

**L.N. 15 of 2002**

**PRODUCT SAFETY ACT, 2001  
(ACT NO. V of 2001)**

**Preserved Milk Regulations, 2002**

IN exercise of the powers conferred by article 39 of the Product Safety Act, the Minister for Economic Services, on the advice of the Malta Standards Authority, has made the following regulations:-

**1.1** The title of these regulations is the Preserved Milk Regulations, 2002. Citation and commencement.

**1.2** These regulations shall come into effect as from the 1st March, 2002. Applicability.

**1.3** These regulations shall not apply to dietetic products or products specifically intended for babies and young children.

**2.1** In these regulations, unless the context otherwise requires, the following definitions shall apply: Interpretation.

**2.1.1** Partly dehydrated milk: the liquid product obtained directly by the partial removal of water from milk, from wholly or partly skimmed milk, or from a mixture of these products, which may have an admixture of cream and, or of wholly dehydrated milk, the addition of wholly dehydrated milk not to exceed, in the finished product, 25% of total milk solids.

**2.1.2** Wholly dehydrated milk: the solid product whose moisture content is not more than 5% by weight in the finished product obtained directly by the removal of water from milk, wholly or partly skimmed milk, cream or from a mixture of these products.

**2.2** The use of the following terms is reserved for the products as described: Reserved terms.

2.2.1 Partly dehydrated milk

(a) *Unsweetened condensed milk*

Partly dehydrated milk having a fat content of at least 7.5% by weight and a minimum total milk solids content of 25% by weight;

*Evaporated milk*

Unsweetened condensed milk with a minimum fat content of 9% by weight and a minimum total milk solids content of 31% by weight;

(b) *Unsweetened condensed skimmed milk*

Partly dehydrated milk with a maximum of 1% fat by weight and a minimum total milk solids content of 20% by weight;

(c) *Unsweetened condensed partly skimmed milk*

Partly dehydrated milk with a fat content of at least 1% but not exceeding 7.5% by weight and a minimum 20% of total milk solids by weight, provided that unsweetened condensed partly skimmed milk for retail sale must contain 4 to 4.5% fat by weight and a minimum 24% total milk solids by weight;

(d) *Unsweetened condensed high-fat milk*

Partly dehydrated milk with a minimum 15% of fat by weight and a minimum total milk solids content of 26.5% by weight, provided that this product may also be designated as *panna da caffè* in Italian;

(e) *Sweetened condensed milk*

Partly dehydrated milk with added sucrose (semi-white sugar, sugar or white sugar or extra white sugar) having a minimum 8% of fat by weight and a minimum 28% total milk solids by weight, provided that sweetened condensed milk for retail sale must contain a minimum 9% of fat by weight and a minimum 31% of total milk solids by weight;

(f) *Sweetened condensed skimmed milk*

Partly dehydrated milk with added sucrose (semi-white sugar, sugar or white sugar or extra white sugar) and having a maximum 1% of fat by weight and a minimum 24% of total milk solids by weight;

(g) *Sweetened condensed partly skimmed milk*

Partly dehydrated milk with added sucrose (semi-white sugar, sugar or white sugar or extra white sugar) with not less than 1% and not more than 8% fat by weight and a minimum 24% total milk solids by weight, provided that sweetened condensed partly skimmed milk for retail sale must contain between 4 and 4.5% fat by weight and a minimum 28% total milk solids by weight.

2.2.2 *Wholly dehydrated milk*(a) *Dried whole milk or whole milk powder*

Dehydrated milk with a minimum 26% of fat by weight;

(b) *Dried skimmed milk or skimmed milk powder*

Dehydrated milk with a maximum 1.5% of fat by weight;

(c) *Dried partly skimmed milk or partly skimmed milk powder*

Dehydrated milk with a fat content between 1.5% and 26% by weight;

(d) *Dried high-fat milk or high-fat milk powder*

Dehydrated milk with a fat content of at least 42% by weight.

**3.1** The products defined in regulation 2.2 shall be preserved as follows: Required treatments.

3.1.1 for unsweetened condensed milk, unsweetened condensed skimmed milk, unsweetened condensed partly skimmed milk and unsweetened condensed high-fat milk, by sterilisation through heat-treatment;

3.1.2 for sweetened condensed milk, sweetened condensed skimmed milk and sweetened condensed partly skimmed milk, by the addition of sucrose (semi-white sugar, sugar or white sugar or extra white sugar);

3.1.3 for wholly dehydrated milk products, by dehydration.

3.2 Without prejudice to provisions concerning health and hygiene which may be adopted in relation to the base materials referred to in paragraph 2.1, such materials must be subjected to a heat treatment at least equivalent to pasteurisation where heat treatment is not included in the manufacturing process.

Permitted additives.

**3.3** For unsweetened condensed milk, unsweetened condensed skimmed milk, unsweetened condensed partly skimmed milk and unsweetened condensed high-fat milk, only the following additives are permitted:

- sodium and potassium bicarbonates;
- sodium citrates (E 331);
- potassium citrates (E 332);
- sodium orthophosphates (E 339);
- potassium orthophosphates (E 340);
- calcium chloride;
- sodium and potassium polyphosphates (E 450) as follows:

- (a) diphosphates;
- (b) triphosphates in ultra heat treated (UHT) unsweetened partly dehydrated milk;
- (c) linear polyphosphates (containing not more than 8% cyclic compounds) in UHT unsweetened partly dehydrated milk;

provided that:

3.3.1 products with a maximum total solids content of 28% shall contain not more than a total of 0.2% by weight of the additives listed in regulation 3.3 in the finished product, and a maximum total added phosphate content of 0.1%;

3.3.2 products with a total solids content exceeding 28% shall contain not more than a total of 0.3% by weight of the additives listed in paragraph 3.3 in the finished product and a maximum total added phosphate content of 0.15%;

3.3.3 UHT unsweetened partly dehydrated milk shall contain not more than 0.15% total triphosphate and linear polyphosphate content for products whose total dry matter content exceeds 28% (phosphates expressed as  $P_2O_5$ ).

3.4 In the manufacture of sweetened condensed milk, sweetened condensed skimmed milk, and sweetened condensed partly skimmed milk, only the following are permitted:

- 0.2% maximum substances permitted in paragraph 3.3 in the finished product, subject to a maximum phosphate content of 0.1%, expressed as  $P_2O_5$ ;

- 0.02% maximum lactose by weight in the finished product, with the addition where appropriate of tricalcium phosphate (not exceeding 10% of the lactose content).

3.5 In the manufacture of dried whole milk, dried skimmed milk, dried partly skimmed milk and dried high-fat milk, only the following are permitted:

- 0.5% by weight maximum substances permitted in paragraph 3.3 in the finished product, subject to a maximum total added phosphate content of 0.25% expressed as  $P_2O_5$  and a maximum sodium and potassium bicarbonate content of 0.2%, provided that a maximum of 0.3% of sodium and potassium bicarbonate shall be permitted in Roller or Hatmaker wholly dehydrated milk that is not intended for retail sale if none of the other substances listed in paragraph 3.3 are used;

- 0.05% maximum by weight in the finished product of L-ascorbic acid (E300), sodium L-ascorbate (E301) and ascorbyl palmitate (E304), singly or mixed at a maximum level, expressed as ascorbic acid.

3.6 In the manufacture of instant dried whole milk, instant dried partly skimmed milk and instant dried high-fat milk, up to 0.5% of E322 lecithin is permitted at a maximum level, by weight, of 0.5%.

3.7 Any reference in these regulations to the percentage of an additive is made with reference to the anhydrous substance.

3.8 The addition of vitamins to wholly or partly dehydrated milk is permitted.

3.9 These regulations shall be without prejudice to other provisions permitting the use of additional additives for wholly dehydrated milk used in vending machines and clearly labelled as such.

3.10 Without prejudice to other provisions, the lactate content of partly or wholly dehydrated milk must not exceed 300mg/100 g milk solids not fat.

Labelling provisions  
for products  
intended for the  
ultimate consumer.  
L.N. 65 of 1992.

**4.1** The Labelling and Presentation of Foodstuffs Regulations, 1992 shall apply under the following conditions with respect to preserved milk products defined in regulation 2.2 which are intended to be supplied in the unaltered state to the ultimate consumer:

4.1.1 The product designation reserved for the products referred to in regulation 2.2 must be used in trade to designate those products, provided that for dried whole milk, dried partly skimmed milk and dried high-fat milk with instant solubility, the word “instant” must be added to the name under which the product is sold.

4.1.2 The net quantity must be expressed in units of mass, provided that for unsweetened condensed milk, unsweetened condensed skimmed milk, unsweetened condensed partly skimmed milk and unsweetened condensed high-fat milk packed in containers other than tubes or metal tins, the quantity must be expressed in units of mass and volume.

**4.2** In addition to the information required by the Labelling and Presentation of Foodstuffs Regulations, the following particulars must also be stated on the packaging, containers or labels of products covered by these regulations, in Maltese or English or Italian:

4.2.1 the percentage milk fat, expressed by weight in relation to the finished product except for unsweetened condensed skimmed milk, sweetened condensed skimmed milk and dried skimmed milk;

4.2.2 the percentage fat-free dried milk extract for all partly dehydrated milk products;

4.2.3 recommendations on the method of dilution or reconstitution for all partly dehydrated milk products, provided that these particulars may be replaced by information on the use of the products when the latter are intended for use in the unaltered form;

4.2.4 recommendations on the method of dilution or reconstitution for all wholly dehydrated milk products, including details of the fat content of the reconstituted product, provided that this latter provision shall not apply in the case of dried skimmed milk;

4.2.5 the expressions “UHT” or ultra heat treated for unsweetened condensed milk, unsweetened condensed skimmed milk, unsweetened condensed partly skimmed milk and unsweetened condensed high-fat milk which are obtained by this treatment and aseptically packed.

**4.3** The reserved designation, the word “instant” (where relevant) and the particulars required in paragraphs 4.2.1 and 4.2.2 must appear in the same field of vision as the product name, the net quantity and the date of minimum durability. Other provisions.

**4.4** Where products weighing less than 20 grams per unit are packed in an outer packaging, the labelling particulars need appear on the outer packaging only, except for the reserved designation for the product, which must appear on each individual unit.

**4.5** Products containing added vitamins must be additionally labelled with details of the nature and quantity of the added vitamins.

**4.6** Wholly skimmed products must be labelled with a warning declaring the unsuitability of these products for use as baby food.

**5.1** Only the following particulars need be given on the packages, containers or labels of products defined in regulation 2.2 not intended for sale to the ultimate consumer: Labelling of packs not intended for the ultimate consumer.

**5.1.1** the reserved name for the product pursuant to regulation 2.2;

**5.1.2** the net quantity expressed in kilograms or grams;

**5.1.3** the name or business name and address of the manufacturer or importer or packer or of a seller established in Malta;

**5.1.4** the country of origin, provided that this information is not required in the case of products imported into Malta from within the European Union or in the case of products manufactured in Malta;

**5.1.5** the date of manufacture or some form of batch identification;

provided that

**5.1.6** the particulars required by paragraphs 5.1.1, 5.1.4 and 5.1.5 must appear in Maltese, English or Italian unless the information is given by other means; however, this does not preclude the additional use of other languages on the label;

**5.1.7** the indication of the net quantity and the country of origin need appear only on an accompanying document.

5.2 The information required by regulation 5.1 must be given in a clearly visible, easily legible and indelible manner.

Retail sale. 6.1 Preserved milk products intended for retail sale must be packed by the manufacturer or packer in effectively protective sealed containers which must be delivered intact to the consumer.

Conditions of sale. 7.1 No person may sell partially dehydrated or wholly dehydrated milk which does not comply with the provisions of these regulations.

7.2 The designations given in regulations 2.1 and 2.2 may be used only for products complying with these regulations and these designations must be used to describe these products when they are marketed.

Methods of sampling and analysis. 8.1 The methods of analysis laid down in European Community Directive 79/1067/EEC and the sampling methods laid down in European Community Directive 87/524/EEC shall be applicable to and shall be used in respect of the products covered by these regulations.