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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1617/16 - 2009 සැප්තැම්බර් 01 වැනි අඟහරුවාදා - 2009.09.01

No. 1617/16 - TUESDAY, SEPTEMBER 01, 2009

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PART I : SECTION (I) — GENERAL

Government Notifications

L.D-B 11/80III.

FOOD ACT, No. 26 OF 1980

REGULATIONS made by the Minister of Healthcare, Nutrition under Section 32 of the Food Act, No. 26 of 1980 as amended by the Food (Amendment) Act, No. 20 of 1991 in consultation with the Food Advisory Committee.

NIMAL SIRIPALA DE SILVA,
Minister of Healthcare and Nutrition.

Ministry of Healthcare and Nutrition.
Colombo,
28th July, 2009.

Regulations

1. These Regulations may be cited as the Food (Antioxidants) Regulations - 2009 and shall come into operation from March 01st, 2010.

2. No person shall import, use or advertise any antioxidants other than antioxidants specified in Schedule I hereto for the purpose of using it in any food intended for human consumption.

3. No person shall manufacture, import, sell, offer for sale, store, distribute, transport, use or advertise any food, which contains any antioxidant except as provided for in these regulations.

4. Any food specified in Column II of Schedule I hereto (hereinafter referred to as the “specified food”) may have in or upon it antioxidants specified in the corresponding entry in Column I thereof. (hereinafter referred to as the “permitted antioxidant”) and in the proportion specified in the corresponding entry of Column III thereof ;

Provided however, no food intended for infants and young children shall have in or upon it any antioxidants or a combination thereof specified in items 1,2 and 3 of Column I of Schedule I.

5. Any specified food in relation to which two or more permitted antioxidants are specified in Schedule I hereto, may have in or upon it, a combination of such antioxidants only if the sum total of those percentages does not exceed one hundred when the quantity of each such antioxidants present in such food is expressed as a percentage of the maximum quantity of that antioxidant appropriate to that food as specified in that Schedule.

6. Nothing in this regulations shall prohibit the presence in any compounded food—

(a) of any permitted antioxidant introduced in the preparation of that food, by the use of one or more specified foods if that permitted antioxidant—

(i) may under these regulations be present in any specified food used in the compounded food ;

(ii) is present in the compounded food in no greater proportion relation to the quantity of the specified food used, than the permitted proportion specified in relation to that specified food in Column III of Schedule I.

(b) if the compounded food is a specified food and if does not contain any permitted antioxidants specified in relation thereto in Column I of Schedule I in any greater proportion than specified in relation thereto.

7. No person shall use or advertise any permitted antioxidant, (including any permitted antioxidant with which any other substance has been mixed) for use as an ingredient in the preparation of food except in a container bearing a label in accordance with the requirements contained in paragraph 1 and 2 of Schedule II.

8. The label on every container or package of food to which a permitted antioxidant as specified in these regulations has been added shall have a declaration as set out in the Food (Labeling and Advertising) Regulation 2005 published in *Gazette Extraordinary* No. 1376/9 of January 19, 2005.

9. In these regulations—

“antioxidant” means any substance that delays, retards or prevents the development of rancidity or other flavour deterioration in food due to oxidation, but does not include lecithin, ascorbic acid or its salts, tocopherols, citric acid or phosphoric acid ;

“infants” means children below the age of twelve months ; and

“young children” means children between the age of one to three years.

SCHEDULE I

PERMITTED ANTIOXIDANT THAT MAY ADDED TO SPECIFIED FOOD AND THE MAXIMUM PERMITTED PROPORTION IN EACH CASE

| <i>Column I</i> | | <i>Column II</i> | | <i>Column III</i> |
|--------------------|----------------|-----------------------|----------------------------------|---|
| <i>Antioxidant</i> | <i>INS No.</i> | <i>Specified food</i> | | <i>Maximum proportion in milligrams per kilograms of the food</i> |
| 1. Propyl gallate | 310 | (a) | Edible fats and oils, margarine, | 100 |
| Octyl gallate | 311 | | fat spread, salad oils, lard and | |
| Dodecyl gallate or | 312 | | drippings. | |
| Mixtures thereof | | (b) | Essential oils | 1000 |

SCHEDULE I (Contd.)

| <i>Column I</i> | | <i>Column II</i> | <i>Column III</i> |
|-----------------------------------|----------------|---|---|
| <i>Antioxidant</i> | <i>INS No.</i> | <i>Specified food</i> | <i>Maximum proportion in milligrams per kilograms of the food</i> |
| 2. Butylated Hydroxyanisole (BHA) | 320 | (a) Edible fats and oils, margarine, fat spread, salad oils, lard and dripping. | 200 |
| | | (b) Essential oils | 1000 |
| 3. Tert-Butyl hydroquinone (TBHQ) | 319 | (a) Edible fats and oils, margarine, fat spread, salad oils, lard and dripping. | 200 |
| | | (b) Essential oils | 1000 |
| 4. Ascorbyl palmitate/ Stearate | 304 305 | (a) Edible fats and oils, margarine, fat spread, salad oils, lard and dripping. | Regulated by GMP |
| | | (b) Essential oils | Regulated by GMP |

SCHEDULE II

(1) Each container to which regulation 7 applies shall bear a label indicating a statement—

- (a) of each permitted antioxidant, the common or usual name and the appropriate INS Number and the percentage of each and every antioxidant present in the preparation in the container ;
- (b) where any other substance is present in the preparation the common or usual name or an appropriate INS Number of each such substance ; and
- (c) if two or more such substances are present, the proportion of each permitted antioxidant and of each other substance present in the preparation.

(2) Any statement required to be printed in terms of paragraph (1)—

- (a) shall be clear and legible
- (b) shall be in a conspicuous position on the label which shall be securely attached to the container in such manner that the statement shall be easily read and understood by a prospective buyer under normal conditions of purchase ; and
- (c) shall not be in any way hidden or obscured by any other matter.

Repeals : Regulations 27 and 28 of Part III of the Food (Labelling and Miscellaneous) Regulations - 1993 including the Fifth Schedule published in the *Government Gazette Extraordinary* No. 788/7 of October 14, 1993 is hereby rescinded.