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## The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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### PART I: SECTION (1)—GENERAL

#### Government Notifications

L. D. B.—11/80

THE FOOD ACT, No. 26 of 1980

REGULATIONS made by the Minister of Health in consultation with the Food Advisory Committee under section 32 of the Food Act, No. 26 of 1980.

RENUKA HERATH RANAWEERA,  
Minister of Health and Women's Affairs.

Colombo, 18th June, 1990.

#### REGULATIONS

1. These Regulations may be cited as the Food (Preservatives) Regulations and shall come into operation with effect from 1st January, 1991.

2. No person shall manufacture, import, sell or distribute, use or advertise any food preservative other than a preservative specified in Schedule I hereto.

3. No person shall manufacture, import, sell, expose for sale, store or distribute any food which has in or upon it any preservative, except as provided in these regulations.

4. Any food specified in Column I of Schedule II hereto (hereafter referred as "specified food") may have in or upon it a preservative of the description specified in the corresponding entry in Column II (hereafter referred to as "permitted preservative") and in the proportion specified in the corresponding entry in Column III of that Schedule, hereafter referred to as "permitted proportion".

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

6. (1) Nothing in the preceding 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 if that permitted preservative—

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

(b) is present in the compounded food in no greater proportion, in 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 II.

(2) If the compounded food is a specified food it may not contain any permitted preservative specified in relation thereto in Column III of Schedule II in any greater proportion than is specified in relation thereto in Column III of Schedule II.

7. No person shall manufacture, import, sell, expose for sale, store or distribute any permitted preservative (including any permitted preservative with which any other substance has been mixed) for use as an ingredient in the preparation of food, unless such preservative conforms to the standards of purity prescribed by the Sri Lanka Standards Institution or in the absence of any such standards, the standards prescribed by the Food and Agriculture Organization or World Health Organization.

8. No person shall manufacture, import, sell, expose for sale, store or distribute any permitted preservative (including any permitted preservative 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 paragraphs 1 and 2 of Schedule III.

9. The label on every container or package of food, to which a permitted preservative as specified in these regulations has been added, shall have a declaration as set out in the Food (Miscellaneous) Regulations, 1986.

10. Unless a contrary intention is expressed, all proportions mentioned in these regulations are proportions calculated by the weight of the product.

11. In these regulations, "preservative" means a substance which when added to food is capable of inhibiting, retarding or arresting the process of fermentation, acidification or other decomposition of food and does not include—

- (a) any permitted antioxidant,
- (b) any permitted artificial sweetener,
- (c) any permitted bleaching agent,

- |   |  |
|---|--|
| (d) any permitted colouring matter,             | (i) potable spirits or wines,  |
| (e) any permitted emulsifier,                   | (m) herbs, spices, hop extract or flavouring agents when used for flavouring purposes, |
| (f) any permitted improving agent,              | (n) common salt (sodium chloride),   |
| (g) any permitted miscellaneous preservative,   | (o) any substance added to food by the process of curing known as smoking.             |
| (h) any permitted solvent,                      |  |
| (i) any permitted stabiliser,                   |  |
| (j) vinegar,                                    |  |
| (k) any soluble carbohydrate sweetening matter, |  |

SCHEDULE I  
 PERMITTED PRESERVATIVES

Column I	Column II
Permitted Preservatives specified in Schedule II	Alternate form in which the permitted preservatives may be used (to be calculated as the permitted preservative shown in Column I)
1. Benzoic Acid ..	.. Sodium benzoate .. Potassium benzoate .. Calcium benzoate
2. Methyl 4-hydroxy benzoate	.. Meththyl 4-hydroxy benzoate Sodium salt
3. Methyl 4-hydroxy benzoate	.. Ethyl 4-hydroxy benzoate Sodium salt
4. Propyl 4-hydroxy benzoate	.. Propyl 4-hydroxy benzoate Sodium salt
5. Sodium nitrate ..	.. Potassium nitrate
6. Sodium nitrite ..	.. Potassium nitrite
7. Propionic acid ..	.. Sodium propionate .. Calcium propionate
8. Sorbic acid ..	.. Sodium sorbate .. Potassium sorbate .. Calcium sorbate
9. Sulphur dioxide ..	.. Sodium sulphite .. Sodium hydrogen sulphite .. Sodium meta bisulphite .. Potassium meta bisulphite .. Calcium sulphite .. Calcium hydrogen sulphite
10. Bipenyl	
11. 2-Hydroxybiphenyl	
12. 2(Thiazol-4-yl) benzimidazole ..	
13. Hexamine	
14. Nisin	

SCHEDULE II

Articles of Food which may contain permitted preservative and the nature and proportion of the permitted preservative in each case.

Column I	Column 2	Column 3
Specified Food	Permitted Preservative	(Permitted proportion except where otherwise stated, milligrams per kilogram not exceeding amount stated therein)
Beer ..	.. Sulphur dioxide and either benzoic acid or methyl 4-hydroxybenzoate or ethyl 4-hydroxybenzoate or propyl 4-hydroxybenzoate or	.. 70 .. 70 .. 70 .. 70

Column 1	Column 2	Column 3
Specified Food	Permitted Preservative	(Permitted proportion except where otherwise stated, milligrams per kilogram not exceeding amount stated therein)
Bread .. .. .	propionic acid .. .. .	3,000 (Calculated on the weight of the flour)
Candied peel or cut and drained (syruped) peel	sulphur dioxide or sorbic acid .. .. .	100
Cheese .. .. .	sorbic acid .. .. .	1,000
Cheese, other than Cheddar, Chesire, Grana-padano or Provolone type cheeses or soft cheese	Sodium nitrate or Sodium nitrite .. .. .	100 10
Christmas pudding .. .. .	Propionic acid .. .. .	1,000
Cider .. .. .	Sulphur dioxide or sorbic acid .. .. .	200 200
Coconut, desiccated .. .. .	sulphur dioxide .. .. .	50
Coffee, extract, solid Colouring matter, Permitted colouring matter except caramel in the form of a solution	Sulphur dioxide .. .. . Benzoic acid or .. .. . methyl 4-hydroxy benzoate or ethyl 4-hydroxy benzoate or propyl 4-hydroxy benzoate or sorbic acid .. .. .	150 2,000 2,000 2,000 1,000
Caramel .. .. .	Sulphur dioxide or .. .. .	1,000
Dimethylpolysiloxane .. .. .	Sulphur dioxide or benzoic acid or .. .. . methyl 4-hydroxy benzoate or ethyl 4-hydroxy benzoate or propyl 4-hydroxy benzoate or Sorbic acid .. .. .	1,000 2,000 2,000 2,000 1,000
Finings when sold by retail		
Wine finings .. .. .	Sulphur dioxide .. .. .	12,500
Beer finings .. .. .	Sulphur dioxide or .. .. .	50,000
Flavourings .. .. .	Sulphur dioxide or benzoic acid or .. .. . methyl 4-hydroxybenzoate or ethyl 4-hydroxybenzoate or propyl 4-hydroxybenzoate .. .. .	350 800 800 800 800
Flavouring Syrups .. .. .	Sulphur dioxide or Benzoic acid or .. .. . methyl 4-hydroxybenzoate or ethyl 4-hydroxybenzoate or propyl 4-hydroxybenzoate .. .. .	350 800 800 800
Flour confectionery .. .. .	Propionic acid or sorbic acid .. .. .	1,000 1,000
Foam headings, liquid .. .. .	Sulphur dioxide or benzoic acid or .. .. . methyl 4-hydroxybenzoate or ethyl 4-hydroxybenzoate or propyl 4-hydroxybenzoate .. .. .	5,000 10,000 10,000 10,000
Freeze/drinks .. .. .	Sulphur dioxide or Benzoic acid or .. .. . methyl 4-hydroxybenzoate or ethyl 4-hydroxybenzoate or propyl 4-hydroxybenzoate or sorbic acid .. .. .	70 160 160 160 160 50
Fruit, crystallised or glace .. .. .	Sulphur dioxide or benzoic acid or .. .. . methyl 4-hydroxybenzoate or ethyl 4-hydroxybenzoate or propyl 4-hydroxybenzoate or sorbic acid .. .. .	100 1,000 1,000 1,000 1,000 1,000
Fruit, dried, other than Prunes .. .. .	Sulphur dioxide .. .. .	2,000

Column 1	Column 2	Column 3
<i>Specified Food</i>	<i>Permitted Preservative</i>	<i>(Permitted proportion except where otherwise stated, milligrams per kilogram not exceeding amount stated therein)</i>
Fruit Fresh :		
Bananas .. .. .	2-(Thiazol-4-yl) benzimidazole .. .. .	03
Citrus fruit .. .. .	Biphenyl or .. .. .	70
	2-hydroxybiphenyl or .. .. .	12
	2-(Thiazol-4-yl) benzimidazole .. .. .	20
Grapes .. .. .	Sulphur dioxide .. .. .	15
Fruit juices, sweetened or unsweetened whether concentrated or not .. .. .	Sulphur dioxide or .. .. .	350
	benzoic acid or .. .. .	800
	methyl 4-hydroxybenzoate or .. .. .	800
	ethyl 4-hydroxybenzoate .. .. .	800
	propyl 4-hydroxybenzoate .. .. .	800
	Sulphur dioxide or .. .. .	350
Fruit or fruit pulp, including tomato pulp, paste or puree which is not fresh or canned .. .. .	benzoic acid or .. .. .	800
	methyl 4-hydroxybenzoate or .. .. .	800
	ethyl 4-hydroxybenzoate .. .. .	800
	propyl 4-hydroxybenzoate .. .. .	800
Garlic, powdered .. .. .	Sulphur dioxide .. .. .	2,000
Gelatin .. .. .	Sulphur dioxide .. .. .	1,000
Ginger, dry root .. .. .	Sulphur dioxide .. .. .	150
Grape juice products (unfermented, intended for Sacramental use) .. .. .	Sulphur dioxide and either .. .. .	70
	benzoic acid or .. .. .	2,000
	methyl 4-hydroxybenzoate or .. .. .	2,000
	ethyl 4-hydroxybenzoate .. .. .	2,000
	propyl 4-hydroxybenzoate .. .. .	2,000
Grape juice, concentrated intended for home wine making and labelled as such .. .. .	Sulphur dioxide .. .. .	2,000
Hamburgers or similar, products .. .. .	Sulphur dioxide .. .. .	450
Hops dried, sold by retail .. .. .	Sulphur dioxide .. .. .	2,000
Jam .. .. .	Residual Sulphur dioxide upto .. .. .	100
Jam, diabetic .. .. .	Sulphur dioxide or .. .. .	100
	benzoic acid or .. .. .	500
	methyl 4-hydroxybenzoate or .. .. .	500
	ethyl 4-hydroxybenzoate or .. .. .	500
	propyl 4-hydroxybenzoate .. .. .	500
Meat,		
(a) meat, cured (including cured meat products) packed in a sterile pack, whether or not it has been removed from the pack .. .. .	Sodium nitrate .. .. .	500
	Sodium nitrite .. .. .	200
(b) uncooked bacon and ham ; cooked bacon and ham that is not and has not been packed in any hermetically sealed container .. .. .	Sodium nitrate .. .. .	500
	Sodium nitrite .. .. .	200
(c) any cured meat or cured meat product not specified above .. .. .	Sodium nitrate .. .. .	500
pectin, liquid .. .. .	Sodium nitrite .. .. .	200
Perry .. .. .	Sulphur dioxide .. .. .	250
	Sulphur dioxide or .. .. .	200
	sorbic acid .. .. .	200
Pickles .. .. .	Sulphur dioxide or .. .. .	100
	benzoic acid or .. .. .	250
	methyl 4-hydroxybenzoate or .. .. .	250
	ethyl 4-hydroxybenzoate or .. .. .	250
	propyl 4-hydroxybenzoate or .. .. .	250
	sorbic acid .. .. .	100
Prunes .. .. .	Sorbic acid or .. .. .	1,000
	Sulphur dioxide .. .. .	2,000

Column 1	Column 2	Column 3
Specified Food	Permitted Preservative	(Permitted proportion except where otherwise stated, milligrams per kilogram not exceeding amount stated therein)
Rennet, liquid ..	Benzoic acid or ..	2,000
	methyl 4-hydroxybenzoate or ..	2,000
	ethyl 4-hydroxybenzoate or ..	2,000
	propyl 4-hydroxybenzoate ..	2,000
Sauces ..	Sulphur dioxide or ..	100
	benzoic acid or ..	250
	methyl 4-hydroxybenzoate or ..	250
	ethyl 4-hydroxybenzoate or ..	250
	propyl 4-hydroxybenzoate or ..	250
	sorbic acid ..	1,000
Sausages or sausage meat ..	or a mixture of these ..	
	Sulphur dioxide ..	450
Soft drinks for consumption ..	Sulphur dioxide or ..	350
After dilution not other wise specified in this Schedule ..	benzoic acid or ..	800
	methyl 4-hydroxybenzoate or ..	800
	ethyl 4-hydroxybenzoate or ..	800
	propyl 4-hydroxybenzoate or ..	800
	Sorbic Acid ..	1,500
Soft drinks for consumption ..	or mixture of these ..	
	Sulphur dioxide or ..	70
Without dilution not other wise specified in this Schedule ..	benzoic acid or ..	160
	methyl 4-hydroxybenzoate or ..	160
	ethyl 4-hydroxybenzoate or ..	160
	propyl 4-hydroxybenzoate or ..	160
	sorbic acid ..	200
Starches including modified starches ..	or mixture of these ..	
	Sulphur dioxide ..	100
<b>Sugars:</b>		
Glucose syrup and other hydrolysed starches in liquid form Dried glucose syrup and Other hydrolysed starches in solid form ..	Sulphur dioxide ..	450
Other sugars except lactose ..	Sulphur dioxide ..	70
Vinegar : ..	Sulphur dioxide or ..	200
	Sorbic acid ..	200
	Sulphur dioxide ..	70
Wine ..	Sulphur dioxide or ..	450
	sorbic acid ..	200
Yogurt ..	Sorbic acid or ..	300
	Sulphur dioxide or ..	60
	benzoic acid or ..	120
	methyl 4-hydroxybenzoate or ..	120
	ethyl 4-hydroxybenzoate or ..	120
Curd ..	propyl 4-hydroxybenzoate ..	120
	Sorbic acid ..	300

SCHEDULE III

1. Each container to which regulation 9 applies shall bear a label on which is printed a true statement :
  - (a) in respect of each permitted preservative present in the food of the common or usual name or an appropriate designation of that permitted preservative ;
  - (b) where any other substance present in the food of the common or usual name or an appropriate designation of each such substance ; and
  - (c) if two or more such substances are present, of the proportion of each permitted preservative and of each other substance present in the food.

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 a manner that the statement shall be easily read and understood by an intending purchaser under normal conditions of purchase ; and
  - (d) shall not be in any way hidden or obscured by any other matter.

THE FOOD ACT, No. 26 OF 1980

REGULATIONS made by the Minister of Health under section 32 read with section 17 of the Food Act, No. 26 of 1980.

RENUKA HERATH RANAWEERA,  
 Minister of Health and Women's Affairs.

Colombo, 18th June, 1990.

Regulations

The Food Act (Additional Approved Analyst) Regulations, 1984, published in Gazette No. 353 of June, 7, 1985 are hereby amended by the substitution, for regulation 2 thereof, of the following new regulations:—

"2. No person shall be approved as an Additional Approved Analyst for the purpose of carrying out chemical analysis of food unless he possesses:—

- (1) (a) a degree of Bachelor of Science in Chemistry; or
- (b) a qualification equivalent to that specified in sub paragraph (a) of this paragraph such as membership of the Institute of Chemistry, Sri Lanka.

with three years' post qualification experience in Food Analysis; or

(2) (a) A Masters' Degree in Food Science and Techenology; or

(b) a qualification equivalent to that specified in sub-paragraph (a) of this paragraph, with two year's post qualification expreience in Food Analysis.

(3) No person shall be approved as an Additional Approved Analyst for the purpose of carrying out microbiological analysis unless he possesses—

(a) a basic degree in Medicine with post-graduate qualification in Bacteriology; or

(b) a degree in Chemistry (Bachelor of Science),

with post graduate qualification in Microbiology.

The Food Act (Additional Approved Analyst) Regulations 1984, published in Gazette No. 353 of June 7, together with above amendment shall come into operation on October, 1, 1990.

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THE FOOD ACT, No. 26 OF 1980

REGULATIONS made by the Minister of Health after consultation with the Food Advisory Committee under section 32 of the Food Act, No. 26 of 1980.

RENUKA HERATH RANAWEERA,  
 Minister of Health and Women's Affairs.

Colombo, 18th June, 1990.

Regulation

1. The Food Act (Miscellaneous) Regulations, 1984, published in Gazette No. 353 of June 7, 1985 are hereby amended as follows:—

(1) in regulation 2 thereof,—

(a) by the substitution, in paragraph (1) of that regulation, for the words "conditions of any licence", of the words "conditions of any registration"; and

(b) by the substitution, in paragraph (2) of that regulation, for the words "made to him in writing in respect of", of the words, "made to him in respect of";

(2) in regulation 3 thereof,—

(a) by the substitution, for paragraph (2) of that regulation, of the following new paragraph:—

"(2) If in the opinion of an Authorized Officer, division of the quantity obtained as the sample would not render impracticable or impossible the analysis or examination, he—

(a) shall divide the sample into three parts;

(b) shall identify the three parts as the owner's portion, the sample and the duplicate sample. Where a part bears the lable affixed on the article of food by the manufacturer, the Authorized Officer may identify such part as the sample;

(c) shall permit the owner or person from whom the sample was taken to affix his seal or place his signature or thumb impression on all three parts;

(d) shall secure each part in a manner that it cannot be opened without breaking or damaging the seals;

(e) shall deliver the part identified as the owner's portion to the owner, or the person from whom the sample was taken and forward the part identified as the sample to the Approved Analyst for analysis or examination together with a memorandum in Form I set out in the Schedule hereto; and

(f) shall keep in safe custody, the part identified as the duplicate sample for production in Court, if legal proceedings are instituted against the owner or person from hom the sample was taken,";

(g) by the substitution in paragraph (3) of that regulation, for the words "label it suitably, require the owner", of the words, "label it suitably, permit the owner";

(h) by the re-numbering of paragraph (5) of that regulation as paragraph (5) (a) thereof;

(i) by the insertion, immediately after the re-numbered paragraph (5) (a) of that regulation, of the following new paragraph:—

"(5) (b) An Authorized Officer who takes a sample of food for examination or analysis shall tender the market value of such food to the seller.";

(3) In regulation 4 thereof,—

(1) by the substitution in paragraph (4) of that regulation, for the words "shall require the owner", of the words "shall permit the owner"

(2) by the insertion, immediately after paragraph (7) of that regulation, of the following new paragraph:—

"(8) "An Authorized Officer who takes a sample of food for microbiological, analysis, shall tender the market value of such food to the seller.";

(4) by the substitution, for regulation 5 thereof, of the following regulation:—

“5. Every item of food imported into Sri Lanka shall conform to such standards of composition, purity and quality as may be approved by the Minister for that item from time to time.”;

(5) by the substitution, for regulation 6 thereof, of the following regulation:—

“6. (1) If on examination by an authorised officer of a sample of any item of food imported into Sri Lanka or upon analysis or examination of such sample by the Approved Analyst, it is found that such sample does not conform to the approved standards relating to that item of food or that the sale of such item of food in Sri Lanka would contravene the provisions of the Act or any regulations made thereunder, the Authorised Officer or the Approved Analyst, as the case may be, shall report to the Principal collector of Customs of such findings, and the Principal Collector of Customs shall take such steps as may be necessary to prevent such item of food from being released for sale for human consumption in Sri Lanka. The Authorised Officer who conducts the examination or sends the sample of such item of food for analysis or examination shall send a copy of his report or the report of such Approved Analyst, to the importer.

(2) Where the contravention referred to in paragraph (1) is in relation to the labelling of an item of food, such item of food shall be permitted to be released for sale or for human consumption in Sri Lanka after re-labelling of such item of food under the supervision of an Authorised Officer, in accordance with the provisions of the Act or regulations made thereunder.

(3) Where the re-labelling referred to in paragraph (2) is not satisfactorily carried out within such period as may be specified by the Principal Collector of Customs, which shall not exceed three months, the Authorised Officer shall convey such fact to the Principal Collector of Customs who shall take such steps as may be necessary to prevent such item of food from being released for sale or for human consumption in Sri Lanka.

(4) The Principal Collector of Customs shall, after giving the importer an opportunity of re-exporting or destroying or otherwise disposing of such item of food at the expense of such importer within a period specified by the Principal Collector of Customs, which shall not exceed three months, cause such item of food which was imported in contravention of the preceding provisions of these regulations, to be destroyed or disposed of under the supervision of an Authorised Officer and in the manner prescribed by the Principal Collector of Customs. Such importer shall be liable to pay to the Principal Collector of Customs any expenses incurred by the Principal Collector of Customs in holding, destroying or disposing of such item of food.”;

(6) in the Schedule thereto, by the substitution for clause (4) in Form I thereof, of the following new clause:—

“(4) The sample (taken for microbiological examination) has been collected using sterilised equipment and placed in sterilised screw capped containers or other sterilised containers.”.

The Food Act (Miscellaneous) Regulations 1984 published in Gazette No. 353 of June 7, 1985, together with the above amendments, shall come into operation on October 1, 1990.

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