L.N. 358 of 2004

FOOD SAFETY ACT
(CAP. 449)

The Infant Formulae and Follow-On Formulae (Amendment) Regulations, 2004

IN exercise of the powers conferred by article 10 of the Food Safety Act, the Minister of Health, the Elderly and Community Care has made the following regulations:

Citation.

1. The title of these regulations is the Infant Formulae and Follow-on Formulae (Amendment) Regulations, 2004, and they shall be read and construed as one with the Infant Formulae and Follow-on Formulae Regulations, 2002, hereinafter referred to as ìthe principal regulationsî.

L.N. 208 of 2002.

2. These regulations implement the provisions of Commission Directive 2003/14/EC of the European Community.

Amends regulation 6 of the principal regulations.

3. Immediately after sub-regulation (7) of regulation 6 of the principal regulations, there shall be added the following sub-regulation (8):–

"6.8 (a) Those pesticides listed in the Ninth Schedule shall not be used in agricultural products intended for the production of infant formulae and follow-on formulae. However, for the purpose of control:

(i) pesticides listed in Table 1 of the Ninth Schedule are considered not to have been used if their residues do not exceed a level of 0.003 mg/kg;

(ii) pesticides listed in Table 2 of the Ninth Schedule are considered not to have been used if their residues do not exceed a level of 0.003 mg/kg.

(b) For the pesticides listed in the Tenth Schedule, the maximum residue levels specified therein shall apply.

The levels referred to in (a) and (b) above shall apply to the products as proposed ready for consumption or as reconstituted according to the instructions of the manufacturers.".

4. The following shall be added as the Ninth Schedule immediately after the Eighth Schedule to the principal regulations:– Adds Ninth Schedule to the principal regulations.

"NINTH SCHEDULE

Pesticides which shall not be used in agricultural production intended for the production of infant formulae and follow-on formulae

Table 1

Chemical name of the substance (residue definition)
Disulfoton (sum of disulfoton, disulfoton sulfoxide and disulfoton sulfone expressed as disulfoton)
Fensulfothion (sum of fensulfothion, its oxygen analogue and their sulfones, expressed as fensulfothion)
Fentin, expressed as triphenyltin cation
Haloxyfop (sum of haloxyfop, its salts and esters including conjugates, expressed as haloxyfop)
Heptachlor and *trans*-heptachlor epoxide, expressed as heptachlor
Hexachlorobenzene
Nitrofen
Omethoate
Terbufos (sum of terbufos, its sulfoxide and sulfone, expressed as terbufos)

Table 2

Chemical name of the substance
Aldrin and dieldrin, expressed as dieldrin
Endrin".

Adds Tenth Schedule to the principal regulations.

5. The following shall be added as the Tenth Schedule immediately after the Ninth Schedule to the principal regulations:–

"TENTH SCHEDULE

Specific maximum residue levels of pesticides or metabolites of pesticides in infant formulae and follow-on formulae

Chemical name of the substance	Maximum residue level (mg/kg)
Cadusafos	0.006
Demeton-S-methyl/demeton-S-methyl sulfone/oxydemeton-methyl (individually or combined, expressed as demeton-S-methyl)	0.006
Ethoprophos	0.008
Fipronil (sum of fipronil and fipronyl-desulfinyl, expressed as fipronil)	0.004
Propineb/propylenethiourea (sum of propineb and propylenethiourea)	0.006".

Ippubblikat mid-Dipartiment ta' l-Informazzjoni (doi.gov.mt) — Valletta — *Published by the Department of Information (doi.gov.mt) — Valletta*
Mitbugh fl-Istamperija tal-Gvern — *Printed at the Government Printing Press*
Prezz 12c – *Price 12c*