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STATUTORY INSTRUMENTS

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**1995 No. 3267**

**FOOD**

**The Food (Miscellaneous Revocations  
and Amendments) Regulations 1995**

<i>Made</i>	- - - -	<i>18th December 1995</i>
<i>Laid before Parliament</i>		<i>18th December 1995</i>
<i>Coming into force</i>	- -	<i>1st January 1996</i>

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Health and the Secretary of State for Wales, acting jointly, in relation to England and Wales, and the Secretary of State for Scotland in relation to Scotland, in exercise of the powers conferred on them by sections 6(4), 16(1), (2) and (3), 17, 18(1)(c), 26(1)(a), (2)(e) and (3), 31 and 48(1) of, and paragraphs 1 and 5 of Schedule 1 to, the Food Safety Act 1990<sup>(1)</sup> and of all other powers enabling them in that behalf; the Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated<sup>(2)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(3)</sup> in relation to the common agricultural policy of the European Community, acting jointly, in exercise of the powers conferred on them by the said section 2(2), and of all other powers enabling them in that behalf, after consultation in accordance with section 48(4) of the Act of 1990 with such organisations as appear to them to be representative of interests likely to be substantially affected by the Regulations (insofar as the Regulations are made in exercise of the powers conferred by the said sections of the said Act of 1990), hereby make the following Regulations:

**Title and commencement**

1. These Regulations may be cited as the Food (Miscellaneous Revocations and Amendments) Regulations 1995 and shall come into force on 1st January 1996.

**Revocations**

2.—(1) Subject to paragraph (2) below, the Orders and Regulations specified in column 1 and 2 of the Schedule to these Regulations are hereby revoked to the extent specified in relation thereto in column 3 of that Schedule.

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(1) 1990 c. 16; “the Ministers” is defined in section 4(1) of the Act.  
(2) S.I. 1972/1811.  
(3) 1972 c. 68.

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(2) Insofar as any provision revoked by paragraph (1) above has effect in Northern Ireland, the revocation of that provision shall not extend to Northern Ireland.

### **Amendments**

3. In regulation 2(1) of the Cocoa and Chocolate Products Regulations 1976<sup>(4)</sup> and regulation 2(1) of the Cocoa and Chocolate Products (Scotland) Regulations 1976<sup>(5)</sup> for the definition of “ice cream” there shall be substituted the following—

““ice cream” means food corresponding to the description “ice cream” in Schedule 8 to the Food Labelling Regulations 1995;”.

13th December 1995

*Angela Browning*  
Parliamentary Secretary, Ministry of Agriculture,  
Fisheries and Food

Signed by authority of the Secretary of State for Health

Department of Health  
14th December 1995

*Cumberlege*  
Parliamentary Under Secretary of State,

Signed by the authority of the Secretary of State for Wales

Welsh Office  
18th December 1995

*Rod Richards*  
Parliamentary Under Secretary of State,

Scottish Office  
12th December 1995

*Lindsay*  
Parliamentary Under Secretary of State,

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(4) S.I. 1976/541, to which there are amendments not relevant to these Regulations.

(5) S.I. 1976/914, to which there are amendments not relevant to these Regulations.

## THE SCHEDULE

Regulation 2

## REVOCATIONS

<i>(1)</i> <i>Regulations and Orders</i> <i>revoked</i>	<i>(2)</i> <i>References</i>	<i>(3)</i> <i>Extent of revocations</i>
The Food Standards (General Provisions) Order 1944	S.R. & O. <a href="#">1944/42</a>	The whole Order
Order dated 1 June 1944, amending the Food Standards (General Provisions) Order 1944	S.R. & O. 1944/654	The whole Order
The Food Standards (Fish Cakes) Order 1950	<a href="#">S.I. 1950/589</a>	The whole Order
The Skimmed Milk with Non-Milk Fat Regulations 1960 (“the 1960 Regulations”)	<a href="#">S.I. 1960/2331</a>	The whole Regulations
The Skimmed Milk with Non-Milk Fat (Scotland) Regulations 1960 (“the Scottish 1960 Regulations”)	<a href="#">S.I. 1960/2437</a>	The whole Regulations
The Soft Drinks Regulations 1964 (“the 1964 Regulations”)	<a href="#">S.I. 1964/760</a>	The whole Regulations
The Soft Drinks (Scotland) Regulations 1964 (“the Scottish 1964 Regulations”)	<a href="#">S.I. 1964/767</a>	The whole Regulations
The Ice-Cream Regulations 1967 (“the 1967 Regulations”)	<a href="#">S.I. 1967/1866</a>	The whole Regulations
The Soft Drinks (Amendment) Regulations 1969	<a href="#">S.I. 1969/1818</a>	The whole Regulations
The Soft Drinks (Scotland) Amendment Regulations 1969	<a href="#">S.I. 1969/1847</a>	The whole Regulations
The Ice Cream (Scotland) Regulations 1970 (“the Scottish 1970 Regulations”)	<a href="#">S.I. 1970/1285</a>	The whole Regulations
The Soft Drinks (Amendment) Regulations 1970	<a href="#">S.I. 1970/1597</a>	The whole Regulations
The Soft Drinks (Scotland) Amendment Regulations 1970	<a href="#">S.I. 1970/1619</a>	The whole Regulations
The Labelling of Food (Amendment) Regulations 1972	<a href="#">S.I. 1972/1510</a>	The whole Regulations

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<i>(1)</i> <i>Regulations and Orders revoked</i>	<i>(2)</i> <i>References</i>	<i>(3)</i> <i>Extent of revocations</i>
The Labelling of Food (Scotland) Amendment Regulations 1972	<a href="#">S.I. 1972/1790</a>	The whole Regulations
The Skimmed Milk with Non-Milk Fat (Amendment) Regulations 1976	<a href="#">S.I. 1976/103</a>	The whole Regulations
The Skimmed Milk with Non-Milk Fat (Scotland) Amendment Regulations 1976	<a href="#">S.I. 1976/294</a>	The whole Regulations
The Soft Drinks (Amendment) Regulations 1976	<a href="#">S.I. 1976/295</a>	The whole Regulations
The Soft Drinks (Scotland) Amendment Regulations 1976	<a href="#">S.I. 1976/442</a>	The whole Regulations
The Fruit Juices and Fruit Nectars Regulations 1977	<a href="#">S.I. 1977/927</a>	Regulation 15
The Fruit Juices and Fruit Nectars (Scotland) Regulations 1977	<a href="#">S.I. 1977/1026</a>	Regulation 16
The Lead in Food Regulations 1979	<a href="#">S.I. 1979/1254</a>	The definition of “soft drink” in regulation 2(1)
The Lead in Food (Scotland) Regulations 1979	<a href="#">S.I. 1979/1641</a>	The definition of “soft drink” in regulation 2(1)
The Skimmed Milk with Non-Milk Fat (Amendment) Regulations 1981	<a href="#">S.I. 1981/1174</a>	The whole Regulations
The Skimmed Milk with Non-Milk Fat (Scotland) Amendment Regulations 1981	<a href="#">S.I. 1981/1319</a>	The whole Regulations
The Food (Revision of Penalties) Regulations 1982	<a href="#">S.I. 1982/1727</a>	Regulation 4(3); the references to the 1960 Regulations, the 1964 Regulations and the 1967 Regulations in Column 2 of Schedule 1 together with the entries corresponding thereto in Column 1, 3 and 4; the reference to the Food Standards (General Provisions) Order 1944 in Part IV and V of Schedule 3
The Food (Revision of Penalties) Regulations 1985	<a href="#">S.I. 1985/67</a>	The reference to the Food Standards (General Provisions) Order 1944, the 1960 Regulations, the 1964

<i>(1)</i> <i>Regulations and Orders</i> <i>revoked</i>	<i>(2)</i> <i>References</i>	<i>(3)</i> <i>Extent of revocations</i>
The Food (Revision of Penalties and Mode of Trial) (Scotland) Regulations 1985	<a href="#">S.I. 1985/1068</a>	Regulations and the 1967 Regulations in Column 2 of Part I of the Schedule together with the entries corresponding thereto in Column 1 and 3  The references to the Scottish 1960 Regulations, the Scottish 1964 Regulations and the Scottish 1970 Regulations in Column 2 of Schedule 1 together with the entries corresponding thereto in Column 1 and 3
The Potassium Bromate (Prohibition as a Flour Improver) (Scotland) Regulations 1990	<a href="#">S.I. 1990/395</a>	The whole Regulations
The Potassium Bromate (Prohibition as a Flour Improver) Regulations 1990	<a href="#">S.I. 1990/399</a>	The whole Regulations
The Milk and Milk Products (Protection of Designations) Regulations 1990	<a href="#">S.I. 1990/607</a>	The references to the 1960 Regulations and the 1967 Regulations in Column 1 of the Schedule together with the entries corresponding thereto in Column 2 and 3
The Milk and Milk Products (Protection of Designations) (Scotland) Regulations 1990	<a href="#">S.I. 1990/816</a>	The references to the Scottish 1960 Regulations and the Scottish 1970 Regulations in Column 1 of the Schedule together with the entries corresponding thereto in Column 2 and 3
The Food Safety (Exports) Regulations 1991	<a href="#">S.I. 1991/1476</a>	The references to the 1960 Regulations, the 1964 Regulations and the 1967 Regulations in Column 2 of Part I of Schedule 1 together with the entries corresponding thereto in Column 1 and 3; the references to the Scottish 1960 Regulations, the Scottish 1964 Regulations and the Scottish 1970 Regulations in Column 2 of Schedule 2 together with the

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<i>(1)</i> <i>Regulations and Orders</i> <i>revoked</i>	<i>(2)</i> <i>References</i>	<i>(3)</i> <i>Extent of revocations</i>
The Food (Forces Exemptions) (Revocations) Regulations 1992	S.I. 1992/2596	entries corresponding thereto in Column 1 and 3  The references to the 1960 Regulations, the 1964 Regulations and the 1967 Regulations in Column 2 of Part I of the Schedule together with the entries corresponding thereto in Column 1 and 3; the references to the Scottish 1960 Regulations, the Scottish 1964 Regulations and the Scottish 1970 Regulations in Column 2 of Part II of the Schedule together with the entries corresponding thereto in Column 1 and 3
The Food Safety (Amendment) (Metrication) Regulations 1992	S.I. 1992/2597	Regulation 2, 3 and 4 and Schedule 1 and 2
The Soft Drinks (Amendment) Regulations 1993	S.I. 1993/1240	The whole Regulations
The Infant Formula and Follow-on Formula Regulations 1995	S.I. 1995/77	Regulation 24

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations revoke the following instruments—

- (a) The Food Standards (General Provisions) Order 1944
- (b) The Food Standards (Fish Cakes) Order 1950
- (c) The Skimmed Milk with Non-Milk Fat Regulations 1960
- (d) The Skimmed Milk with Non-Milk Fat (Scotland) Regulations 1960
- (e) The Soft Drinks Regulations 1964
- (f) The Soft Drinks (Scotland) Regulations 1964
- (g) The Ice-Cream Regulations 1967
- (h) The Ice-Cream (Scotland) Regulations 1970

Amending instruments to those revoked and references to them in other instruments (specified in the Schedule) are also revoked.

Both Orders mentioned above were made under regulation 2 of the Defence (Sale of Food) Regulations 1943 and, in relation to Great Britain, were the only Orders made under the said regulation 2 which remained in force. The Food Standards (Fish Cakes) Order 1950 prescribed a compositional standard for fish cakes and compliance with that standard was required by the Food Standards (General Provisions) Order 1944.

The Skimmed Milk with Non-Milk Fat Regulations 1960 and Skimmed Milk with Non-Milk Fat (Scotland) Regulations 1960 imposed requirements in relation to labelling and advertising. The remainder of the Regulations mentioned in the first paragraph above specified compositional standards, imposed requirements as to labelling and, for ice cream, advertising.

Provisions concerning the use of the description “ice-cream” and the description “low calorie” in relation to soft drinks appear in the Food Labelling Regulations 1995.

These Regulations also amend the definition of “ice cream” in the Cocoa and Chocolate Products Regulations 1976 and in the Cocoa and Chocolate Products (Scotland) Regulations 1976.