, as or as part of or in immediate proximity to its name, the expression " sliced meat with gravy " or " sliced X in gravy " and such description has been completed, where appropriate, by inserting at " X " the common or usual name of the meat present;

(ii) have a meat content of not less than 50 per cent. if such meat with gravy—

(aa) contains more than 12½ per cent. of onion or of mushroom or of asparagus, but no other vegetable, or more than 12½ per cent. of stuffing, or more than 12½ per cent. of dumpling or of any form of pasta, and

(ab) bears as a description, as or as part of or in immediate proximity to its name, the expression " X with Y and gravy ", and such description has been completed by inserting at " X " the word " meat " or the common or usual name of the meat present, and at " Y " the word " onion " or " mushroom " or " asparagus " or " stuffing " or " dumpling " or " pasta " or the common or usual name of any kind of pasta present, as the case may be;

(*g*) subject to the provisions of paragraph (2) of this regulation, any meat with sauce shall have a meat content of not less than 60 per cent.:

Provided that any meat with sauce may—

(i) have a meat content of not less than 40 per cent. if such meat with sauce—

(aa) contains more than 15 per cent. of onion or of mushroom or of asparagus, but no other vegetable, or more than 15 per cent. of stuffing or more than 15 per cent. of dumpling or of any kind of pasta, and

(ab) bears as a description, as or as part of or in immediate proximity to its name, the expression " X with Y and sauce ", and such description has been completed by inserting at " X " the word " meat " or the common or usual name of the meat present, and at " Y " the word " onion " or " mushroom " or " asparagus " or " stuffing " or " dumpling " or " pasta " or the common or usual name of any kind of pasta present, as the case may be;

(ii) have a meat content of not less than 35 per cent. if such meat with sauce bears as a description, as or as part of or in immediate proximity to its name, the expression " curried meat " or " meat curry " or " curried X " or " X curry " and such description has been completed, where appropriate, by inserting at " X " the common or usual name of the meat present;

(iii) have a meat content of not less than 15 per cent. if such meat with sauce contains rice and bears as a description, as or as part of or in immediate proximity to its name, the expression " curried meat with rice " or " meat curry with rice " or " curried X with rice " or " X curry with rice " and such description has been completed, where appropriate, by inserting at " X " the common or usual name of the meat present;

(*h*) subject to the provisions of paragraph (2) of this regulation, any meat with cereal shall have a meat content of not less than 80 per cent.:

Provided that—

(i) any meat with cereal consisting of an homogenised mixture of comminuted meat and cereal may have a meat content of not less than 65 per cent.—

(aa) if such meat with cereal bears as a description, as or as part of or in immediate proximity to its name, any one of the following expressions, namely " meat loaf " or " meat roll " or " X loaf " or " X roll " and such description has been completed, where appropriate, by inserting at " X " the common or usual name of the principal meat present, and

(ab) any description used in accordance with sub-paragraph (i)(aa) of this proviso does not contain any words stating or implying that such meat with cereal is luncheon meat or any other type of meat with cereal with a meat content of not less than 80 per cent.;

(ii) any meat with cereal consisting of an homogenised mixture of comminuted meat and cereal and containing a central filling of stuffing may have a meat content of not less than 50 per cent.—

(aa) if such meat with cereal bears as a description, as or as part of or in immediate proximity to its name, any one of the following expressions, namely " meat loaf with stuffing ", " stuffed meat loaf ", " meat roll with stuffing " or " stuffed meat roll " or " X loaf with stuffing ", " stuffed X loaf ", " X roll with stuffing " or " stuffed X roll " and such description has been completed, where appropriate, by inserting at " X " the common or usual name of the principal meat present, and

(ab) any description used in accordance with sub-paragraph (ii)(aa) of this proviso does not contain any words stating or implying that such meat with cereal is luncheon meat or any other type of meat with cereal with a meat content of not less than 80 per cent.;

(*i*) subject to the provisions of paragraph (2)(*b*) and (*c*) of this regulation, any meat product, including any faggot, rissole, croquette or meat ball, but excluding any meat product to which the foregoing sub-paragraphs of this paragraph apply, shall have a meat content of not less than 35 per cent..

(2)(*a*) Sub-paragraphs (*f*), (*g*) and (*h*) of paragraph (1) of this regulation shall not apply in relation to any meat product if it bears, as part of or in immediate proximity to the name of the product, the expression "Pie Filling", provided that such meat product has a meat content of not less than 35 per cent..

(*b*) Sub-paragraphs (*f*), (*g*), (*h*) and (*i*) of paragraph (1) of this regulation shall not apply in relation to any meat product if it bears a clear description—

(i) which does not mention the word "meat" or the name of any variety of meat or in which, if the word "meat" or the name of a variety of meat is mentioned, such word or name does not occur as the first mentioned or sole ingredient in such description and is immediately preceded by the word "with", the word "in" or the word "containing"; and

(ii) which does not include any statement or pictorial device which is calculated to indicate either directly or by ambiguity, omission or inference that meat is a major ingredient of such meat product, or that such meat product satisfies any minimum meat content requirement specified in sub-paragraphs (*f*), (*g*), (*h*) and (*i*) of paragraph (1) of this regulation or that such meat product is a meat product to which any such requirement applies.

(*c*) Sub-paragraphs (*f*), (*g*), (*h*) and (*i*) of paragraph (1) of this regulation shall not apply in relation to any meat product—

(i) if it bears, as or as part of or in immediate proximity to the name of such meat product, the expression "ready meal" and bears no statement, other than such name, and no pictorial device which is calculated to indicate either directly or by ambiguity, omission or inference that meat is a major ingredient or that such meat product satisfies any minimum meat content requirement specified in sub-paragraphs (*f*), (*g*), (*h*) and (*i*) of paragraph (1) of this regulation or that such meat product is a meat product to which any such requirement applies; and

(ii) which contains either not less than 2 different kinds of vegetable or at least one kind of vegetable and any kind of pasta or dumpling.

(3) No person shall sell, consign or deliver any meat product which does not comply with this regulation.

Requirements for complete meat products etc. when part of other meat products

7.—(1) Where any meat product contains as a part thereof any complete meat product (including any sausage) or any meat pie or any sausage roll, such complete meat product, meat pie or sausage roll, as the case may be, shall comply with such of the compositional requirements as are specified in relation thereto in the following sub-paragraphs, namely—

(*a*) any such complete meat product for which any compositional requirement is specified in sub-paragraph (*a*), (*b*), (*c*), (*d*), (*e*), (*h*) or (*i*) of regulation 6(1) of these regulations shall comply with that requirement;

(*b*) any such meat pie or sausage roll shall comply with the relevant compositional requirements specified in the Meat Pie and Sausage Roll (Scotland) Regulations 1967(**a**):

Provided that, in the case of any such complete meat product, it shall be sufficient compliance with the requirements of this paragraph if it complied

(**a**) S.I. 1967/1077 (1967 II, p.3174).

with the said requirements at the time of the placing of the meat product in the container or at the time of manufacture of the meat product, whichever is appropriate.

(2) No person shall sell, consign or deliver any meat product which does not comply with the foregoing provisions of this regulation.

(3) In the case of any meat product sold, consigned or delivered, containing no meat other than meat present in a complete meat product which is part of such meat product, it shall be sufficient compliance with the requirements of regulation 6 of these regulations if it complies with the following requirements, namely—

(*a*) the total weight of the complete meat product expressed as a percentage of the total weight of the meat product shall be not less than the total meat content specified in regulation 6 of these regulations for such meat product, and

(*b*) the name of the complete meat product shall be included as part of the description or name of the said meat product.

(4) In the case of any meat product sold, consigned or delivered, containing as ingredients thereof any complete meat product and any other meat, it shall be sufficient compliance with the requirements of regulation 6 of these regulations if it complies with the following requirements, namely—

(*a*) the meat content of the meat product, if the meat content of the complete meat product is reckoned as if it were 100 per cent., shall be not less than the total meat content specified in regulation 6 of these regulations for such meat product, and

(*b*) the name of the complete meat product shall be included as part of the description or name of the said meat product.

PART III

LABELLING, DESCRIPTION etc.

Labelling, description and advertisement of sausages and other meat products

8. No person shall give with any meat product of a kind mentioned in this regulation sold by him, or display with any such meat product offered or exposed by him for sale any label, whether attached to or printed on a container or not, or any ticket, or publish, or be a party to the publication of, any advertisement for any meat product, which bears or includes, as the case may be,—

(*a*) in the case of any sausage or sausage meat, any description, as or as part of the common or usual name or otherwise, which states or implies that such sausage or sausage meat contains a single type or variety of meat, unless 80 per cent. of the meat content of such sausage or sausage meat is meat of that type or variety:

Provided that—

(i) the description " beef sausage " may be used if the meat content of the sausage is not less than 50 per cent. beef;

(ii) the description " liver sausage " or " tongue sausage " may be used if the meat content of the sausage is not less than 30 per cent. liver or tongue as the case may be;

(*b*) the description " sausage ", " sausage meat ", " polony " or " hog pudding ", as the case may be, (except where any such description is used as part of a description specified in sub-paragraph (*c*) or (*d*) of this

regulation) unless such meat product is a sausage, sausage meat, polony or hog pudding, as the case may be, and complies with the minimum meat content requirement specified in regulation 6(1)(*a*) of these regulations;

(*c*) subject to sub-paragraph (*a*) of this regulation, the description " pork sausage " or " pork sausage meat ", as the case may be, unless such meat product is a sausage or sausage meat, as the case may be, and complies with the minimum meat content requirement specified in regulation 6(1)(*b*) of these regulations,

(*d*) in the case of any sausage, the description " frankfurter ", " Vienna sausage " or " salame ", as the case may be, unless such sausage—

(i) complies with the minimum meat content requirement specified in regulation 6(1)(*c*) of these regulations, or

(ii) is a sausage canned in brine or other liquid medium and complies with the minimum meat content requirement specified in regulation 6(1)(*d*) of these regulations;

(*e*) the description " meat with jelly ", " meat and jelly " or " meat in jelly " unless such meat product is meat with jelly and complies with the minimum meat content requirement specified in regulation 6(1)(*e*) of these regulations;

(*f*) the description " brawn ", " collared head " or " pressed meat " unless such meat product is meat with jelly and complies with the minimum meat content requirement specified in the proviso to regulation 6(1)(*e*) of these regulations;

(*g*) the description " meat with gravy " unless such meat product is meat with gravy and complies with the minimum meat content requirements specified in regulation 6(1)(*f*) of these regulations;

(*h*) the description " sliced meat with gravy " or " sliced meat in gravy " unless such meat product is meat with gravy and complies with the compositional requirements specified in paragraph (i) of the proviso to regulation 6(1)(*f*) of these regulations;

(*i*) the description " meat with onion and gravy " or " meat with mushroom and gravy " or " meat with asparagus and gravy " or " meat with stuffing and gravy " or " meat with dumpling and gravy " or " meat with pasta and gravy " unless such meat product is meat with gravy and complies with the compositional requirements specified in paragraph (ii) of the proviso to regulation 6(1)(*f*) of these regulations;

(*j*) the description " meat with sauce " unless such meat product is meat with sauce and complies with the minimum meat content requirement specified in regulation 6(1)(*g*) of these regulations;

(*k*) the description " meat with onion and sauce " or " meat with mushroom and sauce " or " meat with asparagus and sauce " or " meat with stuffing and sauce " or " meat with dumpling and sauce " or " meat with pasta and sauce " unless such meat product is meat with sauce and complies with the compositional requirements specified in paragraph (i) of the proviso to regulation 6(1)(*g*) of these regulations;

(*l*) the description " curried meat " or " meat curry " unless such meat product is meat with sauce and complies with the minimum meat content requirement specified in paragraph (ii) of the proviso to regulation 6(1)(*g*) of these regulations;

(*m*) the description " curried meat with rice " or " meat curry with rice " unless such meat product is meat with sauce and complies with the

compositional requirements specified in paragraph (iii) of the proviso to regulation 6(1)(*g*) of these regulations;

(*n*) the description " meat with cereal " or " luncheon meat " unless such meat product is meat with cereal and complies with the minimum meat content requirement specified in regulation 6(1)(*h*) of these regulations;

(*o*) the description " meat loaf " or " meat roll " unless such meat product is meat with cereal and complies with the compositional requirements specified in paragraph (i) of the proviso to regulation 6(1)(*h*) of these regulations;

(*p*) the description " meat loaf with stuffing " or " stuffed meat loaf " or " meat roll with stuffing " or " stuffed meat roll " unless such meat product is meat with cereal and complies with the compositional requirements specified in paragraph (ii) of the proviso to regulation 6(1)(*h*) of these regulations;

(*q*) any other description which is the same as any of the descriptions specified in the preceding sub-paragraphs of this regulation except that the word " meat " has been replaced by the name of any kind of meat, the word " jelly " by the name of any kind of jelly, the word " gravy " by the name of any kind of gravy, the word " pasta " by the name of any kind of pasta, the word " sauce " by the name of any kind of sauce, the word " cereal " by the name of any kind of cereal, a word or words have been added to indicate the presence of egg, and the word " and " has been replaced by the word " with " or the word " in " or the word " containing ", or one or more of such words have been so replaced, unless such meat product complies with the appropriate compositional requirement specified in regulation 6 of these regulations in relation to a meat product of that kind.

General requirements as to composition and description

9.—(1) No person shall sell any food under such a description as to lead an intending purchaser to believe that he is purchasing any meat product for which compositional requirements are specified in these regulations if the food does not comply with the appropriate compositional requirements so specified in relation to that meat product.

(2) Where a person sells any food to a purchaser in response to a request for any kind of meat product for which compositional requirements are specified in these regulations, he shall be deemed to sell a meat product of that kind and under such a description as is specified in these regulations in relation to that kind of meat product unless he clearly notifies the purchaser at the time of sale that the meat product is not of that kind.

Requirements as to presentation of descriptions

10. Every description, expression, name or word, required by virtue of regulation 5, 6 or 7 of these regulations to be borne on any meat product, shall appear, when the said meat product is sold, consigned or delivered—

(*a*) in a container, on a label borne on the container of the said meat product; or

(*b*) otherwise than in a container, on a ticket placed on or in immediate proximity to the said meat product so as to be clearly visible to an intend-in purchaser;

and such description, expression, name or word shall appear—

(*c*) conspicuously and legibly as or as part of or in immediate proximity to the name of the meat product; and

(*d*) in a dark colour upon a light-coloured ground or in a light colour upon a dark-coloured ground.

PART IV

ADMINISTRATION AND GENERAL

Penalties

11.—(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 6 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.

Defences

12.—(1) In any proceedings for an offence against these regulations in relation to the publication of an advertisement, it shall be a defence for the accused 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 and did not himself make or cause to be made any material alteration in the substance of that advertisement.

(2) In any proceedings against the manufacturer or importer of any sausage or meat product for an offence against these regulations in relation to the publication of an advertisement, it shall rest on the accused to prove that he did not publish, and was not a party to the publication of, the advertisement.

Application of various sections of the Act

13.—(1) Sections 41(2) and (5) (which relates to proceedings), 42(1), (2) and (3) (which relates 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 placed 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.

William Ross,
One of Her Majesty's
Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
17th July 1967.

EXPLANATORY NOTE

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

These regulations, which apply to Scotland only—

(*a*) specify requirements for the composition of meat products including sausages (regulation 6) and requirements for complete meat products used as ingredients of other meat products (regulation 7);

(*b*) specify requirements for the labelling, description and advertisement of meat products (regulation 8).

The regulations do not apply to meat paste, any canned meat product to which the Canned Meat Product (Scotland) Regulations 1967 apply, to any meat pie or sausage roll (except where part of another meat product) to which the Meat Pie and Sausage Roll (Scotland) Regulations 1967 apply, to any meat pie or sausage roll weighing 1½ ounces or less, any meat product intended for consumption by invalids or infants, any product containing the fat but no other meat of any animal or bird normally used for human consumption, any gravy, sauce, haggis, black pudding, white pudding, sandwich, vol-au-vent or soup, certain carcases or parts of carcases of birds, or any meat product sold for export, for consumption by Her Majesty's Forces, or a visiting force, or for use for manufacturing or catering purposes (regulation 4).