

Colouring Matter In Food Regulations
Chapter 132h (Section 55)

[11 November 1960] G.N.A. 132 of 1960

(G.N.A. 72 of 1960)

COLOURING MATTER IN FOOD REGULATIONS - REGULATION 1
Citation VerDate:30/06/1997

These regulations may be cited as the Colouring Matter in Food Regulations.

COLOURING MATTER IN FOOD REGULATIONS - REGULATION 2
Interpretation VerDate:26/05/2000

In these regulations, unless the context otherwise requires-

"air transhipment cargo" (è^aç©°è¼%é□<è²ç%©) has the meaning assigned to it in section 2 of the Import and Export Ordinance (Cap 60); (29 of 2000 s. 5)

"air transit cargo" (è^aç©°é□Žâçfè²ç%©) means any article in transit that is both imported and consigned for export in an aircraft; (29 of 2000 s. 5)

"article in transit" (é□Žâçfç%©â"□) has the meaning assigned to it in section 2 of the Import and Export Ordinance (Cap 60); (29 of 2000 s. 5)

"cargo transhipment area of Hong Kong International Airport" (æ©Ÿâ ´è²ç%©è¼%é□<â□€) has the meaning assigned to it in section 2 of the Import and Export Ordinance (Cap 60); (29 of 2000 s. 5)

"Colour Index Number" (è%²ç´ ç´çâ¼•ç´è™Ÿ) means the identifying number used in the Colour Index compiled by the British Society of Dyers and Colourists and the American Association of Textile Chemists and Colourists; (L.N. 368 of 1993)

"permitted colouring matter" (â††è¨±æŸ"è%²æ-™) means any colouring matter specified in the First Schedule or any combination of more than one such colouring matter;

"processed" (âŠ â·Ÿè™•ç□†) includes curing by smoking and any treatment or process resulting in a substantial change in the natural state of any food, but does not include boning, paring, grinding, cutting, cleaning or trimming, and the word "unprocessed" (ææ^açŸ"âŠ â·Ÿè™•ç□†) shall be construed accordingly;

"sell" (â"®è³£) includes expose or offer for sale or have in possession for sale, and the word "sale" (â†°â"®) shall be construed accordingly;

"vegetable" (è"-è□æ) includes pulses.

COLOURING MATTER IN FOOD REGULATIONS - REGULATION 3
Restriction on use of colouring matter other than permitted colouring matter VerDate:30/06/1997

No food intended for sale for human consumption shall contain any added colouring matter which is not a permitted colouring matter, and no person shall sell, consign or deliver, or import into Hong Kong, any such food which does not comply with the provisions of this regulation.

(10 of 1986 s. 32(2))

COLOURING MATTER IN FOOD REGULATIONS - REGULATION 4

Prohibition on the use of colouring matter in the case of certain commodities VerDate:30/06/1997

(1) No meat, game, poultry, fish, fruit or vegetable in a raw and unprocessed state which is intended for sale for human consumption shall have in or upon it, otherwise than for the purpose of marking, any added colouring matter:

Provided that citrus fruit may have in or upon it added permitted colouring matter if-

(a) the words "colour added" are marked on the skin of such fruit in permitted colouring matter; and

(b) such words are distinctly and legibly printed and of such size as to be conspicuously visible.

(2) No person shall sell, consign or deliver, or import into Hong Kong, any food referred to in paragraph (1) which does not comply with the provisions of that paragraph. (10 of 1986 s. 32(2))

COLOURING MATTER IN FOOD REGULATIONS - REGULATION 5

Restriction on sale or advertisement of colouring matter other than permitted colouring matter VerDate:30/06/1997

(1) No person shall sell or advertise for sale any colouring matter for use in food which is not a permitted colouring matter.

(2) In any proceedings for an offence against paragraph (1) in relation to the publication of an advertisement, it shall be a defence for the defendant to prove that, being a person whose business it is to publish, or arrange for the publication of, advertisements, he received the advertisement for publication in the ordinary course of business.

(3) No person shall sell, consign or deliver for use in food any colouring matter or any colouring and flavouring compound except in a container bearing a label in accordance with the provisions of the Second Schedule.

COLOURING MATTER IN FOOD REGULATIONS - REGULATION 5A

Application to air transit or air transshipment cargo VerDate:26/05/2000

(1) Regulations 3 and 4(2) do not apply in relation to the import of any food referred to in those regulations that is air transit cargo or air transshipment cargo; but if at any time between its being brought into and taken out of Hong Kong such food is removed from the cargo transshipment area of Hong Kong International Airport then, for the purposes of regulation 3 or 4(2), as the case may be-

(a) the food is deemed to be imported at the time of such removal;
and

(b) the person who brought the food, or caused it to be brought, into Hong Kong as air transit cargo or air transshipment cargo is deemed to be the person who imports the food at the time of its removal, and, except to that extent, those regulations have effect as if this paragraph had not been enacted.

(2) In proceedings against a person for an offence under regulation 6, being proceedings-

(a) in relation to the import of any food referred to in regulation 3 or 4(2) that is air transit cargo or air transshipment cargo; and

(b) in which it is necessary for the prosecution to prove that, at any time between its being brought into and taken out of Hong Kong, the food was removed from the cargo transshipment area of Hong Kong International Airport, it is a defence for the person to show that he took all reasonable steps and exercised reasonable diligence to avoid such removal occurring.

(3) Where in any proceedings the defence provided by paragraph (2) involves an allegation that the commission of the offence was due to-

(a) the act or default of another person; or

(b) reliance on information given by another person, the defendant is not, without the leave of the court, entitled to rely on the defence unless, not less than 10 days before the hearing of the proceedings, he has served a notice in writing on the prosecutor giving all particulars of-

(i) the person who committed the act or default or gave the information; and

(ii) the act, default or information, of which he is aware at the time he serves the notice.

(4) A person is not entitled to rely on the defence provided by paragraph (2) by reason of his reliance on information supplied by another person, unless he shows that it was reasonable in all the circumstances for him to have relied on the information, having regard in particular to-

(a) the steps which he took, and those which might reasonably have been taken, for the purpose of verifying the information; and

(b) whether he had any reason to disbelieve the information.

(29 of 2000 s. 5)

COLOURING MATTER IN FOOD REGULATIONS - REGULATION 6
Offences and penalties VerDate:30/06/1997

Any person who contravenes any of the provisions of regulation 3, 4 or 5(1) or (3) shall be guilty of an offence and shall be liable on summary conviction to a fine at level 5 and to imprisonment for 6 months, and, where the offence is a continuing offence, to a fine of \$300 for each day during which the offence continues.
(L.N. 326 of 1987; L.N. 177 of 1996)

COLOURING MATTER IN FOOD REGULATIONS - REGULATION 7
Name in which proceedings may be brought VerDate:01/01/2000

Without prejudice to the provisions of any other enactment relating to the prosecution of criminal offences, and without prejudice to the powers of the Secretary for Justice in relation to the prosecutions of criminal offences, prosecutions for an offence under any of the provisions of these regulations may be brought in the name of the Director of Food and Environmental Hygiene.
(L.N. 107 of 1965; L.N. 362 of 1997; 78 of 1999 s. 7)

COLOURING MATTER IN FOOD REGULATIONS - SCHEDULE 1
PERMITTED COLOURING MATTER VerDate:30/06/1997

[regulation 2]

PART I-COAL TAR COLOURS

Common Name of Colour

Scientific Name Colour Index Number (1982)

Allura Red

AC disodium salt of 6-hydroxy-5-[(2-methoxy-5-methyl-4-sulphophenyl)-azo]-2-naphthalene-sulphonic acid. 16035

Amaranth trisodium salt of 1-(4-sulpho-1-naphthylazo)-2-naphthol-3:6-disulphonic acid. 16185

Black PN

(Brilliant Black BN) tetrasodium salt of 8-acetamido-2-

(7-sulpho-4-p-sulphophenylazo-1-naphthylazo)-1-naphthol-3: 5-disulphonic acid. 28440

Brilliant

Blue FCF
 (Brilliant Blue FD
 & C No. 1) disodium salt of 4-(4-(N-ethyl-p-sulphobenzylamino)-phenyl)
 -(2-sulphoniumphenyl)-methylene-(1-(N-ethyl-N-p- sulphobenzyl)-2,
 5-cyclohexadien-imine). 42090
 Brown FK a mixture consisting essentially of the disodium salt of
 1:3-diamino-4:6-di-(p-sulphophenylazo) benzene and the sodium salt of
 2:4-diamino-5-(p-sulphophenylazo) toluene. ---
 Carmoisine disodium salt of 2-(4-sulpho-1-naphthylazo)-1-naphthol-4
 -sulphonic acid. 14720
 Chocolate Brown
 HT disodium salt of 2:4-dihydroxy-3:5-di-(4-sulpho-1-naphthylazo)
 benzyl
 alcohol. 20285
 Erythrosine (BS) disodium or dipotassium salt of
 2:4:5:7-tetra-iodo-fluorescein. 45430
 Green S sodium salt of di-(p-dimethylaminophenyl)-2-hydroxy-3:6-
 disulphonaphthylmethanol andydride. 44090
 Indigotine (Indigo Carmine) disodium salt of indigotin-5:5'-disulphonic
 acid. 73015
 Lithol
 Rubine
 BK disodium salt of 3-hydroxy-4-[(2-sulpho-p-tolyl)azo]-2- naphthoic
 acid.
 15850
 Patent
 Blue V calcium salt of (4-[x-(p-(diethylamino) phenyl)-5-hydroxy-2,
 4-disulphobenzylidene]-2, 5-cyclohexadien-1-ylidene) diethyl -ammonium
 hydroxide inner salt. 42051
 Ponceau 4R trisodium salt of 1-(4-sulpho-1-naphthylazo)-2-naphthol-6:8-
 disulphonic acid. 16255
 Quinoline Yellow disodium salt of disulphonic acid of 2-(2
 quinolyl)-1,3-indandione. 47005
 Red 2G disodium salt of 8-acetamido-2-phenylazo-1-naphthol-3:6-
 disulphonic
 acid. 18050
 Sunset
 Yellow
 FCF disodium salt of 1-p-sulphophenylazo-2-naphthol-6-sulphonic acid. 15985
 Tartrazine trisodium salt of 5-hydroxy-1-p-sulphophenyl-4-p-
 sulphophenylazo-pyrazole-3-carboxylic acid. 19140

PART II-OTHER COLOURS

Description	Colour Index Number (1982)
Caramel -	
Cochineal (Carminic acid)	75470
Colouring matter natural to edible fruits or vegetables or their pure colouring principles whether isolated from such natural colours or produced synthetically and including-	

- (a) Annatto
- (b) Vegetable Black
- (c) Carotenes
- (d) Beta-Apo-8'-carotenal
- (e) Beta-Apo-8'-carotenoic acid ethyl ester

(f) Chlorophylls and Chlorophyllins
including Copper complexes

(g) Saffron

(h) Tumeric (Curcumin)

75120

75130

40820

40825

75810

75815

75100

75300

Iron Oxides 77491

Titanium dioxide 77891

Silver, Gold and Aluminium in leaf or powder form solely for external
colouring of dragees and decoration of sugar-coated flour confectionery

The Aluminium or Calcium salts (lakes) of any of the scheduled
water-soluble colours ---

(L.N. 368 of 1993)

COLOURING MATTER IN FOOD REGULATIONS - SCHEDULE 2

Labelling of colouring matter and colouring and flavouring compounds

VerDate:30/06/1997

[regulation 5(3)]

1. Each container to which regulation 5(3) relates shall bear a
label on which is printed in English lettering and Chinese characters a
true statement in the form of one of the following declarations-

In the case of colouring matter-

THIS FOOD COLOUR CONFORMS
TO THE LEGAL REQUIREMENTS
OF HONG KONG

æðéŷŷâ"□è%²ç´ ç¬|â□^é|™æ, ¯æ³•ä³¼è|□â®š

In the case of colouring and flavouring compounds-

THE FOOD COLOUR IN THIS
COMPOUND CONFORMS TO THE
LEGAL REQUIREMENTS OF
HONG KONG

æðâE-â□^ç%©â...Sä¹<éŷŷâ"□è%²ç´ ç¬|â□^
é|™æ, ¯æ³•ä³¼è|□â®š

Provided that it shall be sufficient if the labels on containers of
quantities of less than 100 g or 100 ml, as the case may be, bear
distinctly and legibly printed thereon in English lettering and Chinese
characters the declaration "FOOD COLOUR" (éŷŷç%©è%²ç´) or "FOOD COLOUR AND

FLAVOURING COMPOUND" (éſŸç%©è%²ç' å□šèª;å`³åŒ-å□^ç%©), as the case may be, or a declaration to the like effect. (L.N. 89 of 1979)

2. The declaration shall in each case be distinctly and legibly printed in dark block type upon a light coloured ground and, except in the case of a declaration in accordance with the proviso to the preceding paragraph, shall be so printed within a surrounding line, and no other matter shall be printed within such surrounding line. The type used for containers of quantities of more than 1 kg or 1l, as the case may be, shall be not less than 5 mm in height, and the type used for containers of quantities of less than 1 kg or 1l, as the case may be, but more than 100 g or 100 ml, as the case may be, shall be not less than 3 mm in height. (L.N. 89 of 1979)

3. The label shall be securely affixed to or be part of the wrapper or container, and in every case shall be so placed as to be clearly visible and shall either be part of any main label or a separate label placed in close proximity thereto.