1953 No. 1859 (S. 125)

The Public Health (Preservatives, etc. in Food) (Scotland) Amendment (No. 2) Regulations, 1953

Made - - - -	16*th December*, 1953
Laid before Parliament	17*th December*, 1953
Coming into Operation	22*nd December*, 1953

The Secretary of State for Scotland and the Minister of Food, in exercise of the powers conferred upon them by sections 8 and 92 of the Food and Drugs Act, 1938(**a**), and by the Transfer of Functions (Food and Drugs) (Scotland) Order, 1949(**b**), and of all other powers enabling them in that behalf, being of opinion that (in so far as the provisions of these Regulations, read with the Public Health (Preservatives etc. in Food) Regulations (Scotland), 1925 to 1940(**c**), restrict the addition of any substance to, or regulate generally the composition of, any food) these Regulations are necessary for preventing danger to health or otherwise for protecting purchasers and having consulted such representative organisations as appear to them substantially to represent the interests concerned with the purposes of these Regulations, hereby jointly make the following Regulations:—

1.—(1) These Regulations may be cited as the Public Health (Preservatives, etc. in Food) (Scotland) Amendment (No. 2) Regulations, 1953, and shall come into operation on the 22nd day of December, 1953.

(2) These Regulations and the Public Health (Preservatives, etc. in Food) Regulations (Scotland), 1925 to 1940, shall be construed as one and may be cited together as the Public Health (Preservatives, etc. in Food) (Scotland) Regulations, 1925 to 1953.

(3) The Public Health (Preservatives, etc. in Food) (Scotland) Amendment Regulations, 1953(**d**), are hereby revoked.

2. The Public Health (Preservatives, etc. in Food) Regulations (Scotland), 1925(**e**) as amended(**f**), shall be further amended as follows:—

(i) In Regulation 4, there shall be added to paragraph (iv) of the proviso to paragraph (1) the following sub-paragraphs:—

"(*c*) so as to prohibit the presence in citrus fruit of diphenyl in consequence of its being wrapped outside the United Kingdom in wrappers treated with diphenyl;

(*d*) so as to prohibit the presence in any article of food of diphenyl introduced in the preparation of such article by the use of citrus fruit which contains diphenyl in consequence of its being wrapped outside the United Kingdom in wrappers treated with diphenyl;"

(ii) In Regulation 10, there shall be added to paragraph (iv) of the proviso the following sub-paragraph:—

"(*c*) so as to prohibit the presence in citrus fruit of diphenyl in consequence of its being wrapped outside the United Kingdom in wrappers treated with diphenyl; so, however, that this exemption

(**a**) 1 & 2 Geo. 6. c. 56. (**b**) S.I. 1949/1047; 1949 I, p. 2569.
(**c**) *See* S.R. & O. 1940/649; Rev. VIII, p. 107; 1940 I, p. 896.
(**d**) S.I. 1953/1627.
(**e**) S.R. & O. 1925/814; Rev. VIII, p. 107; 1925, p. 1404.
(**f**) *See* Rev. VIII, p. 107.

shall not apply as respects citrus fruit in wrappers containing diphenyl in quantities equivalent to more than 40 milligrammes per hundred square inches.";

(iii) In the Table in Part I of the First Schedule thereto,

(A) for the figure "40" which appears in the third column of item 6 (relating to jam) there shall be substituted the figure "100";

(B) there shall be added to the Table the following items:—

" Food	Preservative	Parts per Million
19. Dehydrated Vegetables:		
(*a*) Potatoes	Sulphur dioxide	550
(*b*) Runner beans, turnips, spinach, swedes, peas, parsnips, carrots, mixed vegetables ...	Sulphur dioxide	2,000
(*c*) Cabbage	Sulphur dioxide	3,000
20. Margarine	Boron preservative (expressed as boric acid)	2,500";

(iv) There shall be added to Part I of the First Schedule thereto, immediately after the table therein, the following paragraph:—

"Item 20 in the above table, relating to margarine, shall have effect only during such period as any rationing scheme is in operation for that commodity by virtue of any Order made pursuant to the Defence (General) Regulations, 1939, and two months thereafter."

Given under the Seal of the Secretary of State for Scotland this 15th day of December, 1953.

(L.S.) *James Stuart,*
Secretary of State for Scotland.

St. Andrew's House,
Edinburgh, 1.

Given under the official seal of the Minister of Food this 16th day of December, 1953.

(L.S.) *G. Lloyd-George,*
Minister of Food.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These amending regulations, which re-enact the Public Health (Preservatives, etc. in Food) (Scotland) Amendment Regulations, 1953 with the inclusion, as required by law, of an expression of the Ministers' opinion that certain provisions are necessary for preventing danger to health or otherwise for protecting purchasers, provide for the sale and importation of certain specified dehydrated vegetables which contain sulphur dioxide within prescribed limits, increase the maximum permitted sulphur dioxide content of jam, permit the presence of diphenyl in citrus fruit imported in wrappers treated with diphenyl and for a limited period, the addition of borax to margarine.