**L.N. 125 of 2003**

# FOOD SAFETY ACT
# (ACT NO. XIV of 2002)

## The Labelling, Presentation and Advertising of Foodstuffs (Amendment) Regulations, 2003

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

Citation L.N. 5 of 2002.

**1.** The title of these regulations is the Labelling, Presentation and Advertising of Foodstuffs (Amendment) Regulations, 2003, and they shall be read and construed as one with the Labelling, Presentation and Advertising of Foodstuffs Regulations, 2002, hereinafter referred to as "the principal regulations".

Amends regulation 8 of the principal regulations.

**2.** For the third indent of the second subparagraph of regulation 8.6 there shall be substituted the following:-

"flavourings shall be designated in accordance with the Third Schedule, provided that quinine and/or caffeine used as a flavouring in the production or preparation of a foodstuff must be mentioned by name in the list of ingredients indicated in regulation 5.1, immediately after the term 'flavouring'".

Amends regulation 11 of the principal regulations.

**3.** The following paragraph shall be added as regulation 11.5 immediately following regulation 11.4:

"11.5 No person may sell any food after the date shown in a 'use by' date relating to it."

Amends regulation 14 of the principal regulations.

**4.** The following paragraph shall be added as regulation 14.7 immediately following regulation 14.6:

"14.7 Where a beverage which is intended for consumption without modification, or after reconstitution of the concentrated or dried product, contains caffeine, from whatever source, in a proportion in excess of 150 mg/l, the following message must appear on the label in the same field of vision as the name under which the product is sold: 'High caffeine content'. This message shall be followed, in brackets and in accordance with regulation 14.4, by the caffeine content expressed in mg/100 ml, provided that,

14.7.11 this regulation shall not apply to beverages based on coffee, tea or coffee or tea extract where the name under which the product is sold includes the term 'coffee' or 'tea'.

14.7.2 products which do not comply with this regulation and which were labeled before 1 July 2004 may be marketed until stocks last."

**5.** For indent (c) of regulation 15.1 there shall be substituted the following:- Amends regulation 15 of the principal regulations.

"individually wrapped sugar or chocolate confectionery products, including boiled sweets and chocolates weighing less than 50 g per item, which are not enclosed in any further packaging when sold to the ultimate consumer and which are intended for sale as single items or by number."

**6.** The following text shall be added to the First Schedule to the principal regulations : Amends the First Schedule to the principal regulations.

| *" Definition* | *Designation* |
|---|---|
| Skeletal muscles[1] of mammalian and bird species recognized as fit for human consumption with naturally included or adherent tissue, where the total fat and connective tissue content does not exceed the values indicated below and where the meat constitutes an ingredient of another foodstuff. The products covered by the European Community definition of 'mechanically recovered meat' are excluded from this definition.<br><br>Maximum fat and connective tissue contents for ingredients designated by the term '… meat'. | "…meat" and the name(s)[3] of the animal species from which it comes.". |

[1] The diaphragm and the masseters are part of the skeletal muscles, while the heart, tongue, the muscles of the head (other than the masseters), the muscles of the carpus, the tarsus and the tail are excluded.
[3] For labeling in English, this designation may be replaced by the generic name of the ingredient for the animal species concerned.

| Species | Fat (%) | Connective tissue [2] (%) |
|---|---|---|
| Mammals (other than rabbits and porcines) and mixtures of species with mammals predominating | 25 | 25 |
| Porcines | 30 | 25 |
| Birds and rabbits | 15 | 10 |

If these maximum limits are exceeded, but all other criteria for the definition of 'meat' are satisfied, the "…meat" content must be adjusted downwards accordingly and the list of ingredients must mention, in addition to the term "…meat", the presence of fat and/or connective tissue.

Amends the Fourth Schedule to the principal regulations.

**7.** (a) For the third column of the fourth entry in Part A of the Fourth Schedule there shall be substituted the following:-

"Dietary Foods for Special Medical Purposes Regulations, 2001 (L.N. 309/2001)";

(b) Part B of the Fourth Schedule shall be deleted, and

(c) Part C of the Fourth Schedule shall be redesignated as Part B.

[2] The connective tissue content is calculated on the basis of the ratio between collagen content and meat protein content. The collagen content means the hydroxyproline content multiplied by a factor of 8.

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