

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE
No. 2,556 of 14th JUNE, 1990.**

LEGAL NOTICE NO. 700F 1990.

FOOD AND DRUGS ORDINANCE.

**THE CONDENSED MILK AND DRIED MILK (AMENDMENT)
REGULATIONS, 1990.**

In exercise of the powers conferred upon him by Section 6, 8 and 58 of the Food and Drugs Ordinance, and of all other enabling powers, the Governor has made the following regulations—

Title and commencement.

1. (1) These regulations may be cited as the Condensed Milk and Dried Milk (Amendment) Regulations, 1990.
- (2) These regulations shall come into operation on the 1st day of July, 1990.

Amendment to Regulation 2.

2. Regulation 2 of the Condensed Milk and Dried Milk Regulations, 1987, hereinafter called "the principal regulations", is amended in subregulation (1) by—
 - (a) omitting in the interpretation of "lactose" the figure " 1985" and substituting therefor the figure " 1987";
 - (b) omitting in the interpretation of "permitted emulsifier" the figure "1987" and substituting therefor the figure "1990".

Repeal and replacement of Regulations 5 and 6.

3. Regulations 5 and -6 of the principal regulations are omitted and the following new regulations are substituted therefor—

"Labelling and description of condensed milk and dried milk products for retail sale.

5. (I) Without prejudice to the provisions of the Food Labelling Regulations 1987 and subject to paragraph (2) below and regulation 6, no person shall sell by retail, or consign or deliver pursuant to a sale by retail, any condensed milk product or dried milk product in a container unless that container is correctly marked or labelled with the following particulars:—

- (a) a reserved description of the product, which shall be the name prescribed by law for that product for the purposes of regulation 7(I) of the Food Labelling Regulations 1987;
- (b) in the case of a dried milk product which is an instant preparation containing added lecithins in accordance with paragraph (c) of the proviso to regulation 9, the word "instant" added to the reserved description;
- (c) in the case of any condensed milk product containing not less than 1.0 per centum milk fat and any dried milk product containing not less than 1.5 per centum milk fat, the milk fat content or minimum milk fat content expressed as a percentage;
- (d) in the case of any condensed milk product, the milk solids not fat content or minimum milk solids not fat expressed as a percentage;
- (e) in the case of any condensed milk product, directions for dilution or reconstitution, or relevant information as to usage where the product is intended for use in its unaltered state;
- (f) in the case of any dried milk product containing not less than 1.5 per centum milk fat, directions for dilution or reconstitution and an indication of the fat content of the product after dilution or reconstitution as directed;

- (g) in the case of any unsweetened condensed milk product which has been subjected to ultra heat treatment and aseptically packed, the expression "UHT" or "ultra heat treated";
 - (h) in the case of any condensed milk product containing not more than 1.0 per centum milk fat and any dried milk product containing not more than 1.5 per centum milk fat, the warning "not to be used for babies except under medical advice".
- (2) Where the condensed milk product or dried milk product is packed in units each weighing less than '0 grammes within an outer packaging, the particulars required by paragraphs (1)(b) to (h) above may appear on the outer packaging only.

Labelling and description of condensed milk and dried milk products for non-retail sale.

5A Subject to regulation 6A, no person shall sell otherwise than by retail, or consign or deliver pursuant to a sale otherwise than by retail, any condensed milk product or dried milk product in a container unless that container is correctly marked or labelled with the following particulars:—

- (a) a reserved description of the product;
- (b) the name or business name and the address of the manufacturer or packer or of a seller established within the Community,
- (c) in the case of a product imported from a country outside the Community, the name of the country of origin;
- (d) the date of manufacture or some marking by which the batch can be identified;
- (e) in the case of any dried milk product containing.. any added permitted anti-caking agent in accordance with paragraph (d) of the proviso to regulation 9, the declaration "for use in vending machines only".

Manner of marking or labelling for retail sale.

6. (1) Regulations 32(1) and 34(1) and (2) of the Food Labelling Regulations 1987 (which relate to the manner of marking or labelling of food) shall apply to the particulars with which a condensed milk product, or dried milk product is required to be marked or labelled by regulation 5 as if they were particulars with which food is required to be marked or labelled by the Food Labelling Regulations 1987.

(2) Any indication of minimum durability required by regulation 21 of the Food Labelling Regulations 1987 shall appear in the labelling of the condensed milk product or dried milk product sold by retail or consigned or delivered pursuant to a sale by retail in the same field of vision as the particulars required by regulation 5(1)(a), (b), (c) and (d).

Manner of marking or labelling for non-retail sale.

6A. The particulars with which any condensed milk product or dried milk product is required to be marked or labelled by:

- (a) regulation 5A shall be clearly visible, easily legible and in indelible characters;
- (b) subparagraphs (a), (c) and (d) of paragraph 1 of regulation 5A shall be in English, either exclusively or in addition to any other language, or otherwise in a form easily understood by the purchaser;
- (c) subparagraph (c) of paragraph 1 of regulation 5A may appear in an accompanying document."

Amendment to Regulation 9.

4. Subparagraph (c) of the proviso to regulation 9 of the principal regulations is omitted and the following new subparagraph is substituted therefor

- "(c) any dried milk product which contains not less than 1.5 per centum milk fat and which is an instant preparation may

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contain not more than 0.5 per centum of the added permitted
emulsifier lecithins E322;"

Dated this 14th day of June, 1990.

By Command,
W. E. QUANTRILL,
Deputy Governor.

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