1979 No. 464

FOOD AND DRUGS

Labelling of Food (Amendment) Regulations (Northern Ireland) 1979

Made . . . . . 28*th December* 1979

Coming into operation . . . 11*th February* 1980

The Department of Health and Social Services(**a**) in exercise of the powers conferred on it by sections 7, 68 and 68A(**b**) of the Food and Drugs Act (Northern Ireland) 1958(**c**) and of every other power enabling it in that behalf and after consultation with such organisations as appear to it to be representative of interests substantially affected by these regulations, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Labelling of Food (Amendment) Regulations (Northern Ireland) 1979 and shall come into operation on 11th February 1980.

(2) In these regulations "the principal regulations" means the Labelling of Food Regulations (Northern Ireland) 1970(**d**).

Amendment of the principal regulations

2. The principal regulations shall be further amended as follows:—

(1) In regulation 16(4) thereof for the words "Subject to the provisions of the next following paragraph" there shall be substituted the words "Subject to the provisions of paragraphs (5) and (5A)".

(2) In regulation 16 thereof the following paragraph shall be inserted immediately after paragraph (5):

"(5A) Notwithstanding the provisions of paragraphs (4) and (5) it shall be sufficient from 11th February 1980:—

(*a*) for the declaration mentioned in the said paragraph (4) to be completed by inserting at (y)—

(i) the minimum alcoholic strength by volume expressed in figures and followed by the symbol "% vol"; or

(ii) the minimum alcoholic strength by mass expressed in figures and followed by the symbol "% mas",

but it shall not be necessary for a declaration which is so completed to include the words "NOT LESS THAN"; and

(**a**) *See* S.R. & O. (N.I.) 1964 No. 205 (p. 937) art. 5 and Sch. 2 Part I and 1973 c. 36 s. 40 and Sch. 5 para. 8.
(**b**) Added by S.R. & O. (N.I.) 1972 No. 363 (p. 1767)
(**c**) 1958 c. 27 (N.I.)
(**d**) S.R. & O. (N.I.) 1970 No. 80 (p. 339), to which there are amendments not relevant to these regulations.

(*b*) for the declaration mentioned in the said paragraph (5) to be in the form—

(i) "(*z*)% vol"

inserting at (*z*) the figure which expresses the alcoholic strength by volume; or

(ii) "(*z*)% mas"

inserting at (*z*) the figure which expresses the alcoholic strength by mass".

(3) In regulation 28 and in paragraph 11(2) of Schedule 5 thereof for the words "regulation 16(4) or (5)" there shall be substituted the words "regulation 16(4), (5) or (5A)".

(4) Paragraph 11(1) of Schedule 5 thereof shall be deleted.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 28th December 1979.

(L.S.) *S. W. McDowell*
Assistant Secretary

EXPLANATORY NOTE

(*This note is not part of the regulations but is intended to indicate their general purport.*)

These Regulations further amend the Labelling of Food Regulations (Northern Ireland) 1970 ("the 1970 Regulations"), as amended.

The regulations—

(*a*) permit the symbols "% vol" and "% mas" to be used as alternatives to the forms now required or permitted by the 1970 Regulations in declarations of the alcoholic strength of intoxicating liquor pre-packed for sale by retail;

(*b*) permit declarations which include either of those symbols to omit the words "not less than" which are required by the 1970 Regulations; and

(*c*) revoke the requirement of the 1970 Regulations that declarations of alcoholic strength shall appear within a surrounding line.

The regulations refer to "alcoholic strength by volume" and "alcoholic strength by mass". The Alcohol Tables Regulations 1979 (SI 1979/132) (which implement Council Directive No. 76/766/EEC (OJ No. L 262, 27.7.1976, p. 149) relating to alcohol tables) define those expressions and provide that references to those expressions in any enactment or instrument shall, unless the context otherwise requires, be references to those expressions as so defined.