



THE FOOD REGULATIONS 1984, AMENDMENT NO. 2

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 31st day of August 1987

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 42 of the Food Act 1981, His Excellency the Governor-General, 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. 2, and shall be read together with and deemed part of the Food Regulations 1984* (hereinafter referred to as the principal regulations).

(2) Except as provided in regulations 12 (2), 17 (2), and 20 (2) of these regulations, these regulations shall come into force on the 1st day of October 1987.

2. Claims as to presence of vitamins—Regulation 14 (1) of the principal regulations is hereby amended by inserting, after the expression "regulation 11", the expression "or regulation 48".

3. Claims as to presence of minerals—Regulation 15 (2) of the principal regulations is hereby amended by inserting, after the expression "regulation 11", the expression "or regulation 48".

4. Flour confectionery—Regulation 45 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause:

"(1) Flour confectionery shall be the sweet or savoury, cooked or uncooked products of a mixture of any flours, meals, or cereals and other foodstuffs, such products being known as pastry, cakes, biscuits, snack foods, and the like, and for which no other standard is provided in this Part of these regulations."

5. Breakfast cereals—The principal regulations are hereby amended by revoking regulation 48, and substituting the following regulation:

"48. (1) Breakfast cereals shall be products obtained principally from one or more cereals that are uncooked, partially cooked, or cooked, and that are intended to be consumed at breakfast.

"(2) Breakfast cereals may contain any of the following:

"(a) Malt flour and malt extract:

"(b) Any carbohydrate sweetener specified in regulation 147 (1) of these regulations:

"(c) Any other foodstuff:

"(d) Salt:

"(e) Permitted flavouring substances, including spices:

"(f) The following emulsifiers:

"Monoglycerides, diglycerides, and their diacetyl tartaric acid esters; and

"Lecithin:

“(g) Any acidity regulator specified in regulation 253 (2) (c) of these regulations:

“(h) Any anticaking agent specified in regulation 254 (2) of these regulations.

“(3) Breakfast cereals may also contain the following vitamins or mineral:

“Thiamin or vitamin B₁;

“Riboflavin or vitamin B₂;

“Niacin or nicotinic acid;

“Pyridoxine or vitamin B₆; and

“Iron.

“(4) Every breakfast cereal containing any added vitamin or mineral shall be so labelled that, for a serving of 30g, the breakfast cereal does not claim to contain a greater quantity of that vitamin or mineral than that specified in the second column of the table to this subclause.

“TABLE TO SUBCLAUSE (4)

| <i>Name</i> | <i>Maximum Permitted Quantity Which May Be Claimed in 30g</i> |
|---|---|
| VITAMINS | |
| Thiamin or vitamin B ₁ .. | 0.3 mg |
| Riboflavin or vitamin B ₂ .. | 0.2 mg |
| Niacin or nicotinic acid .. | 3.0 mg |
| Pyridoxine or vitamin B ₆ .. | 0.3 mg |
| MINERAL | |
| Iron | 2.0 mg |

“(5) Every package of breakfast cereal that contains any added vitamin or mineral shall contain a statement of the proportion of that vitamin or mineral for a serving of not more than 30g of that breakfast cereal.

“(6) No claim, on any package of breakfast cereal that contains any added vitamin or mineral, as to the presence in that breakfast cereal of any added vitamin or mineral, shall—

“(a) State that the breakfast cereal is a good source of any vitamin or mineral; or

“(b) State that the breakfast cereal is ‘vitamin enriched’, or ‘mineral enriched’, or ‘vitamin fortified’, or ‘mineral fortified’, or contain any words having a similar meaning; or

“(c) Compare the vitamin or mineral content of the breakfast cereal with the vitamin or mineral content of any other food.

“(7) No person shall import into New Zealand and no manufacturer of breakfast cereal shall sell any breakfast cereal that contains any added vitamin or mineral, without first satisfying the Medical Officer of Health, by the production of such evidence as the Medical Officer of Health may reasonably require, that the breakfast cereal contains the quantity of any vitamin or mineral claimed on the package.”

6. Labelling of fish and fish products—(1) Regulation 86 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclauses:

“(1) Where a food contains 2 or more kinds of fish and any reference is made on the label on any package of the food (other than in the statement of ingredients) to any particular kind or kinds of fish, at least—

“(a) 50% of the fish content of the food; or

“(b) 30% of the food—

shall be derived from fish of that kind or those kinds.

“(1A) Without limiting anything in subclause (1) of this regulation, in any case to which that subclause applies,—

“(a) Where the name of the food includes the name of only one kind of fish, at least—

“(i) 50% of the fish content of the food; or

“(ii) 30% of the food—

shall be derived from fish of that kind; and

“(b) Where the name of the food includes the names of two or more kinds of fish, at least—

“(i) 50% of the fish content of the food; or

“(ii) 30% of the food—

shall be derived from fish of those kinds, and the fish named first shall be present in a greater proportion than the other fish or fishes.”

7. Pasteurised milk and pasteurised milk products—Regulation 93 (5) of the principal regulations is hereby amended by omitting the words “and pasteurised flavoured milk”.

8. Recombined milk—Regulation 96 of the principal regulations is hereby amended by adding the following subclauses:

“(3) Recombined skim milk, and recombined non-fat milk, shall be the product prepared from skim milk powder and drinking water, with or without skim milk or pasteurised skim milk or ultra heat treated skim milk, which product has been either pasteurised or ultra heat treated.

“(4) Recombined reduced-fat milk shall be the product prepared from either—

“(a) Constituents of reduced-fat milk; or

“(b) A combination of skim milk powder and the constituents of milk; or

“(c) A combination of the products specified in paragraphs (a) and (b) of this subclause—

with drinking water, and with or without reduced-fat milk or pasteurised reduced-fat milk, or ultra heat treated reduced-fat milk, which product has been either pasteurised or ultra heat treated.

“(5) Recombined skim milk or recombined non-fat milk, derived from cows' milk, shall contain not more than 0.5% milk fat, nor less than 8.6% non-fat milk solids.

“(6) Recombined reduced-fat milk derived from cows' milk shall contain not less than 1.5% and not more than 2.5% milk fat, nor less than 8.5% non-fat milk solids.”

9. Flavoured milk—The principal regulations are hereby amended by revoking regulation 97, and substituting the following regulation:

“97. (1) Flavoured milk shall be a fluid milk product to which has been added any permitted flavouring substance, including spices, or any foodstuff, or both, intended to flavour the product.

“(2) Flavoured milk may contain any of the following:

“(a) Skim milk powder:

“(b) Any carbohydrate sweetener specified in regulation 147 (1) of these regulations:

“(c) Any colouring substance specified in the table to regulation 250 (2) of these regulations:

“(d) Any emulsifier specified in regulation 253 (2) (a) of these regulations:

“(e) Any stabiliser or thickener specified in regulation 253 (2) (b) of these regulations:

“(f) The acidity regulators citric acid and tartaric acid.

“(3) Flavoured milk shall be made from pasteurised milk, pasteurised standard milk, pasteurised reduced-fat milk, pasteurised recombined milk, pasteurised recombined reduced-fat milk, pasteurised recombined non-fat milk, pasteurised skim milk, or pasteurised non-fat milk, or shall be pasteurised or shall be subjected to a method of heat treatment that is at least as effective as the process of pasteurisation.

“(4) No ingredient shall be added to a flavoured milk after pasteurising or similar heat treatment, except that any colouring substance specified in the table to regulation 250 (2) of these regulations, and permitted flavouring substances, may be added after pasteurising or similar heat treatment if those colouring substances or flavouring substances are sterilised and the addition is made immediately before the flavoured milk is packed into final containers.

“(5) Subclause (4) of this regulation shall not apply to a flavoured milk intended for consumption immediately after preparation.

“(6) Flavoured milk that is made immediately before retail sale may also contain cream or ice cream or both.

“(7) Flavoured milk (other than flavoured non-fat milk, flavoured skimmed milk, or flavoured low-fat milk, or flavoured reduced-fat milk, or flavoured partially-skimmed milk), shall contain not less than 3% milk fat and not less than 8% non-fat milk solids.

“(8) Flavoured reduced-fat milk or flavoured partially-skimmed milk shall contain more than 0.5% milk fat and less than 3% milk fat and not less than 8% non-fat milk solids.

“(9) Flavoured non-fat milk, flavoured skimmed milk, or flavoured low-fat milk shall contain not more than 0.5% milk fat and not less than 8% non-fat milk solids.”

10. Skim milk or non-fat milk—Regulation 98 (5) of the principal regulations is hereby amended by inserting, before the word “bottle” where it first occurs, the word “glass”.

11. Reduced-fat milk—The principal regulations are hereby amended by inserting, after regulation 98, the following regulation:

“98A. (1) Reduced-fat milk shall be either—

“(a) Milk from which milk fat or cream has been partially removed; or

“(b) A mixture of non-fat milk with milk or standard milk; or

“(c) The product produced from a combination of the products specified in paragraphs (a) and (b) of this subclause.

“(2) Reduced-fat milk—

“(a) May contain added skim milk powder; and

“(b) Shall have been either pasteurised or ultra heat treated.

“(3) Reduced-fat milk derived from cows' milk—

“(a) Shall contain not less than 1.5% and not more than 2.5% milk fat; and

“(b) Shall contain not less than 8.5% non-fat milk solids.

“(4) Subject to subclause (6) of this regulation, the label on each package of reduced-fat milk shall bear, in 3 mm lettering, in the principal display panel, the words ‘not suitable as a complete milk food for infants’, and those words shall form the first line or lines in the panel, and no other word shall appear in the same line or lines.

“(5) Subject to subclause (6) of this regulation, the label on each package of reduced-fat milk shall bear, in association with the name of the food, a statement of the percentage of the milk fat content of the product.

“(6) Where reduced-fat milk is packed in a glass bottle, the requirements of subclauses (4) and (5) of this regulation shall be met if a statement, printed or embossed in the manner required of labels by those subclauses, is on a collar that is slipped over the neck of the bottle when the bottle or product is sold or delivered to the consumer.”

12. Labelling of milk and milk products—(1) Regulation 105 of the principal regulations is hereby amended by revoking subclauses (7) and (8), and substituting the following subclauses:

“(7) The label on each package of flavoured reduced-fat milk or flavoured partially-skimmed milk, shall bear, in association with the name of the food, the word ‘partially-skimmed’ or the word ‘reduced-fat’.

“(8) The label on each package of flavoured non-fat milk or flavoured skimmed milk or flavoured low-fat milk shall bear, in association with the name of the food, the word ‘non-fat’, or the word ‘skimmed’, or the word ‘low-fat’.

“(8A) Flavoured milk (of whatever kind) that has been aerated or is capable of being aerated may be described as ‘milk shake’.

“(8B) Flavoured milk (of whatever kind) to which a permitted flavouring substance has been added shall bear, as part of the name of the food, the word ‘flavour’ or the word ‘flavoured’.

“(8C) The label on each package of flavoured reduced-fat milk or flavoured partially-skimmed milk shall bear, in association with the name of the food, a declaration of the fat content of the product specified to the nearest 0.5%.

“(8D) No package of reduced-fat milk shall bear the word ‘low-fat’.”

(2) Regulation 105 (8D) of the principal regulations (as substituted by subclause (1) of this regulation) shall come into force on the 1st day of October 1988.

13. Milk beverages or milk shakes—(1) Regulation 106 of the principal regulations is hereby revoked.

(2) Regulation 10 of the Food Regulations 1984, Amendment No. 1 is hereby consequentially revoked.

14. Cheese—(1) Regulation 113 of the principal regulations is hereby amended by revoking subclause (2), and substituting the following subclauses:

“(2) The milk or cream or mixture of milk and cream that is used in the manufacture of cheese—

“(a) Shall be subjected to pasteurisation or an equivalent heat treatment;

or

“(b) Shall be subjected to heat treatment at a temperature of not less than 62°C for a period of not less than 15 seconds; and

“(i) The cheese shall be labelled with the date of commencement of manufacture; and

“(ii) The cheese shall be stored prior to sale at a temperature of not less than 2°C for a period of not less than 90 days from the date of commencement of manufacture; and

“(iii) The cheese shall contain not more than:

“(aa) 100 *Escherichia coli* per gram; and

“(bb) 100 *Staphylococcus aureus* (coagulase producing) per gram; and

“(iv) A 50 g sample of the cheese shall be free from *Salmonella*.

“(2A) For the purposes of subclause (2) (b) (i) of this regulation, ‘the date of commencement of manufacture’ means the day in the month expressed as a numeral, followed by the month expressed as a numeral or an abbreviation of the month using a minimum of 3 letters, which may or may not be followed by the year expressed as a numeral using either 2 digits or 4 digits.

“(2B) Subclause (2) (b) (i) of this regulation shall not apply to cheese that has been cut from a large block of cheese at the place of retail sale.

“(2c) Where the cheese is not in a package, it shall be sufficient for the purposes of subclause (2) (b) (i) of this regulation if written records are kept that satisfy the Medical Officer of Health that the date of manufacture of the cheese can be determined.”

(2) Regulation 113 of the principal regulations is hereby further amended by omitting from the table to subclause (9) the item relating to Feta, and substituting the following item:

“Feta 42 60.”

15. Salad dressing or salad cream—The principal regulations are hereby amended by revoking regulation 125, and substituting the following regulation:

“125. (1) Salad dressing or salad cream shall be a mixture of—

“(a) Vinegar, citrus fruit juice, concentrated citrus fruit juice, or any combination of vinegar, citrus fruit juice, or concentrated citrus fruit juice; and

“(b) One or more foodstuffs,—
intended to be used as a dressing for salads.

“(2) Salad dressing or salad cream may contain any of the following:

“(a) Any carbohydrate sweetener specified in regulation 147 (1) of these regulations:

“(b) Salt:

“(c) Any preservative specified in the table to regulation 248 (7) of these regulations in relation to salad dressing or salad cream, in a proportion not exceeding the maximum permitted by that regulation:

“(d) Any colouring substance specified in the table to regulation 250 (2) of these regulations:

“(e) Permitted flavouring substances, including spices:

“(f) Any food conditioner specified in regulation 253 (2) of these regulations.”

16. Salad dressing mix—The principal regulations are hereby amended by inserting, after regulation 125 (as substituted by regulation 15 of these regulations), the following regulation:

“125A. (1) Salad dressing mix shall comprise all or most of the ingredients of a salad dressing, which, when prepared according to the directions on the label, produces a product conforming to the standard for salad dressing prescribed in regulation 125 of these regulations.

“(2) Any salad dressing mix, when in powdered form, may contain any anticaking agent specified in regulation 254 (2) of these regulations.”

17. New regulations substituted—(1) The principal regulations are hereby amended by revoking regulation 128, and substituting the following regulations:

“128. **Sauce, gravy, and topping**—(1) Sauce, gravy, and topping shall be a liquid or semi-liquid sweet or savoury or sweet savoury product prepared from foodstuffs and intended as an accompaniment to other foods and for which no other standard is prescribed in this Part of these regulations.

“(2) Sauce, gravy, or topping may contain any of the following:

“(a) Any carbohydrate sweetener specified in regulation 147 (1) of these regulations:

“(b) Salt:

“(c) Any preservative specified in the table to subclause (7) of regulation 248 of these regulations in relation to sauce, gravy, and topping, in a proportion not exceeding the maximum permitted by that regulation:

“(d) Any antioxidant specified in subclause (3) of regulation 249 of these regulations, in a proportion not exceeding the maximum specified in that subclause in relation to that antioxidant, calculated on the fat content of the sauce, gravy, or topping:

“(e) Any colouring substance specified in the table to regulation 250 (2) of these regulations:

“(f) Permitted flavouring substances, including spices:

“(g) Any food conditioner specified in regulation 253 (2) of these regulations.

“(3) No package of sauce, gravy, or topping shall bear the word ‘fruit’, or the word ‘vegetable’, or the name of any fruit or vegetable, other than in the list of ingredients unless—

“(a) The sauce, gravy, or topping is prepared from the equivalent of at least 25% of the named fruit or named vegetable; or

“(b) The word ‘flavoured’ or ‘flavour’ is uniformly conjoined with the word ‘fruit’, or the word ‘vegetable’, or the name of any fruit or vegetable.

“128A. **Sauce mix, gravy mix, and topping mix**—(1) Sauce mix, gravy mix, and topping mix shall comprise all or most of the ingredients of a sauce, gravy, or topping respectively, so that, when prepared according to the directions on the label, it produces a product conforming to the standard for sauce, gravy, and topping prescribed in regulation 128 of these regulations.

“(2) Sauce mix, gravy mix, and topping mix that is in dried form may contain any anticaking agent specified in regulation 254 (2) of these regulations.”

(2) Regulation 128 (3) of the principal regulations (as substituted by subclause (1) of this regulation) shall come into force on the 1st day of October 1988.

18. Tomato sauce—The principal regulations are hereby amended by revoking regulation 129, and substituting the following regulation:

“129. (1) Tomato sauce shall be a product prepared from sound, ripe tomatoes, or from tomato concentrate which may be reconstituted, with or without the addition of any of the following:

“(a) Onions or dehydrated onions:

“(b) Garlic or dehydrated garlic:

“(c) Any carbohydrate sweetener specified in regulation 147 (1) of these regulations:

“(d) Salt:

“(e) Permitted flavouring substances, including spices:

“(f) The acidity regulators vinegar and acetic acid.

“(2) Tomato sauce shall have a mould count, as determined by the Howard Method (AOAC (1984) 44.209), not exceeding 50% positive fields.

“(3) Tomato sauce used for manufacturing as an ingredient in other foods may also contain any stabiliser, thickener, modified starch, or gelling agent specified in regulation 253 (2) (b) of these regulations.”

19. Tomato and apple sauce or tomato chutney sauce—Regulation 130 of the principal regulations is hereby revoked.

20. Confectionery—(1) The principal regulations are hereby amended by revoking regulation 149, and substituting the following regulation:

“149. (1) Confectionery shall be—

“(a) Any product made principally from one or more of the following:
Any carbohydrate sweetener specified in regulation 147 (1) of these regulations;

Sorbitol;

Mannitol;

Xylitol; and

Glycerol:

“(b) Chewing gum:

“(c) Chocolates.

“(2) Confectionery may contain any of the following:

“(a) Salt:

“(b) Any colouring substance specified in the table to regulation 250 (2) of these regulations:

“(c) Permitted flavouring substances, including spices:

“(d) Any food conditioner specified in regulation 253 (2) of these regulations:

“(e) The propellants carbon dioxide and nitrogen:

“(f) Other foodstuffs.

“(3) Confectionery may contain any of the following processing aids:

“(a) Shellac:

“(b) Beeswax:

“(c) Carnauba wax:

“(d) Talc:

- “(e) A coating of either edible oil or light liquid paraffin oil, in a proportion not exceeding 3,000 ppm.
- “(4) Confectionery sold in a powdered form may contain any anticaking agent specified in regulation 254 (2) of these regulations.
- “(5) Confectionery sold in a compressed tablet form may also contain any of the following:
- “(a) Magnesium stearate:
 - “(b) Stearic acid:
 - “(c) Silicon dioxide.
- “(6) Chewing gum shall be the product prepared from a non-nutritive gum base, flavouring substances, including spices, and any of the following:
- “Any carbohydrate sweetener specified in regulation 147 (1) of these regulations;
- “Sorbitol;
 - “Mannitol;
 - “Xylitol; and
 - “Glycerol.
- “(7) Chewing gum may contain any of the following:
- “(a) Any of the substances specified in subclauses (2) and (3) of this regulation:
 - “(b) The antioxidants butylated hydroxyanisole (BHA), butylated hydroxytoluene (BHT), and propyl gallate, provided the total antioxidant content of the final product does not exceed 200 ppm:
 - “(c) The artificial sweeteners aspartame or thaumatin, provided the chewing gum does not contain any carbohydrate sweetener.
- “(8) Chocolates shall be confectionery, nuts, dried fruit, or alcoholic beverages contained in or coated with chocolate (which shall comply with the standard prescribed in regulation 166 of these regulations), and may be coated with a glaze consisting of any of the ingredients specified in subclauses (2) and (3) of this regulation.
- “(9) Every package of confectionery that contains more than 1% alcohol shall be labelled with a statement of the percentage of alcohol present in the total product.
- “(10) No label on a package of confectionery shall bear the word ‘sugarless’, or the word ‘sugarfree’, or any words of similar meaning if the confectionery contains any carbohydrate sweetener or sugar alcohol.
- “(11) Confectionery that does not contain any carbohydrate sweetener may be labelled with the words ‘Does not promote tooth decay’.
- “(12) The label on each package of chewing gum that contains aspartame shall bear, in 3mm lettering, the words ‘phenylketonurics: contains phenylalanine’.”
- (2) Regulation 149 (9) of the principal regulations (as substituted by subclause (1) of this regulation) shall come into force on the 1st day of October 1988.

21. Dehydrated vegetables or dried vegetables—Regulation 169 (4) of the principal regulations is hereby amended by inserting, after the words “Sodium bicarbonate”, the words “and sodium carbonate”.

22. Canned vegetables—(1) Regulation 170 (2) of the principal regulations is hereby amended by adding the following paragraph:

“(f) Ascorbic acid.”

(2) Regulation 170 (4) (a) of the principal regulations is hereby revoked.

(3) Regulation 170 of the principal regulations is hereby further amended by omitting from subclause (6), and also from subclause (11), the word “tomatoes”, and substituting in each case the word “vegetables”.

(4) Regulation 170 (12) of the principal regulations is hereby amended by omitting the word “asparagus”, and substituting the word “vegetables”.

23. Dried fruit—(1) Regulation 179 (3) of the principal regulations is hereby amended by inserting after the words “in powdered form,” the words “and angelica”.

(2) Regulation 179 (4) of the principal regulations is hereby amended by adding the following paragraph:

“(e) Ascorbic acid.”

(3) Regulation 179 (5) of the principal regulations is hereby amended by omitting the words “ascorbic acid, and”.

(4) Regulation 179 (7) of the principal regulations is hereby amended by omitting the word “bananas”, and substituting the word “fruit”.

24. Candied vegetables and imitation candied fruit—The principal regulations are hereby amended by inserting, after regulation 179, the following regulation:

“179A. (1) Candied vegetable shall be the sweet product prepared from vegetables with any of the following:

“Any carbohydrate sweetener specified in regulation 147 (1) of these regulations;

“Glycerol;

“Sorbitol;

“Mannitol; and

“Xylitol.

“(2) Imitation candied fruit shall be the sweet product prepared from any of the following:

“(a) Vegetables:

“(b) Any stabiliser, thickener, modified starch, or gelling agent specified in regulation 253 (2) (b) of these regulations:

“(c) A combination of (a) and (b),—

with any of the following:

“Any carbohydrate sweetener specified in regulation 147 (1) of these regulations;

“Glycerol;

“Sorbitol;

“Mannitol; and

“Xylitol.

“(3) Ginger, other than in powdered form, and angelica shall be deemed to be fruit for the purposes of this regulation.

“(4) Candied vegetable and imitation candied fruit may contain any of the following:

“(a) Any preservative specified in the table to subclause (7) of regulation 248 of these regulations in relation to candied vegetable and

imitation candied fruit, in a proportion not exceeding the maximum permitted by that regulation:

“(b) Not more than 500 ppm of the preservative benzoic acid or sodium benzoate (calculated as benzoic acid):

“(c) Any colouring substance specified in the table to regulation 250 (2) of these regulations:

“(d) Any permitted flavouring substance, including spices.

“(5) No package of candied vegetable or imitation candied fruit shall be labelled with the word ‘fruit’ or the name of a fruit unless it is uniformly conjoined with the word ‘imitation’.”

25. Cake fruit mix or fruit mix—The principal regulations are hereby amended by inserting, after regulation 179A (as inserted by regulation 24 of these regulations), the following regulation:

“179B. (1) Cake fruit mix or fruit mix shall be a mixture of dried fruit (which may include candied fruit) with any of the following:

“(a) Nuts:

“(b) Candied vegetable and imitation candied fruit.

“(2) Cake fruit mix may contain edible oils or mineral oil in such a proportion that the total oil content does not exceed 3000 ppm.”

26. Fruit mince or mincemeat—Regulation 182 (2) of the principal regulations is hereby amended by revoking paragraph (c), and substituting the following paragraph:

“(c) Any acidity regulator specified in regulation 253 (2) (c) of these regulations:”.

27. Particular spice standards—The table to regulation 200 (1) of the principal regulations is hereby amended by omitting from the second column the word “*Cinnamon*” in each place where it appears, and substituting in each case the word “*Cinnamomum*”.

28. Wine—Regulation 219 (3) (a) of the principal regulations is hereby amended by omitting the word “Urea;”.

29. Fruit wine, vegetable wine, and mead—(1) Regulation 226 (4) (a) of the principal regulations is hereby amended by omitting the word “Urea;”.

(2) Regulation 226 (7) (c) of the principal regulations is hereby amended by omitting the word “Dimethylcarbonate”, and substituting the word “Dimethyldicarbonate”.

30. Flavoured fruit wine, flavoured vegetable wine, fruit wine cocktail, fruit wine cooler, vegetable wine cocktail, vegetable wine cooler, aperitif fruit wine, and aperitif vegetable wine—The principal regulations are hereby amended by revoking regulation 229, and substituting the following regulation:

“229. (1) Flavoured fruit wine, fruit wine cocktail, fruit wine cooler, or aperitif fruit wine shall be fruit wine, sparkling fruit wine, or fortified fruit wine to which has been added any of the following:

“(a) Any portion or extract of any fruit:

“(b) Any vegetable bitter:

“(c) Any permitted flavouring substances, including spices.

“(2) Flavoured vegetable wine, vegetable wine cocktail, vegetable wine cooler, or aperitif vegetable wine shall be vegetable wine, sparkling vegetable wine, or fortified vegetable wine to which has been added any of the ingredients specified in paragraphs (a) to (c) of subclause (1) of this regulation.

“(3) Flavoured fruit wine, flavoured vegetable wine, fruit wine cocktail, vegetable wine cocktail, fruit wine cooler, vegetable wine cooler, aperitif fruit wine, and aperitif vegetable wine may contain any of the following:

“(a) Any colouring substance specified in the table to regulation 250 (2) of these regulations:

“(b) Any food conditioner specified in regulation 253 (2) of these regulations:

“(c) Potable spirit:

“(d) Wine spirit:

“(e) Fruit wine spirit.

“(4) Notwithstanding anything in subclauses (1) to (3) of this regulation, the amount of—

“(a) Fruit wine used in the manufacture of any flavoured fruit wine, fruit wine cocktail, fruit wine cooler, or aperitif fruit wine; or

“(b) Vegetable wine used in the manufacture of any flavoured vegetable wine, vegetable wine cocktail, vegetable wine cooler, or aperitif vegetable wine,—

shall be at least 40% by volume of the finished product.

“(5) Flavoured fruit wine, flavoured vegetable wine, fruit wine cocktail, vegetable wine cocktail, aperitif fruit wine, and aperitif vegetable wine shall contain less than 23% alcohol.

“(6) Fruit wine cooler and vegetable wine cooler shall contain not more than 7% alcohol.

“(7) Fruit wine cooler and vegetable wine cooler may contain—

“(a) Drinking water; and

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

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

“(d) A combination of the substances mentioned in paragraphs (b) and (c) 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.”

31. Labelling of fruit wine and vegetable wine and their products—Regulation 231 (4) of the principal regulations is hereby amended—

(a) By inserting, after the words “vegetable wine cocktail,” the words “fruit wine cooler, vegetable wine cooler,”;

(b) By inserting, after the words “‘vegetable wine cocktail’”, the words ‘or the words “fruit wine cooler”, or the words “vegetable wine cooler”,’;

32. Infant formula—(1) Regulation 242 (3) (d) of the principal regulations is hereby amended by omitting the expression “0.1 ppm”, and substituting the expression “10 ppm”.

(2) Regulation 242 (3) of the principal regulations is hereby further amended by adding the following paragraphs:

“(f) The following amino acids:

“L-methionine; and

“Taurine.

“(g) The amino acid carnitine, if the protein sources of the infant formula do not contain carnitine.”

33. Preservatives—(1) The table to regulation 248 (7) of the principal regulations is hereby amended by omitting the item relating to Sauce, tomato sauce, tomato and apple sauce, pickles, and chutney, and substituting the following items:

“Sauce, gravy, and topping|350|1000|1000:

“Pickles and chutney, salad dressing, or salad cream|—|1000|1000”:

(2) The table to regulation 248 (7) of the principal regulations is hereby further amended by omitting from the first column the words “Dried fruit”, and substituting the words “Dried fruit, candied vegetable, and imitation candied fruit”.

34. Incidental constituents—(1) Regulation 257 of the principal regulations is hereby amended by inserting, after subclause (2), the following subclause:

“(2A) Subject to subclause (6) of this regulation, no food shall contain an incidental constituent that is a pesticide or an animal remedy at a level that exceeds 0.1 ppm, except where the food and the incidental constituent are specified in respect of each other in the Second Table to this regulation.”

(2) The Second Table to regulation 257 of the principal regulations is hereby amended by omitting the items relating to DDT, ethopabate, ferbam, mancozeb, maneb, thiram, and zineb.

(3) The Second Table to regulation 257 of the principal regulations is hereby further amended—

(a) By omitting from the second and third columns the first and fourth items relating to methiocarb:

(b) By omitting from those columns the third item relating to methylene chloride.

(4) The Second Table to regulation 257 of the principal regulations is hereby further amended by inserting, in their appropriate alphabetical order, the following items:

| Compound | Food | Permissible Proportions (Parts per million) |
|-----------------------------|------------------------------------|---|
| Alphacypermethrin | Brassica vegetables .. | 0.3 |
| | Animal offal .. | 5 |
| | Meat other than animal offal | 2 |
| Cryomazine | Eggs, and meat of poultry | 0.15 |
| | Fruit and vegetables | 2 |
| DDT (including DDD and DDE) | Meat fat, in any food | 5 |
| | Milk fat, in any food | 1.25 |

| Compound | Food | Permissible Proportions (Parts per million) |
|------------------------------------|---|---|
| 2,6-difluorobenzoic acid | Eggs | 0.5 |
| Dithianon | Mushrooms | 1 |
| Dithiocarbamates (except propineb) | Grapes | 2 |
| Ethopabate | Fruit and vegetables | 7 |
| Maduramycin | Meat of poultry | 5 |
| Mepiquat chloride | Liver of poultry | 0.5 |
| Methiocarb | Cereals | 2 |
| Methylene chloride | Cherries | 7 |
| Narasin | Decaffeinated instant or soluble coffee | 10 |
| Prochloraz | Offal of poultry | 0.5 |
| | Avocados | 5 |
| | Bananas | 5 |
| | Mushrooms | 0.5 |
| Propineb | Onions | 0.5 |
| Triadimenol | Cereals | 1 |

35. Misuse of food containers—Regulation 266 of the principal regulations is hereby amended—

- (a) By omitting the words “put or keep”, and substituting the words “put, keep, or sell”;
- (b) By inserting in paragraph (a), and also in paragraph (b), after the words “any brand,” in each case, the words “picture, word,”.

36. Analyst's certificate and fees—Regulation 274 (3) of the principal regulations is hereby amended by omitting the expression “\$50”, and substituting the expression “\$200”.

37. Offences and penalty—Regulation 276 (1) of the principal regulations is hereby amended by inserting, after the expression “7 (1),”, the expression “48 (7),”.

38. New Part VII substituted—The principal regulations are hereby amended by revoking Part VII, and substituting the following Part:

“PART VII

“TRANSITIONAL PROVISIONS

“278. **Flavoured milk**—Until the 1st day of October 1988, flavoured milk shall either—

- “(a) Contain at least 2% milk fat; or
- “(b) Comply with the provisions of regulation 97 of these regulations relating to milk fat.

“279. **Labelling of milk and milk products**—(1) Notwithstanding anything in these regulations, until the 1st day of October 1988, the label on each package of flavoured milk that contains a flavouring substance shall either—

- “(a) Bear the words ‘flavoured milk’, or the name of the constituent flavour conjoined in uniform lettering with the word “milk”; or

“(b) Comply with regulation 105 (8B) of these regulations.

“(2) Until the 1st day of October 1988, regulations 105 (7) and 105 (8c) of these regulations shall not apply to a reduced-fat flavoured milk that contains at least 2% milk fat.

“280. **Tomato sauce**—Notwithstanding anything in these regulations, until the 1st day of October 1988, tomato sauce may contain not more than 1000 ppm the preservative benzoic acid (or sodium benzoate calculated as benzoic acid), or 1000 ppm the preservative sorbic acid (or its sodium, calcium or potassium salts calculated as sorbic acid), or both, provided that, where more than one preservative is present, the proportion of each shall be such that, when expressed as a percentage of proportion permitted singly, the sum of the several percentages does not exceed 120.”

39. Revocations—Regulations 27 and 28 of the Food Regulations 1984, Amendment No. 1 are hereby consequentially revoked.

P. G. MILLEN,
Clerk of the Executive Council.

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. Most of the provisions of these regulations come into force on 1 October 1987. The provisions specified in regulations 12 (2), 17 (2), and 20 (2) come into force on 1 October 1988.

Regulations 2 and 3 are consequential upon regulation 5.

Regulation 4 amends the standard for flour confectionery by including cereal foods and snack foods.

Regulation 5 restricts the present standard for prepared cereal foods to breakfast cereals only, and allows the addition of specified vitamins and iron subject to certain conditions.

Regulation 6 allows more flexibility in the labelling of fish products, especially where the product contains at least 30% of a named fish or named fishes.

Regulation 7 is consequential upon regulation 9.

Regulation 8 prescribes milk fat and milk solids non-fat levels for recombined skim, recombined non-fat, and recombined reduced-fat milk.

Regulation 9 combines the present standards for flavoured milk and milk shakes. Provision is also made for varying levels of milk fat.

Regulation 10 limits the present exemption in respect of warnings on bottles of milk to glass bottles.

Regulation 11 prescribes a standard for reduced-fat milk.

Regulations 12 and 13 are consequential upon regulations 9 and 11. The requirement that no package of reduced-fat milk shall bear the word ‘low-fat’ comes into force on 1 October 1988.

Regulation 14 permits the manufacture of cheese from milk that has been subjected to a lower heat treatment than pasteurisation. The standard for feta cheese is altered to allow for new methods of production.

Regulation 15 allows salad dressings to be made without vegetable oil.

Regulation 16 prescribes a new standard for salad dressing mix.

Regulation 17 amends the present standard for sauce to include sweet sauces, and to allow a wider range of ingredients to be used. It also prescribes a new standard for sauce mix, gravy mix, and topping mix. Certain restrictions in respect of the use of the word ‘fruit’ or the word ‘vegetable’ on packages of sauce, gravy, or topping do not come into force until 1 October 1988.

Regulation 18 amends the present standard for tomato sauce following changes in the method of manufacturing.

Regulation 19 is consequential upon regulation 17.

Regulation 20 amends the present standard for confectionery following changes in the method of manufacturing. The requirement that every package of confectionery that contains more than 1% alcohol shall be labelled with a statement of the percentage of alcohol present in the total product comes into force on 1 October 1988.

Regulation 21 allows the use of sodium carbonate as a processing aid for dehydrated or dried vegetables.

Regulation 22 allows ascorbic acid and calcium salts in all canned vegetables.

Regulation 23 makes it clear that angelica is a fruit for the purposes of the standard for dried fruit. It also allows dried fruit to contain ascorbic acid.

Regulation 24 prescribes a new standard for candied vegetable and imitation candied fruit.

Regulation 25 prescribes a new standard for cake fruit mix and fruit mix.

Regulation 26 widens the range of acidity regulators that may be used in the manufacture of fruit mince.

Regulation 27 corrects an error in the principal regulations.

Regulation 28 stops the use of urea in the fermentation of wine and wine products.

Regulation 29 stops the use of urea in the fermentation of fruit wine, vegetable wine, and mead, and corrects an error in the principal regulations.

Regulations 30 and 31 apply the present standards for flavoured fruit wine, flavoured vegetable wine, fruit wine cocktail, vegetable wine cocktail, aperitif fruit wine, and aperitif vegetable wine to fruit wine cooler and vegetable wine cooler. The minimum amount of wine in the finished product is reduced from 50% by volume to 40% by volume.

Regulation 32 allows the addition of certain amino acids to infant formula, and corrects an error in the principal regulations.

Regulation 33 is consequential upon regulations 15, 17, and 24.

Regulation 34 amends levels of pesticides permitted in various foods.

Regulation 35 extends regulation 266 of the principal regulations (relating to misuse of food containers) to those bearing pictorial representations.

Regulation 36 increases from \$50 to \$200 the fee payable to an officer to procure a sample of food and submit it for analysis.

Regulation 37 makes it an offence against the regulations to contravene or fail to comply with regulation 48 (7) of the principal regulations, as enacted by regulation 5 of these regulations.

Regulation 38 contains transitional provisions in respect of flavoured milk and tomato sauce.

Regulation 39 effects consequential revocations.

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These regulations are administered in the Department of Health.