And whereas by the Governemnt of Ireland Act, 1920, the Orders made thereunder, and the Irish Free State (Consequential Provisions) Act, 1922, the powers of the Lord Lieutenant under the said Convict Prisons (Ireland) Act, 1854, are now exerciseable in Northern Ireland by the Governor of Northern Ireland :

Now We, the Lords Justices of Northern Ireland, in pursuance of the powers vested in Us by the said Acts, and of every other power enabling Us in this behalf, Do Hereby set apart and appoint the whole of the west wing, commonly called the A Wing of Belfast Prison, to be a place for the confinement of male prisoners under sentence or order of penal servitude.

Given at Belfast, this 18th day of November, 1924.
By their Excellencies' Command,

R. Dawson Bates.

PUBLIC HEALTH.

Preservatives, &c., in Food.

MADE BY THE MINISTRY OF HOME AFFAIRS FOR NORTHERN IRELAND.

1927. No. 18.

The Ministry of Home Affairs for Northern Ireland, in the exercise of the powers conferred upon it by the Public Health (Ireland) Act, 1878 (a) the Public Health Act, 1896, (b) the Public Health (Ireland) Act, 1896, (c) the Public Health (Regulations as to Food) Act, 1907, (d) and the Butter and Margarine Act, 1907, (e) and of every other power enabling it in that behalf, hereby makes the following Regulations, with the consent of the Commissioners of Customs and Excise, so far as they apply to the Officers of Customs and Excise, that is to say :—

PART I.

General.

1. These Regulations may be cited as the Public Health (Preservatives, &c., in Food) (Northern Ireland) Regulations, 1927, and shall come into operation on the 1st day of July, 1927.

Provided that—

(1) So far as the Regulations relate to butter and cream they shall come into operation on the 1st day of January, 1928.

(2) So far as the Regulations prohibit the sale of an article of food containing any preservative which is necessarily

(a) 41–2 V. c. 52.
(b) 59–60 V. c. 19.
(c) 59-60 V. c. 54.
(d) 7 E. 7. c. 32.
(e) 7 E. 7. c. 21.

introduced by the use in its preparation of preserved egg-yolk, preserved bacon, preserved ham, preserved cream or preserved butter, they shall come into operation on the 1st day of January, 1928, in the cases where it has been so introduced by the use of preserved bacon, preserved ham, preserved egg-yolk or preserved cream, and the 1st day of July, 1928, in the case where it has been so introduced by the use of preserved butter.

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

"The Ministry" means the Ministry of Home Affairs for Northern Ireland.

"Local Authority" means any local authority authorised to appoint an analyst for the purposes of the Sale of Food and Drugs Acts, 1875 to 1907, and "public analyst" means an analyst so appointed;

"Officer of Customs amd Excise" includes any person acting under the authority of the Commissioners of His Majesty's Customs and Excise;

"Food" means food or drink intended for human consumption;

"Cream" means that portion of milk rich in milk-fat which has been separated by skimming or otherwise and is intended for human consumption;

"Preservative" means any substance which is capable of inhibiting, retarding or arresting the process of fermentation, acidification, or other decomposition of food or of masking any of the evidences of putrefaction; but does not include common salt (sodium chloride), saltpetre (sodium or potassium nitrate), sugars, acetic acid or vinegar, glycerine, alcohol or potable spirits, herbs, hop extract, spices and essential oils used for flavouring purposes or any substance added to food by the process of curing known as smoking;

"Thickening substance" means sucrate of lime, gelatine, starch, paste or any other substance which when added to cream is capable of increasing its viscosity but does not include cane or beet sugar;

"Sulphur dioxide" includes sulphites, and "benzoic acid" includes benzoates;

"Sell" includes expose or offer for sale or deposit in any place for the purposes of sale, and "sale" shall be construed accordingly;

"Importer" includes any person who, whether as owner, consignor or consignee, agent or broker, is in possession of or in anywise entitled to the custody or control of any article of food brought from a place situate outside Great Britain, Ireland, the Channel Islands and the Isle of Man; and "import" shall be construed accordingly;

(2) Percentages shall be calculated by weight.

(3) Sulphites shall be calculated as sulphur dioxide (SO_2) and benzoates as benzoic acid (C_6H_5COOH).

(4) The Interpretation Act, 1889, (a) applies to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Part II.

Sale of Articles of Food and Preservatives.

3. The Local Authority and every officer of a Local Authority authorised in writing by the Authority shall enforce and execute this Part of these Regulations, and for this purpose shall make such inquiries and take such other steps as may seem to them or him to be necessary for securing the due observance of this Part of the Regulations in the district of the local authority.

4.—(1) No person shall manufacture for sale or sell any article of food which contains any added preservative or any of the colouring matters specified in Part II. of the First Schedule to these Regulations :

Provided that—

(i) any article of food specified in Part I. of the said Schedule may contain preservatives of the nature and in the proportion therein specified ;

(ii) where an article of food specified in Part I. of the said Schedule is used in the preparation of any other article of food, the latter article may contain any preservative necessarily introduced by the use of the former article, but the total proportion of any one preservative contained in any article of food specified in that Part of the Schedule shall not exceed the proportion therein specified.

(2) The following provisions shall have effect with respect to any of the articles of food mentioned in paragraph 1 of the Second Schedule to these Regulations which contains any preservative specified in Part I of the First Schedule as permissible in the case of such article, that is to say—

(*a*) A person who exposes or offers any such article for sale by retail shall at the time when it is so exposed or offered either cause the article to be labelled in accordance with the Rules set out in the said Second Schedule, or cause a notice to the effect that the article contains preservative to be exhibited in a conspicuous place so as to be easily readable by a customer ; and

(*b*) A person who sells any such article shall cause it to be labelled in accordance with the said Rules at the time when it is delivered to any purchaser, agent or broker :

(a) 52–3 V. c. 63.

Provided that—

(i) neither the requirement mentioned in paragraph (*a*) nor that mentioned in paragraph (*b*) shall apply where the article is exposed or offered for sale by retail or delivered to a customer in a hotel, restaurant or other such place for consumption on the premises; and

(ii) the requirement mentioned in paragraph (*b*) shall not apply where the article is sold by retail and delivered to the purchaser at the vendor's premises or stall if such a notice as is mentioned in paragraph (*a*) is there exhibited as provided in that paragraph.

(3) No person shall sell cream which contains any thickening substance.

5.—(1) No person shall sell any article which is recommended in any mark or label placed thereon or on its receptacle or container for use as a preservative of, or colouring matter for, any article of food or is described or referred to in any such mark or label in terms likely to lead to its being so used,—

(i) if such use would be contrary to these Regulations; or

(ii) if in the case of a preservative, it is not labelled in accordance with the Rules set out in the Second Schedule to these Regulations.

(2) No person shall on or in connection with the sale of any article or in any advertisement, circular or notice relating thereto recommend it for use as a preservative of, or colouring matter for, any article of food, or describe or refer to it in terms likely to lead to its being so used, if such use would be contrary to these Regulations.

(3) No person shall sell any article which is recommended in any such mark or label as aforesaid for use as a thickening substance for cream or is described or referred to in any such mark or label in terms likely to lead to its being so used, and no person shall on or in connection with the sale of any article or in any advertisement circular or notice relating thereto recommend it for use as a thickening substance for cream or describe or refer to it in terms likely to lead to its being so used.

6.—(1) Any officer authorised by the Ministry and any officer of the Local Authority acting in the execution of these Regulations shall have power to enter at all reasonable times any premises where articles to which these Regulations apply are prepared, packed, labelled or stored.

(2) The officer may take samples of any such article or of any substance used or capable of being used in the preparation of any such article and of any labels designed to be affixed to any such article or to any package or other receptable containing such article, but shall if so required make reasonable payment for any samples so taken.

(3) Where a sample is taken of an article to which these Regulations apply, the Sale of Food and Drugs Acts, 1875 to 1907, shall apply as if the officer were an officer authorised to procure samples thereunder; and where an analysis is required for the purposes of these Regulations, the provisions of Section 14 of the Sale of Food and Drugs Act, 1875, (a) as amended by Section 13 of the Sale of Food and Drugs Act, 1899, (b) shall apply.

7. Where it appears to any authority or officer whose duty it is to enforce these Regulations that an article has been sold within the district of the authority contrary to the provisions of Article 4 or 5 of these Regulations, the authority or officer may, instead of or in addition to taking proceedings against the seller, take proceedings against any previous seller of the article notwithstanding that the sale by such previous seller took place outside the district of the authority, and for the purpose of any such proceedings the sale by the previous seller shall be deemed to have taken place within the district of the authority and the proceedings may be taken either before a Court having jurisdiction within that district or before a Court having jurisdiction in the place where the sale actually took place.

PART III.

Importation of Articles of Food.

8.—(1) Subject to any directions given by the Commissioners of Customs and Excise after consultation with the Ministry, the Officers of Customs and Excise shall have power to enforce and execute this Part of these Regulations and may take such samples as may be necessary of consignments of imported articles to which these Regulations apply.

(2) Where an Officer of Customs and Excise takes a sample for the purpose of analysis he shall send the sample or a portion thereof to the Government Chemist, and either the officer or the Government Chemist shall send a portion of the sample to the importer.

9.—(1) The following authorities and any officers authorised by them in writing shall also have power to enforce and execute this Part of these Regulations, namely :—

(*a*) Where the article of food is landed from a ship or aircraft in a place which is not within the jurisdiction of a Port Sanitary Authority, or where the article is imported in a vehicle and the Customs examination of that vehicle is deferred with the consent of the Commissioners of Customs and Excise until the vehicle reaches a place outside such jurisdiction, the Council of the Urban or Rural District in which such place is situated.

(*b*) In every other case the Port Sanitary Authority.

(a) 38–9 V. c 63. (b) 62–3 V. c. 51.

(2) Every officer authorised as aforesaid may take such samples as may be necessary of consignments of imported articles to which these Regulations apply, and where he takes a sample for the purpose of analysis he shall send the sample or a portion thereof to a public analyst and either the officer or the analyst shall send a portion of the sample to the importer.

(3) Where the duties of an Officer of Customs and Excise with regard to the examination of a cargo or consignment comprising an article of food have not been wholly discharged, a sample of that article shall not be taken without his consent, but every Officer of Customs and Excise shall afford such facilities as the circumstances require for the taking of samples in pursuance of this Article.

10. If in any case the Commissioners of Customs and Excise or a Port Sanitary Authority or other authority executing this Part of these Regulations are of opinion that an offence against this Part of these Regulations has been committed, they shall communicate to the Ministry for its information the name of the importer and such other facts as they may possess or may obtain as to the destination of the consignment.

11.—(1) No person shall import into Northern Ireland any article of food intended for sale which contains any added preservative or any of the colouring matters specified in Part II. of the First Schedule to these Regulations :

Provided that—

(i) any article of food specified in Part I. of the said Schedule may contain preservative of the nature and in the proportion therein specified ;

(ii) where an article of food specified in Part I. of the said Schedule is used in the preparation of any other article of food, the latter article may contain any preservative necessarily introduced by the use of the former article, but the total proportion of any one preservative contained in any article of food specified in that Part of the Schedule shall not exceed the proportion therein specified.

(2) No person shall import into Northern Ireland any cream intended for sale which contains any thickening substance.

Part IV.

Miscellaneous.

12. The provisions of these Regulations with respect to prohibiting any preservative or colouring matter or thickening substance in articles of food and requiring the labelling of certain articles of food and of articles sold as preservatives shall not apply

in the case of any article which is intended to be exported or re-exported or intended for use as ships' stores.

13.—(1) In any proceedings under these Regulations the certificate of the Government Chemist or the public analyst, as the case may be, of the result of the chemical examination of a sample shall be sufficient evidence of the facts therein stated unless the defendant requires that the person who made the examination be called as a witness.

(2) In any proceedings under these Regulations, where the fact that any article has been dealt with contrary to these Regulations has been proved, if the respondent desires to rely upon the exceptions or provisions contained in these Regulations with reference to such article being sold for consumption on the premises or being intended for export or re-export or for use as ships' stores it shall be incumbent upon him to prove that the article was so sold or was intended for export or re-export or for use as ships' stores.

14. A person shall, if so required, give to any officer of Customs and Excise or of any local authority who is acting in the execution of these Regulations all reasonable assistance in his power, and shall, in relation to anything within his knowledge, furnish any such officer with all information which he may reasonably require for the purposes of these Regulations including information as to the persons from whom or places from which any article to which these Regulations apply has been obtained and to whom and to which it has been consigned or otherwise disposed of.

15. The Public Health (Ireland) (Milk) Regulations, 1917, (a) and so much of the Public Health (Imported Food) Regulations, 1925, (b) as relates to paragraph (*f*) of the First Schedule thereto are hereby revoked, but without prejudice to any proceedings begun or other action taken in pursuance of any of those Regulations.

16. Copies of these Regulations printed under the authority of His Majesty's Stationery Office may be printed with any additions, omissions, or substitutions directed to be made by any other amending regulations, but with a foot-note in each instance referring to such amending regulations ; and the Copies of these Regulations so printed may be cited as the Public Health (Preservatives, etc., in Food) Regulations (Northern Ireland).

(a) S.R. & O. (I.) 1917, No. 1166.
(b) S.R. & O. (N.I.) 1925, No. 76.

The First Schedule.

PART I.—ARTICLES OF FOOD WHICH MAY CONTAIN PRESERVATIVE AND NATURE AND PROPORTION OF PRESERVATIVE IN EACH CASE:—

The articles of food specified in the first column of the following table may contain the preservative specified in the second column in proportions not exceeding the number of parts (estimated by weight) per million specified in the third column:—

Food.	Preservative.	Parts per Million.
1. Sausages and sausage meat containing raw meat, cereals and condiments.	Sulphur dioxide ..	450
2. Fruit and fruit pulp (not dried) for conversion into jam or crystallised glacé or cured fruit as defined in items 6 and 7:		
(*a*) Cherries	Do.	3,000
(*b*) Strawberries and raspberries ..	Do.	2,000
(*c*) Other fruit	Do.	1,500
3. Dried fruit:		
(*a*) Apricots, peaches, nectarines, apples and pears. ..	Do.	2,000
(*b*) Raisins and sultanas ..	Do.	750
4. Unfermented grape juice and non-alcoholic wine made from such grape juice if labelled in accordance with the rules contained in the Second Schedule to these Regulations.	Benzoic acid ..	2,000
5. Other non-alcoholic wines, cordials and fruit juices, sweetened or unsweetened.	Either Sulphur dioxide	350
	or Benzoic acid ..	600
6. Jam (including Marmalade and fruit jelly prepared in the way in which jam is prepared).	Sulphur dioxide ..	40
7. Crystallised glacé or cured fruit (including candied peel)	Do.	100
7a. Fruit and fruit pulp not otherwise specified in the Schedule	Do.	350
8. Sugar (including solid glucose) ..	Do. ..	70
9. Corn syrup (liquid glucose) ..	Do. ..	450
10. Gelatine	Do. ..	1,000
11. Beer	Do. ..	70
12. Cider	Do. ..	200
13. Alcoholic wines	Do. ..	450
14. Sweetened mineral waters ..	Either Sulphur dioxide	70
	or Benzoic acid ..	120
15. Brewed ginger beer	Benzoic acid ..	120
16. Coffee extract	Do. ..	450
17. Pickles and sauces made from fruit or vegetables.	Do. ..	250

PART II.—COLOURING MATTERS WHICH MAY NOT BE ADDED TO ARTICLES OF FOOD.

1. *Metallic Colouring Matters.*

Compounds of any of the following metals:—

Antimony,	Copper,
Arsenic,	Mercury,
Cadmium,	Lead,
Chromium,	Zinc.

2. *Vegetable Colouring Matter.*

Gamboge.

3. *Coal Tar Colours.*

Number in Colour Index of Society of Dyers and Colourists, 1924.	Name.	Synonyms.
7	Picric Acid	Carbazotic Acid.
8	Victoria Yellow	Saffron Substitute: Dinitrocresol.
9	Manchester Yellow	Naphthol Yellow; Martius Yellow.
12	Aurantia	Imperial Yellow.
724	Aurine	Rosolic Acid; Yellow Coralline.

The Second Schedule.

LABELLING OF ARTICLES OF FOOD CONTAINING PRESERVATIVE AND OF PRESERVATIVES.

1. The articles of food containing preservative to which the Rules as to labelling set out in this Schedule apply are sausages, sausage-meat, coffee extract, pickles and sauces, and (where the proportion of benzoic acid exceeds 600 parts per million) grape juice and wine.

2.—(1) Where any of the said articles of food contains preservative it shall bear a label on which is printed the following declaration or such other declaration substantially to the like effect as may be allowed by the Ministry :—

(*a*) CONTAIN(S)
PRESERVATIVE.

(2) The declaration shall be completed by inserting at (*a*) the word "This" or "These," followed by the name of the food as used in paragraph 1 of this Schedule.

(3) In the case of grape juice or wine to which these Rules apply there shall be added to the declaration the words "and is not intended for use as a beverage."

3.—(1) An article sold as a preservative shall bear a label on which is printed the following declaration or such other declaration substantially to the like effect as may be allowed by the Ministry :—

THIS PRESERVATIVE CONTAINS
(*a*) PER CENT. OF SULPHUR DIOXIDE.

(2) Where the article contains benzoic acid the words "Benzoic Acid" shall be substituted for the words "Sulphur Dioxide."

(3) The declaration shall be completed by inserting at (*a*) in words and figures, excluding fractions (*e.g.*, "seventy (70)") the true percentage of the sulphur dioxide or benzoic acid present in the article.

4. The prescribed declaration shall in each case be printed in dark block type upon a light coloured ground within a surrounding line and no other matter shall be printed within such surrounding line. The type used shall be not less than one-eighth of an inch in height, or, in the case of grape juice or wine to which these Rules apply, one-sixteenth of an inch in height.

5. The label shall be securely affixed to the article or be part of or securely affixed to the wrapper or container, and in any case shall be so placed as to be clearly visible. If the article bears a label containing the name, trade mark, or design representing the brand of the article or the name and address of the manufacturer or dealer the prescribed declaration shall be printed as part of such label.*

6. No comment on or explanation of the prescribed declaration (other than any direction as to use in the case of a preservative) shall be placed on the label or on the wrapper or container.

Given under the Official Seal of the Ministry of Home Affairs for Northern Ireland this Fifteenth day of February, in the year One Thousand nine hundred and twenty-seven.

(L.S.) (Signed) *D. L. Clarke,*
Assistant Secretary.

The Commissioners of Customs and Excise hereby consent to the foregoing Regulations so far as they apply to the officers of Customs and Excise.

(Signed) *A. J. Dyke.*
C. B. Grylls.

Note.—The Public Health Act, 1896, provides by sub-section (3) of Section 1 that if any person wilfully neglects or refuses to obey or carry out, or obstructs the execution of any regulations made under any of the enactments mentioned in that Act, he shall be liable to a penalty not exceeding £100, and, in the case of a continuing offence, to a further penalty not exceeding £50 for every day during which the offence continues.

The power of making regulations under the Public Health Act, 1896, and the enactments mentioned in that Act, is enlarged by the Public Health (Regulations as to Food) Act, 1907.

The Butter and Margarine Act, 1907, provides by sub-section (3) of Section 7 that any person who manufactures, sells, or exposes or offers for sale or has in his possession for the purpose of sale, any butter, margarine or milk-blended butter which contains a preservative prohibited by a Regulation under the Section or an amount of a preservative in excess of the limit allowed by any such Regulation shall be guilty of an offence under the Act. Under Section 11 of the Act any person guilty of an offence under the Act is liable for a first offence to a fine not exceeding £20 and for a second offence to a fine not exceeding £50, and for a third or any subsequent offence to a fine not exceeding £100, and in cases where imprisonment can be inflicted under Section 17 of the Sale of Food and Drugs Act, 1899, to such imprisonment as is authorised by that Section.

By Section 5 of the Butter and Margarine Act, 1907, the importation of any butter, margarine, or milk-blended butter which contains a preservative prohibited by any Regulation made under the Act, or an amount of a preservative in excess of the limit allowed by any such Regulation, is made an offence under Section 1 of the Sale of Food and Drugs Act, 1899.

*In the case of imported food, the provisions of section 16 of the Merchandise Marks Act, 1887 (50–1 V. c. 28), must also be complied with if the label bears the name or trade mark of a dealer or merchant in the United Kingdom.