

PRESERVATIVES IN FOOD REGULATIONS
- CHAPTER 132BD

LONG TITLE

Empowering section VerDate:06/30/1997

(Cap 132, sections 55 and 143)

[2 February 1973]

(L.N. 20 of 1973)

REGULATION 1

Citation VerDate:06/30/1997

These regulations may be cited as the Preservatives in Food Regulations.

REGULATION 2

Interpretation VerDate:12/19/2003

(1) In these regulations unless the context otherwise requires-
"air transshipment cargo" 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" means any article in transit that is both imported and consigned for export in an aircraft; (29 of 2000 s. 5)

"antioxidant" means any substance which delays, retards or prevents the development in food of rancidity or other flavour deterioration due to oxidation but does not include lecithin, ascorbic acid, or its salts or esters, tocopherols, citric acid, tartaric acid, phosphoric acid or any preservative the use of which is permitted by these regulations;

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

"canned food" means food in a hermetically sealed container which has been sufficiently heat processed to destroy any *Clostridium Botulinum* in that food or container or which has a pH of less than 4.5;

"cargo transshipment area of Hong Kong International Airport" has the meaning assigned to it in section 2 of the Import and Export Ordinance (Cap 60); (29 of 2000 s. 5)

"catering business" includes the business or undertaking of an inn, public house, hotel, restaurant, cafe, tea-shop, buffet, coffee-stall or any place of refreshment open to the public, or of a club, boarding house, apartment house, refreshment contractor, school feeding centre, staff dining room or canteen;

"compounded food" means food containing 2 or more ingredients;

"container" includes any form of packaging of food for sale as a single item, whether by way of wholly or partly enclosing the food or by way of attaching the food to some other article, and in particular includes a wrapper or confining band;

"dairy product" means any butter (other than butter for manufacturing purposes), milk, cream, condensed milk, evaporated milk, dried milk or cheese;

"deterioration" in relation to food, means deterioration due to the action of bacteria, yeasts or moulds;

"flavouring emulsion" means an emulsion of the selected flavouring in a suitable liquid;

"flavouring syrup" means a solution of carbohydrate sweetening matter containing sufficient distinctive flavouring to provide, after dilution with milk or water, a drink with that distinctive flavour;

"flour confectionery" includes cakes, bun loaves, cholas bread, pastry (cooked or uncooked) and ready-made puddings (other than canned puddings and Christmas puddings) but does not include biscuits or any product containing a filling that has as an ingredient any meat or fish;

"fruit juice" means the clean, sound undiluted juice of the fruit or fruits from which it is obtained;

"importer" includes any person who, whether as owner, consignee, agent or broker, is in possession of or entitled to the custody or control of any article of food brought from a place outside Hong Kong; (10 of 1986 s. 32(2))

"jam" includes fruit jelly prepared in the way in which jam is prepared, marmalade and jelly marmalade;

"permitted antioxidant" means any antioxidant specified in Column 2 of Part II of the First Schedule;

"permitted colouring matter" means any colouring matter inasmuch as its use is permitted by the Colouring Matter in Food Regulations (Cap 132 sub. leg. H);

"permitted preservative" means any preservative specified in Column 2 of Part I of the First Schedule or, subject to the provisions of paragraph (3) of this regulation, a preservative specified in Column 2 of Part III of the First Schedule;

"pre-packed" means made up in advance ready for retail sale in or on a container; and on any premises where food of any description is so made up, or is kept or stored for sale after being so made up, any food of that description found made up in or on a container shall be deemed to be pre-packed unless the contrary is proved;

"preparation" in relation to food, includes manufacture and any form of treatment; and "preparation for sale" (é...□è£½ã»¥ä³¼>â‡±°ã”®) includes packaging;

"preservative" means any substance which is capable of inhibiting, retarding or arresting the process of fermentation, acidification or other deterioration of food or of masking any of the evidence of putrefaction but does not include-

- (a) any permitted antioxidant;
- (b) any permitted colouring matter;
- (c) common salt (sodium chloride);

(d) lecithin, sugars or tocopherols;

(e) nicotinic acid or its amide;

(f) vinegar or acetic acid, lactic acid, ascorbic acid, citric acid, malic acid, phosphoric acid, polyphosphoric acid or tartaric acid or the calcium, potassium or sodium salts of any of the acids specified in this sub-paragraph;

(g) glycerol, alcohol or potable spirits, isopropyl alcohol, propylene glycol, monoacetin, diacetin or triacetin;

(h) herbs or hop extract;

(i) spices or essential oils when used for flavouring purposes;

(j) any substance added to food by the process of curing known as smoking;

(k) carbon dioxide, nitrogen or hydrogen when used in the packing of food in hermetically sealed containers;

(l) nitrous oxide when used in the making of whipped cream;

"retail sale" and "sale by retail" mean respectively any sale to a person buying otherwise than for the purpose of re-sale, but does not include a sale to a caterer for the purposes of his catering business, or a sale to a manufacturer for the purposes of his manufacturing business;

"sell" includes offer or expose for sale or have in possession for sale;

"soft drink" means any liquid suitable or intended for use, either without or after dilution, as drink for human consumption; and includes-

(a) any fruit juice drink, and any fruit squash, crush or cordial;

(b) soda-water, Indian or quinine tonic water, and any artificially carbonated water whether flavoured or unflavoured;

(c) ginger beer and any herbal or botanical beverage; but does not include-

(i) water (except as aforesaid);

(ii) water from natural springs, either in its natural state or with added mineral substances;

(iii) fruit juice, sweetened or unsweetened, whether concentrated

(or frozen) or not;

(iv) milk or any preparation of milk;

(v) tea, Chinese herb tea, coffee, dandelion coffee, cocoa or chocolate or any preparation of tea, Chinese herb tea, coffee, dandelion

coffee, cocoa or chocolate;

(vi) any egg product;

(vii) any cereal product except-

(aa) flavoured barley-water and liquid products used in the preparation of barley-water; and

(bb) cereal products containing alcohol that are not intoxicating liquor as defined in accordance with Dutiable Commodities Ordinance (Cap 109);

(viii) meat, yeast or vegetable extracts, soup or soup mixtures, or any similar products;

(ix) tomato or other vegetable juices, or any preparation of any such juice or juices;

(x) intoxicating liquor as defined in the Dutiable Commodities Ordinance (Cap 109);

(xi) any other unsweetened drink except soda-water.

For the purposes of this definition a product shall not be deemed not to be a soft drink by reason only of the fact that it is capable of being used as a medicine;

"specified food" means any food specified in Column 1 of Parts I and II of the First Schedule;

"storage" in relation to food, means storage at, in or upon any farm, dock, vehicle, warehouse, fumigation chamber, cold store, or any barge or ship whilst, in either case, in the waters of Hong Kong;

"sugar" means the product usually known as sugar in commercial usage, consisting principally of sucrose;

"sweetened" means containing any added sugar or other soluble carbohydrate sweetening matter or added polyhydric alcohol or any sweetener inasmuch as its use is permitted by the Sweeteners in Food Regulations (Cap. 132 sub. leg. U); (L.N. 225 of 2003)

"unsweetened" shall be construed accordingly.

(2) For the purposes of these regulations, percentages and parts per million shall be calculated by weight.

(3) Any preservative specified in Column 2 of Part III of the First Schedule, if calculated as, may be used in place of, the preservative specified in relation thereto in Column 1 of Part III of that Schedule; and any reference in these regulations to any preservative specified in Column 1 of Part III of that Schedule shall be construed accordingly.

REGULATION 3

Restrictions in relation to the sale, etc. of food containing preservative or antioxidant

VerDate:09/04/1998

(1) No person shall import, manufacture for sale or sell any article of food which contains any preservative or antioxidant:

Provided that-

(a) any specified food may contain the permitted preservative of the description and in the proportion specified in relation thereto in Columns 2 and 3 respectively of Part I of the First Schedule;

(b) any specified food and any food intended for use in the preparation of a specified food (but excluding fruit and fruit pulp containing sulphur dioxide and intended for manufacturing purposes and any pre-packed food) may, on importation into Hong Kong on a sale other than a retail sale or on consignment or delivery pursuant to such a sale, contain permitted preservative of a description appropriate to the specified food in accordance with Parts I and III of the First Schedule in any proportion if the seller gives to the importer on or before importation or to the buyer on or before sale a document containing an accurate statement of the description and the maximum quantity of all such preservative present in the food in the form specified in the rules set out in the Second Schedule; (10 of 1986 s. 32(2))

(c) any specified food in relation to which 2 or more permitted preservatives are specified in Part I of the First Schedule may contain an admixture of those preservatives as follows-

(i) in the case of bacon, ham, preserved pork, preserved Chinese sausage or pickled meat, to the maximum quantity of each such preservative appropriate thereto in accordance with Part I of that Schedule; (L.N. 181 of 1977; L.N. 307 of 1998)

(ii) in any other case, only if, when the quantity of each such preservative present in that food is expressed as a percentage of the maximum quantity of that preservative appropriate to that food in accordance with Part I of that Schedule, the sum of those percentages does not exceed 100;

(d) any food may contain, in any proportion not exceeding 5 parts per million, formaldehyde derived from any wet strength wrapping containing any resin based on formaldehyde or from any plastic food container or utensil manufactured from any resin of which formaldehyde is a condensing component;

(e) the skin, but not the flesh, of a banana may contain nystatin;

(f) cheese, clotted cream or any canned food may contain nisin;

(g) any food may contain nisin introduced in the preparation of that food by the use of any cheese, clotted cream or canned food containing nisin;

(h) this regulation shall not apply to any food containing any preservative which is naturally present in that food;

(i) any specified food may have in it or on it the antioxidant specified in relation thereto in Column 2 of Part II of the First Schedule and in the amounts specified in relation thereto in Column 3 of Part II of that Schedule;

(j) any food which contains as an added ingredient any specified food, may contain antioxidant of the description specified for, and in the amount appropriate to the quantity of, such specified food in accordance with paragraph (1)(i);

(k) any food which contains milk fat by reason of the addition as an ingredient of any dairy product, may contain antioxidant of the description, and in the amount specified, in accordance with

Part II of the First Schedule, in relation to a quantity of anhydrous fat equal by weight to that milk fat. [cf. S.I. 1962/1532 r. 3 U.K.]

(2) Nothing in this regulation shall prohibit the presence in any compounded food of any permitted preservative introduced in the preparation of that food by the use of one or more specified foods (other than fruit and fruit pulp intended for manufacturing purposes and any unfermented grape juice product intended for sacramental use) if that permitted preservative-

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

(b) is present in the compounded food in no greater proportion, in relation to the quantity of the specified food used, than the proportion specified in relation to that specified food in Column 3 of Part I of the First Schedule:

Provided that-

(i) if the said specified food or foods may under these regulations contain sulphur dioxide, the compounded food may contain sulphur dioxide in a quantity not exceeding that introduced by the use of any such specified food or 50 parts per million, whichever is the greater;

(ii) the quantity of ortho-phenylphenol introduced in the preparation of a compounded food by the use of any melon shall not exceed 10 parts per million of the weight of the melon so used. [cf. S.I. 1962/1532 r. 4 U.K.]

REGULATION 4

Food containing antioxidant not to be recommended for babies and young children

VerDate:06/30/1997

No person shall-

(a) give with any food sold by him or display with any food for sale any label, whether attached to or printed on the container of that food or not; or

(b) publish, or be a party to the publication of any advertisement for any food; or

(c) use on, or in connection with, the sale of food any description, which bears or includes any words or description stating directly or by implication that the food is intended mainly for babies and young children, if the food to which the label, advertisement or description relates has in it or on it any added antioxidant.

[cf. S.I. 1966/1500 r. 7 U.K.]

REGULATION 5

Sale, labelling and advertisement of preservatives and antioxidants VerDate:06/30/1997

(1) No person shall sell any substance which is recommended in any mark or label placed on its container for use as a preservative or antioxidant in food unless that container bears a label in accordance with the provisions of the Second Schedule.

(2) Where in accordance with the provisions of paragraph (1) a container is required to bear such a label and such container is wrapped in paper or any other wrapper through which the label on the container is not clearly readable the outermost wrapper shall on any exposure or offer for sale by retail bear a label as if it were the container or receptacle to which paragraph (1) applies.

(3) No person shall sell or advertise for sale with a view to its use in the preparation of food-

(a) any preservative other than a permitted preservative;

(b) any antioxidant other than the antioxidant specified in Column 2 of Part II of the First Schedule;

(c) any permitted preservative or antioxidant specified in Column 2 of Part II of the First Schedule in such a manner as to be likely to lead to its use contrary to these regulations.

[cf. S.I. 1962/1532 r. 6 U.K.]

REGULATION 6

Labelling of food containing a preservative or antioxidant VerDate:06/30/1997

(1) Subject to the provisions of this regulation, no person shall sell, consign or deliver any food mentioned in paragraph 1 of the Second Schedule which contains any added preservative or antioxidant specified in the First Schedule as permissible in the case of such food except in a container bearing a label in accordance with the provisions of the Second Schedule unless, in the case of a retail sale, a notice written in English and Chinese languages to the effect that the food contains preservative or antioxidant is exhibited in a conspicuous place so as to be easily readable by a customer.

(2) Where in accordance with paragraph (1) a container is required to bear such a label and such container is wrapped in paper or any other wrapper through which the label on the container is not clearly readable the outermost wrapper shall on any exposure or offer for sale by retail bear a label as if it were the container to which the paragraph applies.

(3) Nothing in this regulation shall apply as respects any sale of any specified food for immediate consumption on or at the premises of the seller or in or at any stall or mobile refreshment vehicle.
[cf. S.I. 1962/1532 r. 5 U.K.]

REGULATION 7

Regulations not to apply to food etc. for re-export VerDate:06/30/1997

The provisions of these regulations which prohibit any preservative or antioxidant in articles of food and which require the labelling of certain articles of food and of articles sold as preservatives or antioxidants shall not apply in the case of any article which has been imported into Hong Kong for the purpose of re-export or manufactured in Hong Kong solely for the purpose of export.

(10 of 1986 s. 32(2))

REGULATION 7A

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

(1) Regulation 3 does not apply in relation to the import of an article of food referred to in that regulation 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 article of food is removed from the cargo transshipment area of Hong Kong International Airport then, for the purposes of regulation 3-

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

(b) the person who brought the article of 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 article of food at the time of its removal, and, except to that extent, that regulation has effect as if this paragraph had not been enacted.

(2) In proceedings against a person for an offence under regulation 9, being proceedings-

(a) in relation to the import of an article of food referred to in regulation 3 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 article of 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)

REGULATION 8

Defences VerDate:06/30/1997

(1) In any proceedings for an offence against these regulations 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.

[cf. S.I. 1962/1532 r. 8(4) U.K.]

(2) In any proceedings against the manufacturer or importer for an offence against these regulations in relation to the publication of an advertisement it shall rest on the defendant to prove that he did not publish and was not a party to the publication of the advertisement. [cf. S.I. 1966/1500 r. 10(2) U.K.]

(3) In any proceedings for an offence against regulation 3 it shall be a defence for the defendant to prove that the presence in any food of any preservative other than a permitted preservative or the presence of a permitted preservative in any food other than a specified food, is solely due to the use of that preservative in food storage-

(a) as an acaricide, fungicide, insecticide, or rodenticide, for the protection, in each case, of food whilst in storage; or

(b) as a sprout inhibitor or depressant, otherwise than in a place where food is packed for retail sale. [cf. S.I. 1962/1532 r. 8(5) U.K.]

REGULATION 9

Offences and penalties VerDate:06/30/1997

Any person who contravenes any of the provisions of regulation 3, 4, 5 or 6 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.

(L.N. 114 of 1984; L.N. 334 of 1987; L.N. 177 of 1996)

REGULATION 10

Name in which proceedings for offences 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 prosecution 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. 362 of 1997; 78 of 1999 s. 7)

REGULATION 11

Amendment of First Schedule VerDate:01/01/2000

The Director of Food and Environmental Hygiene may, by notice in the Gazette, amend the concentrations specified in Column 3 of Part I of the First Schedule.

(L.N. 114 of 1984; L.N. 67 of 1985; L.N. 85 of 1990; 78 of 1999 s. 7)

SCHEDULE 1

VerDate:12/19/2003

PART I

ARTICLES OF FOOD WHICH MAY CONTAIN PRESERVATIVE AND THE NATURE AND PROPORTION OF PRESERVATIVE IN EACH CASE

| Item | Column 1 Specified food | Column 2 Permitted preservative | Column 3 Parts per million not exceeding |
|------|----------------------------|--|---|
| 1. | Bacon | Sodium nitrate Sodium nitrite | 500 200 |
| 2. | Beer | Sulphur dioxide and either benzoic acid or | 70 70 |

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| | | methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate | 70 70 70 |
| 3. | Beetroot, cooked and prepacked | Benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate | 250 250 250 250 |
| 4.. | Bread | Propionic acid | 3000 (calculated on the weight of the flour) |
| 5. | Cabbage, dehydrated | Sulphur dioxide | 2500 |
| 6. | Candied peel or cut and drained (syruped) peel | Sulphur dioxide and sorbic acid | 100 1000 |
| 7. | Cheese | Sorbic acid | 1000 |
| 8. | Cheese, other than Cheddar or Cheshire type cheese or soft cheese | Sodium nitrate or sodium nitrite | 100 10 |
| 9. | Chilli sauce | benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 400 400 400 400 1000 |
| 10. | Cider | Sulphur dioxide or sorbic acid | 200 200 |
| 11. | Coffee (or coffee and chicory) extract, liquid | Benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate | 450 450 450 450 |
| 12. | Coffee extract, solid | Sulphur dioxide | 150 |
| 13. | Colouring matter, if in the form of a solution of a permitted colouring matter | Benzoic acid or methyl para-hydroxybenzoate ethyl para-hydroxybenzoate propyl para-hydroxybenzoate sorbic acid | 2000 2000 2000 2000 1000 |
| 14. | Curry paste | Benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate | 350 350 350 350 |
| 15. | Dessert, fruit based milk and cream | Sulphur dioxide or sorbic acid | 100 300 |
| 16. | Dessert sauces, fruit based with a total soluble content of less than 75% | Sulphur dioxide or benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 100 250 250 250 250 1000 |
| 17. | The permitted miscellaneous additive, Dimethylpolysiloxane | Sulphur dioxide or benzoic acid or methyl para-hydroxybenzoate or | 1000 2000 2000 |

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|-----|---|---|--|
| | | ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 2000 2000 1000 |
| 18. | Drinking chocolate concentrate | Benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate | 700 700 700 700 |
| 19. | Enzymes: Papain, solid Papain, aqueous solution Aqueous solutions of enzyme preparations not otherwise specified, including immobilized enzyme preparations in aqueous media | Sulphur dioxide Sulphur dioxide or sorbic acid Sulphur dioxide or benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 30000 5000 1000 500 3000 3000 3000 3000 3000 |
| 20. | Figs, dried | Sulphur dioxide or sorbic acid | 2000 500 |
| 21. | Fillings and toppings for flour confectionery which consist principally of a sweetened oil and water emulsion with a minimum sugar solids content of 50% | Sorbic acid | 1000 |
| 22. | Fish ball fish cake, and dried shredded fish | Sorbic acid or benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate | 1000 1000 1000 1000 1000 |
| 23. | Fish sauce (魚露) | Benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 1000 1000 1000 1000 1000 |
| 24. | Flavourings | Sulphur dioxide or benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate | 350 800 800 800 800 |
| 25. | Flavouring syrups | Sulphur dioxide or benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate | 350 800 800 800 800 |
| 26. | Flour confectionery | Propionic acid or sorbic acid | 1000 1000 |
| 27. | Flour intended for use in the manufacture of biscuits | Sulphur dioxide | 200 |

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| 28. | Foam headings, liquid | Sulphur dioxide or benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate | 5000 10000 10000 10000 10000 |
| 29. | Fruit based pie fillings | Sulphur dioxide or benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 350 800 800 800 800 450 |
| 30. | Fruit, citrus | Diphenyl or ortho-phenylphenol | 100 70 |
| 31. | Fruit, crystallized, glace or drained | Sulphur dioxide or benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 100 1000 1000 1000 1000 1000 |
| 32. | Fruit, dried other than prunes or figs. | Sulphur dioxide | 2000 |
| 33. | Fruit or fruit pulp (other than tomato pulp) intended for manufacturing purposes | Sulphur dioxide | 3000 |
| 34. | Fruit, fresh: (a) Apples (b) Pears (c) Pears (d) Pineapple (e) Melons (f) Peaches | Ortho-phenylphenol Ortho-phenylphenol Copper carbonate Ortho-phenylphenol Ortho-phenylphenol Ortho-phenylphenol | 10 10 3 (of copper) 10 125 20 |
| 35. | Fruit juices, sweetened or unsweetened whether concentrated not | Sulphur dioxide or benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate | 350 800 800 800 800 |
| 36. | Fruit pieces in stabilized syrup for use as ingredients of ice-cream or other edible ices | Sorbic acid | 1000 |
| 37. | Fruit spread | Sulphur dioxide and sorbic acid | 1000 1000 |
| 38. | Fruit (other than fresh fruit) or fruit pulp not otherwise specified in this Schedule | Sulphur dioxide or benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate | 350 800 800 800 800 |
| 39. | Gelatin | Sulphur dioxide | 1000 |
| 40. | Gelatin capsules | Sorbic acid | 3000 |

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| 41. | Ginger, dry root | Sulphur dioxide | 150 |
| 42. | Glucose drinks containing not less than 2.3 kg of glucose syrup per 10 litres of the drink | Sulphur dioxide or benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate | 350 800 800 800 800 |
| 43. | Grape juice products (unfermented, intended for sacramental use) | Sulphur dioxide and either benzoic acid or methyl para-hydroxybenzoate ethyl para-hydroxybenzoate propyl para-hydroxybenzoate | 70 2000 2000 2000 |
| 44. | Ham | Sodium nitrate Sodium nitrite | 500 200 |
| 45. | Hamburgers or similar products | Sulphur dioxide | 450 |
| 46. | Horseradish, fresh grated | Sulphur dioxide or benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate | 200 250 250 250 250 |
| 47. | Horseradish sauce | Sulphur dioxide or benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate | 200 250 250 250 250 |
| 48. | Jam, including preserves sold for special dietetic purpose | Sulphur dioxide and either benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 100 500 500 500 500 1000 |
| 49. | Kweilin, Chilli (桂林椒醬) | Benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate | 1000 1000 1000 1000 |
| 50. | Low fat products consisting of an emulsion principally of water in oil | Sorbic acid | 2000 |
| 51. | Mallow, chocolate covered | Sorbic acid | 100 (calculated on the weight of the mallow and chocolate together) |
| 52. | Margarine | Benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 1000 1000 1000 1000 1000 |
| 53. | Marzipan | Sorbic acid | 1000 |
| 54. | Meat, pickled, cooked | Sodium nitrate Sodium nitrite | 500 200 |

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|-----|---|---|---|
| 55. | Meat, pickled, uncooked | Sodium nitrate Sodium nitrite | 500 200 |
| 56. | Nut pastes, sweetened | Sorbic acid | 1000 |
| 57. | Olives, pickled | Sulphur dioxide or benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 100 250 250 250 250 250 |
| 58. | Oyster sauces | Benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 1000 1000 1000 1000 1000 |
| 59. | Pectin, liquid | Sulphur dioxide | 250 |
| 60. | Perry | Sulphur dioxide or sorbic acid | 200 200 |
| 61. | Pickles, other than pickled olives | Sulphur dioxide or benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 100 250 250 250 250 1000 |
| 62. | Pork, preserved | Sodium nitrate Sodium nitrite | 500 200 |
| 63. | Potatoes, raw, peeled | Sulphur dioxide | 50 |
| 64. | Potatoes, dehydrated | Sulphur dioxide | 550 |
| 65. | Prawn, shrimp and scampi | Sulphur dioxide | 200 (in the edible part) |
| 66. | Preparations of permitted artificial sweetener and water only | Benzoic acid and either methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate | 750 250 250 250 |
| 67. | Preserved mixed bean sauce (海鮮醬) | Benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 250 250 250 250 1000 |
| 68. | Preserved soya bean | Benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate | 1000 1000 1000 1000 |
| 69. | Prunes | Sulphur dioxide or sorbic acid | 2000 1000 |
| 70. | Rennet, liquid | Benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate | 2000 2000 2000 2000 |
| 71. | Salad cream (including | Sulphur dioxide or | 100 |

| | | | |
|-----|--|---|--|
| | mayonnaise) and salad dressing | benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 250 250 250 250 1000 |
| 72. | Sausage, Chinese preserved | Sodium nitrate Sodium nitrite | 500 200 |
| 73. | Sauces not otherwise specified in this Schedule | Sulphur dioxide or benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 100 250 250 250 250 1000 |
| 74. | Sausages or sausage meat | Sulphur dioxide | 450 |
| 75. | Shrimp paste | Benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate propyl para-hydroxybenzoate | 1000 1000 1000 1000 |
| 76. | Silicone antifoam emulsion | Benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 2000 2000 2000 2000 1000 |
| 77. | Soft drinks for consumption after dilution not otherwise specified otherwise specified in this Schedule including comminuted citrus bases for the preparation of soft drinks | Sulphur dioxide or benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 350 800 800 800 800 800 2000 |
| 78. | Soft drinks for consumption without dilution not otherwise specified in this Schedule | Sulphur dioxide or benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 70 160 160 160 160 400 |
| 79. | Soup concentrates Soup concentrates with a moisture content of not less than 25% and not more than 60% | Sorbic acid and methyl para-hydroxybenzoate | 1500 175 |
| 80. | Soy or soy sauce soya bean product) | Benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 550 550 550 550 1000 |
| 81. | Starches, prepared | Sulphur dioxide | 100 |
| 82. | Starch hydrolysed (solid) | Sulphur dioxide | 70 |
| 83. | Starch hydrolysed (syrup) | Sulphur dioxide | 450 |
| 84. | Sugar or sugar syrups | Sulphur dioxide | 70 |
| 85. | Tea extract, liquid | Benzoic acid or | 450 |

| | | | |
|-----|---|---|---------------------------------------|
| | | methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate | 450 450 450 |
| 86. | Tomato pulp, paste or puree | Sulphur dioxide or benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate | 350 800 800 800 800 |
| 87. | Tomato sauce or catsup or ketchup | Benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 300 300 300 300 1000 |
| 88. | Vegetables, dehydrated (other than cabbage or potato) | Sulphur dioxide | 2000 |
| 89. | Vinegar | Sulphur dioxide | 70 |
| 90. | Wine (including alcoholic cordials) | Sorbic acid Sulphur dioxide | 400 450 |
| 91. | Yogurt, fruit | Sulphur dioxide or benzoic acid or methyl para-hydroxybenzoate or ethyl para-hydroxybenzoate or propyl para-hydroxybenzoate or sorbic acid | 60 120 120 120 120 300 |

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PART II

ARTICLES OF FOOD WHICH MAY CONTAIN ADDED ANTIOXIDANTS AND
DESCRIPTION AND PROPORTION OF ANTIOXIDANTS WHICH
MAY BE ADDED IN EACH CASE

| Item | Column 1 Specified food | Column 2 Antioxidant | Column 3 Parts per million |
|------|---|--|-------------------------------|
| 1. | Anhydrous edible oils and fats, whether hardened or not and vitamin oils and concentrates other than preparations containing more than 100000 I.U.'s Vitamin A per gram | Propyl gallate or Octyl gallate or Dodecyl gallate or any mixture thereof or Butylated hydroxyanisole (B.H.A) or Butylated hydroxytoluene(B.H.T.) or Any mixture of B.H.A. and B.H.T | 100 200 200 200 |
| 2. | Partial Glycerol Esters | Propyl gallate or Octyl gallate or Dodecyl gallate or any mixture thereof or Butylated hydroxyanisole (B.H.A.) or Butylated hydroxytoluene (B.H.T.) or Any mixture of B.H.A. and B.H.T. | 100 100 200 200 |
| 3. | Butter for manufacturing purposes | Propyl gallate or Octyl gallate or Dodecyl gallate or any mixture thereof or | 80 |

| | | | |
|----|---|---|----------------------------------|
| | | Butylated hydroxyanisole (B.H.A.) or Butylated hydroxytoluene (B.H.T.) or Any mixture of B.H.A. and B.H.T | 160 160 160 |
| 4. | Essential oils and isolates from the concentrates of essential oils | Propyl gallate or Octyl gallate or Dodecyl gallate or any mixture thereof or Butylated hydroxyanisole (B.H.A.) or Butylated hydroxytoluene (B.H.T.) or Any mixture of B.H.A. and B.H.T | 1000 1000 1000 1000 |
| 5. | Apples and pears | Ethoxyquin | 3 |

Note:

(A) Butylated hydroxyanisole or butylated hydroxytoluene or mixtures thereof within the limits specified in Part II of his Schedule may be used in conjunction with propyl gallate or octyl gallate or dodecyl gallate or mixture thereof within the limits specified, provided that the total amount of antioxidant shall not exceed, in the case of anhydrous oils and fats and vitamin oils and concentrates, and partial glycerol esters, 300 parts per million, in the case of butter for manufacturing purposes, 240 parts per million and in the case of essential oils and isolates from the concentrates of essential oils, 1000 parts per million.

(B) Preparations containing more than 100000 I.U.'s Vitamin A per gram are allowed to have in them or on them only 10 parts per million for each 1000 I.U.'s Vitamin A per gram of butylated hydroxyanisole (B.H.A.) or butylated hydroxytoluene (B.H.T.) or any mixture of B.H.A. and B.H.T.

PART III

| Column 1 Preservative specified in First Schedule | Column 2 Alternative form in which the preservative may be used (to be calculated as the preservative shown in Column 1) |
|--|---|
| Benzoic acid | Sodium benzoate Potassium benzoate Calcium benzoate |
| Methyl para-hydroxybenzoate | Methyl para-hydroxybenzoate, sodium salt |
| Ethyl para-hydroxybenzoate | Ethyl para-hydroxybenzoate, sodium salt |
| Propyl para-hydroxybenzoate | Propyl para-hydroxybenzoate, sodium salt |
| Ortho-phenylphenol | Sodium ortho-phenylphenate |
| Propionic acid | Sodium propionate Calcium propionate Potassium propionate |
| Sodium nitrate | Potassium nitrate |
| Sodium nitrite | Potassium nitrite |
| Sorbic acid | Sodium sorbate Potassium sorbate Calcium sorbate |
| Sulphur dioxide | Sulphurous acid Sodium sulphite Sodium hydrogen sulphite Sodium metabisulphite |

| | |
|--|---|
| | Potassium sulphite Potassium metabisulphite Calcium sulphite Calcium hydrogen sulphite |
|--|---|

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SCHEDULE 2

LABELLING OF ARTICLES OF FOOD CONTAINING PRESERVATIVE OR ANTIOXIDANT \$\$\$

[regulations 3(1), 5 & 6]

1. The food containing preservatives to which the rules as to labelling set out in this Schedule apply are sausages, sausage meat, liquid coffee extract, liquid tea extract, pickles and sauces, and (where the proportion of benzoic acid exceeds 800 parts per million) unfermented grape juice products intended for sacramental use and any food containing antioxidant.

2. (1) Each container to which regulation 6 relates shall bear a label on which is printed clearly and conspicuously a true statement in the form of the following declaration-

| |
|-----------------|
| (X) CONTAIN(S) |
| PRESERVATIVE(S) |

(2) The declaration shall be completed by inserting at (X) the words "This" or "These" followed by the common or usual name of the food as specified in paragraph 1 of this Schedule.

(3) In the case of any unfermented grape juice product intended for sacramental use to which these regulations apply the words "and is not intended for use as a beverage" shall be added to the declaration.

3. Where any of the said article of food contains antioxidant it shall bear a label on which is printed in relation to every added antioxidant contained therein-

- (a) an accurate description of such antioxidant; and
- (b) the maximum amount of such antioxidant, expressed as parts per million (estimated by weight).

4. (1) The statement to which paragraph (b) of regulation 3(1) relates shall be printed clearly and conspicuously in the form of the following declaration-

| |
|--------------------------------|
| (X) CONTAINS |
| NO MORE THAN |
| (Y) PER CENT OF (Z) |
| (Y) PER CENT OF (Z) |
| AND IS/ARE NOT FOR RETAIL SALE |

(2) The declaration shall be completed by inserting at (X) the word "This" or "These" followed by the common or usual name of the food, at (Y) in words and figures (for example, "seventy (70)"), the maximum percentage by weight, correct to the nearest whole digit, of each and every preservative present in the food and at (Z) a correct description of the preservative to which such percentage relates:

Provided that in any such declaration the words "parts per million" may be substituted for "per cent" and in any such case, the words and figures to be inserted at (Y) shall be the number of parts per

million by weight of each and every preservative present in the food.

5. (1) Each container to which regulation 5(1) relates shall bear a label on which is printed clearly and conspicuously a true statement in the form of the following declaration-

| |
|--|
| THIS PRESERVATIVE CONTAINS (X) PER CENT OF (Y) (X) PER CENT OF (Y) |
|--|

(2) The declaration shall be completed by inserting at (X) in words and figures, (for example, "seventy (70)"), the percentage by weight, correct to the nearest whole digit, of each and every preservative present in the substance in the container and at (Y) a correct description of the preservative to which such percentage relates:

Provided that in any such declaration the words "parts per million" may be substituted for "per cent" and in any such case the words and figures to be inserted at (X) shall be the number of parts per million by weight of each and every preservative present in the substance in the container.

6. (1) In the case of antioxidants, every container to which regulation 5(1) relates shall bear a label on which is printed a true statement in the form of the following declaration-

| |
|---|
| This antioxidant contains (X) (Y) |
|---|

(2) There shall be inserted at (X) in every such declaration a true statement of the percentage, or the number of parts per million, by weight in figures, excluding fractions, correct to the nearest whole digit, or in words and figures excluding fractions, correct to the nearest whole digit, of each and every antioxidant present in the preparation in the container and a correct description of each antioxidant to which such statement relates. There shall be inserted at (Y) a correct description of any other substance present in the preparation in the container and where more than one such substance is present such substances shall be declared in the order of the proportion in which they were present at the time of sale by the manufacturer, the substance present in the greatest proportion by weight being specified first.

7. Each declaration prescribed in this Schedule shall be printed distinctly and legibly in dark type on a light-coloured ground or in a light type on a dark-coloured ground, the type being not less than 3 mm in height, within a surrounding line and no other matter shall be printed within such surrounding line. The words and figures in such declaration shall be of uniform size and colour and the ground within the said surrounding line shall be of uniform colour, provided that the initial letter in any such word may be larger than the other letters in that word. (L.N. 89 of 1979)

8. The label required in this Schedule shall be securely affixed to or be part of the wrapper or container and in any case shall be so placed as to be clearly visible and shall be either part of any main label or a separate label placed in close proximity thereto, provided that if the article bears a label containing the name, trade mark, or a design representing the brand, of the article or the name and address of the manufacturer or dealer, the prescribed declaration shall be printed as part of such label.

9. The declarations prescribed in this Schedule shall also be printed in easily readable Chinese characters where either-

- (a) the wrappers or containers contain articles which have been manufactured, processed or packed in Hong Kong; or
- (b) the wrappers or containers contain articles of food imported into Hong

Kong for sale therein and bear labels or markings with writing in Chinese characters.

10 No comment on or explanation of the prescribed declaration (other than any direction as to use in the case of a preservative or antioxidant) shall be placed on the label or on wrapper or container.