



**THE FOOD REGULATIONS 1984, AMENDMENT NO. 1**

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RONALD DAVISON  
Administrator of the Government

ORDER IN COUNCIL

At the Government House at Wellington this 18th day of November  
1985

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL

PURSUANT to section 42 of the Food Act 1981, His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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## REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Food Regulations 1984, Amendment No. 1, and shall be read together with and deemed part of the Food Regulations 1984\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of December 1985.

**2. Commencement of principal regulations**—(1) Regulation 1 (3) of the principal regulations is hereby amended by inserting, after paragraph (b), the following paragraph:

“(ba) Regulation 16 (3) of these regulations (as substituted by regulation 5 of the Food Regulations 1984, Amendment No. 1) shall come into force on the 1st day of November 1987:”.

(2) Regulation 1 (3) of the principal regulations is hereby further amended by inserting, after the expression “16”, the words “(except subclause (3))”.

**3. Statement of ingredients**—Regulation 11 of the principal regulations is hereby amended by revoking subclause (16), and substituting the following subclauses:

“(16) Except as provided in subclause (17) of this regulation, for the purposes of this regulation the specific name of an ingredient shall be the common rather than the scientific name.

“(17) The specific name of a food additive shall be the name by which it is identified in these regulations, or the name used for it in the relevant publication specified in regulation 245 (6) of these regulations.

“(18) Notwithstanding any of the foregoing provisions of this regulation, the presence of urea in a food as a consequence of the use of a preparation of gelatin shall be declared in the statement of ingredients when urea constitutes more than 1.5% of that food.

“(19) Notwithstanding any of the foregoing provisions of this regulation, any proprietary meat additive mix or proprietary bakery additive mix used in the manufacture of any food shall be deemed not to be a compound ingredient, and each ingredient in such an additive mix shall be declared in its appropriate position in the statement of ingredients as if it were added as a separate ingredient to the food.”

**4. Claims as to presence of vitamins**—The table to regulation 14 of the principal regulations is hereby amended by omitting from the item relating to Vitamin K in the second column the expression “mg”, and substituting the expression “mcg”.

**5. Certain other claims on labels**—Regulation 16 of the principal regulations is hereby amended by revoking subclause (3), and substituting the following subclause:

“(3) No printed, pictorial, or other descriptive matter borne on or attached to or supplied or displayed with any food shall state or imply that the food has weight-reducing properties.”

**6. Exemptions from regulation 11 of the principal regulations**—Regulation 18 (2) of the principal regulations is hereby

amended by adding to the item "Gelatin" in the list of foods the words ", other than preparations of gelatin".

**7. Bread**—Regulation 35 (3)(1) of the principal regulations is hereby amended by inserting in the list of flour treatment agents, after the item that begins with the words "Potassium bromate", the following item:

"L-Cysteine (which may be added in the form of a hydrochloride salt including hydrates), in a proportion not exceeding 75 ppm of the cereal ingredients;"

**8. Gelatin**—Regulation 73 of the principal regulations is hereby amended by adding the following subclauses:

"(6) Preparations of gelatin may contain drinking water and urea, singly or in combination, provided the proportion of urea does not exceed 150% of the total gelatin in the preparation.

"(7) Every reference in these regulations to 'gelatin', as an ingredient that shall or may be included in any compounded food, shall be deemed to include a reference to preparations of gelatin."

**9. General standard for edible fats and edible oils**—Regulation 87 (1) of the principal regulations is hereby amended by omitting the word "vegetable", and substituting the word "plant".

**10. Milk beverages or milk shakes**—Regulation 106 (2) of the principal regulations is hereby amended by inserting, after the words "of these regulations," the words "any colouring substance specified in the table to regulation 250 (2) of these regulations,".

**11. Cheese**—The table to regulation 113 (9) of the principal regulations is hereby amended by omitting from the second column, in relation to Romano cheese, the expression "58", and substituting the expression "38".

**12. Spreadable processed cheese**—Regulation 116 (2)(a) of the principal regulations is hereby amended by omitting the expression "(b), and (c)", and substituting the expression "(b) (i), and (c) (i)".

**13. Processed cheese food or processed cheese spread**—Regulation 117 of the principal regulations is hereby amended by revoking subclause (2), and substituting the following subclause:

"(2) The maximum lactose content specified in regulation 115 (2)(b) of these regulations shall not apply to processed cheese food or processed cheese spread."

**14. Glucose syrup**—Regulation 142 (2)(a) of the principal regulations is hereby revoked.

**15. Dextrose monohydrate**—Regulation 144(c) of the principal regulations is hereby amended by omitting the expression "142", and substituting the expression "143".

**16. Chocolate**—Regulation 166 (5) of the principal regulations is hereby amended by omitting the word "butter", and substituting the words "cocoa fat".

**17. Vegetable juice**—Regulation 174 (1) of the principal regulations is hereby amended by adding to paragraph (b) the word “; or”, and by adding the following paragraph:

“(c) A combination of any such liquid portion and any such reconstituted product.”

**18. Fruit**—Regulation 176 of the principal regulations is hereby amended by omitting the word “ethereal”, and substituting the word “ethereal”.

**19. Fruit juice**—(1) Regulation 183 (1) of the principal regulations is hereby amended by adding to paragraph (b) the word “; or”, and by adding the following paragraph:

“(c) A combination of any such liquid portion and any such reconstituted product.”

(2) Regulation 183 (17) of the principal regulations is hereby amended by inserting in paragraph (c), after the expression “5%”, the word “added”.

**20. Beer**—Regulation 218 of the principal regulations is hereby amended by revoking subclause (3), and substituting the following subclause:

“(3) Beer shall contain—

“(a) More than 1.7% alcohol; and

“(b) Not more than 25 ppm of sulphur dioxide (or sulphites calculated as sulphur dioxide).”

**21. Wine**—(1) Regulation 219 of the principal regulations is hereby amended by inserting in subclauses (3) and (6), after the word “vermouth,” in each case, the words “wine cooler,”.

(2) Regulation 219 (6) of the principal regulations is hereby amended by revoking both paragraphs (d), and substituting the following paragraphs:

“(d) Sulphur dioxide (or sulphites calculated as sulphur dioxide) in excess of the following:

“(i) In the case of wines and wine products containing not more than 5g of residual sugars (calculated as sucrose) per l of wine or wine product, 200 ppm; or

“(ii) In the case of wines and wine products containing more than 5g, but not more than 30g, of residual sugars (calculated as sucrose) per l of wine or wine product, 300 ppm; or

“(iii) In the case of wines and wine products containing more than 30g of residual sugars (calculated as sucrose) per l of wine or wine product, 400 ppm:

“(e) Volatile acidity calculated as acetic acid (exclusive of the preservative acids), in a proportion exceeding 1.2g per l of wine or wine product.”

**22. Wine cocktail, vermouth, wine cooler, or wine aperitif**—(1) Regulation 223 of the principal regulations is hereby amended by inserting in subclauses (1), (2), and (3), after the word “vermouth,” in each case, the words “wine cooler,”.

(2) Regulation 223 (2) (b) of the principal regulations is hereby amended by inserting, after the word “except”, the words “propylene glycol and”.

(3) Regulation 223 of the principal regulations is hereby further amended by adding the following subclauses:

“(6) Notwithstanding anything in subclause (1) or subclause (2) of this regulation, the following may be added to any wine cooler:

“(a) Drinking water (in any proportion):

“(b) Any portion or extract of apples.

“(7) Wine coolers shall contain not more than 7% alcohol.

“(8) Any wine cooler may contain—

“(a) Sorbic acid, or its sodium, calcium, or potassium salts calculated as sorbic acid, in a proportion not exceeding 600 ppm; or

“(b) Benzoic acid, or sodium benzoate calculated as benzoic acid, in a proportion not exceeding 600 ppm; or

“(c) A combination of the substances mentioned in paragraphs (a) and (b) of this subclause, such that, when expressed as a percentage of the proportion permitted singly, the sum of the two percentages does not exceed 120.”

**23. Labelling of wine or wine products**—Regulation 225 (6) of the principal regulations is hereby amended—

(a) By inserting, after the word “vermouth,”, the words “wine cooler,”:

(b) By inserting, after the word “vermouth”, the words ‘or the words “wine cooler”,’.

**24. Preservatives**—The table to regulation 248 (7) of the principal regulations is hereby amended by omitting from the second column, in relation to glucose syrup for manufacturing, the expression “400”, and substituting the expression “450”.

**25. Propellants**—Regulation 255 of the principal regulations is hereby amended by adding the following subclause:

“(4) Any food packed in a pressurised container may contain any propellant specified in subclause (2) of this regulation.”

**26. Incidental constituents**—(1) Regulation 257 of the principal regulations is hereby amended by inserting, after subclause (7), the following subclause:

“(7A) Apples may contain sucrose esters of fatty acids, sodium carboxymethylcellulose, and monoglycerides and diglycerides.”

(2) The second table to regulation 257 of the principal regulations is hereby amended by inserting, after the item relating to ethylene dichloride, the following item:

“Etrimphos/Brassica vegetables/1.”

**27. Expiry of Part VII of principal regulations**—Regulation 278 (2) of the principal regulations is hereby amended by omitting the expression “218 (3)”, and substituting the expression “281 (3)”.

**28. Special purpose foods**—Regulation 299 (1)(b) of the principal regulations is hereby amended by omitting the expression “236 (8)”, and substituting the expression “237 (8)”.

C. J. HILL,  
for Clerk of the Executive Council

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EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations amend the Food Regulations 1984.

*Regulations 2 and 5* defer until 1 November 1987 the effect of regulation 16 (3) of the principal regulations which prohibits the inclusion on food labels of claims that the food has weight-reducing properties.

*Regulation 3* makes 3 changes to regulation 11 of the principal regulations relating to statements of ingredients, which generally are required to be referred to by their common names. First, it recognises that food additives are usually referred to by their scientific name rather than their common name. Secondly, it provides for cases where a preparation of gelatin containing urea is contained in another food. Thirdly, in respect of proprietary additive mixes, it requires the listing on the label of the ingredients in the mix as if they were separate ingredients in the food. This accords with current practice.

*Regulation 7* permits the use of a new bread additive.

*Regulation 8* implements a recommendation of the Food Standards Committee to allow the use of drinking water and urea used in gelatin solutions and preparations of gelatin solutions to be used as an ingredient where gelatin is permitted.

*Regulation 14* amends the standard for glucose syrup by deleting the minimum total solids requirement.

*Regulation 17* makes it clear that vegetable juice may be a mixture of reconstituted juice and the liquid portion of vegetables. *Regulation 19 (1)* does the same in respect of fruit juice.

*Regulation 19 (2)* amends regulation 183 (17)(c) of the principal regulations to make it clear that that provision relates only to added sweeteners. All fruit juices contain natural sweeteners.

*Regulation 20* overcomes a problem caused by an incorrect reference to regulation 218 (3) in regulation 278 (1) of the principal regulations. That reference should have been to regulation 281 (3). The effect of the error seems to be that regulation 218 (3) of the principal regulations (which prescribes the minimum amount of alcohol, and the maximum amount of sulphur dioxide, in beer) expired on 1 January 1985. The provision is, accordingly, re-enacted by this regulation in the same form.

*Regulations 21 to 23* prescribe a standard for wine coolers. A wine cooler is a mixture of wine and fruit juice or fruit extracts and water, with an alcohol content of about 6%.

*Regulation 24* raises the maximum permissible proportion of the preservative sulphur dioxide in glucose syrup for manufacturing from 400 ppm to 450 ppm.

*Regulation 25* allows the use of certain propellants in food packed in a pressurised container.

*Regulation 26* permits new incidental constituents to be present on certain fruit and vegetables.

The remaining regulations correct errors in the principal regulations.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 21 November 1985.

These regulations are administered in the Department of Health.