

(Enregistré sur les Records le 23 février 1929.)

AT THE COURT AT BUCKINGHAM PALACE,
The 29th day of January, 1929.

PRESENT,

HER MAJESTY THE QUEEN.

HIS ROYAL HIGHNESS THE DUKE OF YORK.

LORD CHANCELLOR. PRIME MINISTER.

MASTER OF THE HORSE

LORD COLEMROOKE

SECRETARY SIR W. JOYNSON-HICKS

SECRETARY SIR S. HOARE.

WHEREAS HIS MAJESTY was pleased by His Commission, dated the 4th day of December, 1928, to nominate and appoint Her Majesty The Queen, His Royal Highness The Prince of Wales, K.G., K.T., K.P., G.C.S.I., G.C.M.G., G.C.I.E., G.C.V.O., G.B.E., His Royal Highness The Duke of York, K.G., K.T., G.C.M.G., G.C.V.O., the Most Reverend Father in God Cosmo Gordon, Archbishop of Canterbury, the Right Honourable Douglas McGarel, Baron Hailsham, Lord High Chancellor of Great Britain, and the Right Honourable Stanley Baldwin, Prime Minister and First Lord of the Treasury, or

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any three of them, during His Majesty's illness, to summon and hold on His Majesty's behalf His Privy Council, and to signify thereat His Majesty's approval of any matter or thing to which His Majesty's approval in Council is required :

AND WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 2nd day of January, 1929, in the words following, viz. :—

“ YOUR MAJESTY having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—(1) That for the reasons set forth in the preamble thereto, the Royal Court on the 21st day of May, 1927, adopted a Bill or *Projet de Loi*, prepared by the Law Officers of the Crown, intituled ‘ *Loi ayant rapport aux Préservatifs dans les Aliments,*’ and requested the Bailiff to submit the same to the States for their approval : (2) That on the 15th day of June, 1927, the said Bill was duly considered by the States of Deliberation, when a resolution was passed approving the same and authorising the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto : (3) That, accordingly, the said Bill or *Projet de Loi* was duly forwarded for Your Majesty's Royal Sanction on the 20th day of June, 1927, and was returned on the 20th July following with certain observations of the Ministry of Health with a view to its amendment : (4) That the said amendments having been duly made on the 21st day of November, 1928, the President was authorized to incorporate them in the *Projet de Loi* and submit the same to Your Majesty in Council for Your Royal Sanction : (5) That the amended *Projet de Loi* is intituled ‘ *Loi ayant rapport aux Préservatifs et autres substances dans les Aliments,*’ and is in the

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words and figures set forth in the Schedule hereunto annexed. And humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled 'Loi ayant rapport aux Préservatifs et autres substances dans les Aliments,' and to order and direct that the same shall have the force of Law within the Island of Guernsey."

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

NOW, THEREFORE, Her Majesty The Queen, His Royal Highness The Duke of York, the Lord High Chancellor of Great Britain, and the Prime Minister and First Lord of the Treasury, being authorized thereto by His Majesty's said Commission, have taken the said Report into consideration, and do hereby, by and with the advice of His Majesty's Privy Council, on His Majesty's behalf, approve the same and approve of and ratify the said Projet de Loi, and do order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

And do hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

COLIN SMITH.

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“ PROJET DE LOI ” referred to in the foregoing Order in Council.

LOI AYANT RAPPORT AUX PRÉSERVATIFS ET AUTRES SUBSTANCES DANS LES ALIMENTS.

Attendu que le “ Minister of Health ” en Angleterre a fait des règlements dits “ The Public Health (Preservatives, &c., in Food) Regulations, 1925-1927 ” qui ont pour objet de prohiber la vente d'aliments contenant certains préservatifs :

Attendu qu'il est expédient d'adopter des règlements semblables aux dits règlements en force en Angleterre :

Les règlements qui ensuivent, rédigés en anglais, auront force de loi en cette Ile.

PART I.

DEFINITIONS.

1.—(1) In this law unless the context otherwise requires :—“ The Committee ” means the States Committee for Health ; “ The Board ” means the States Board of Administration ; “ Food ” or “ articles of food ” means food or drink intended for human consumption and to which this law applies ; “ Cream ” means that portion of milk rich in milk-fat which has been separated by skimming or otherwise and is intended for human consumption ; “ Preservative ” means any substance which is capable of inhibiting, retarding or arresting the process of fermentation, acidification or other decomposition of food or of masking any of the evidence of putrefaction ; but does not include common salt (sodium chloride), saltpetre (sodium or potassium nitrate), sugars, lactic acid, acetic acid or vinegar, glycerine, alcohol or potable spirits, herbs, hop extract, spices and essential oils used for flavouring purposes or any

substance added to food by the process of curing known as smoking ;

“ Thickening substances ” means sucrate of lime, gelatine, starch paste or any other substance which when added to cream is capable of increasing its viscosity, but does not include cane or beet sugar ;

“ Sulphur dioxide ” includes sulphites, and “ benzoic acid ” includes “ benzoates ” ;

“ Sell ” includes expose or offer for sale or deposit in any place for the purpose of sale, and “ sale ” shall be construed accordingly ;

“ Importer ” includes any person who, whether as owner, consignor or consignee, agent or broker, is in possession of or in any wise entitled to the custody or control of any article of food brought from a place situate outside the Islands of the Bailiwick ; and “ import ” shall be construed accordingly.

(2) Percentages shall be calculated by weight.

(3) Sulphites shall be calculated as sulphur dioxide (SO_2) and benzoates as benzoic acid ($\text{C}_6\text{H}_5\text{COOH}$).

PART II.

SALE OF ARTICLES OF FOOD AND PRESERVATIVES.

2. The Committee and every Officer authorised in writing by the Committee shall execute and enforce this law, and for this purpose shall make such enquiries and take such other steps as may seem to be necessary for securing the due observance of this law.

3.—(1) No person shall manufacture for sale or sell any article of food which contains any added preservative or any added colouring matter being one of those specified in Part II of the First Schedule to this law.

Provided that :—

(i) any article of food specified in Part I of the

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- said Schedule may contain preservative of the nature and in the proportion therein specified ;
- (ii) where an article of food specified in Part I of the said Schedule otherwise than in item 4 thereof is used in the preparation of any other article of food, the latter article may contain any preservative necessarily introduced by the use of the former article, but the total proportion of any one preservative contained in any article of food specified in that part of the Schedule shall not exceed the proportion therein specified.
 - (iii) The provision of this article shall not apply so as to prohibit the presence of sulphur dioxide in any article of food other than meat if it is shown either—
 - (a) that the article not being an article specified in Part I of the said Schedule is intended to be used in the preparation of an article which is so specified, or
 - (b) that the article being itself an article so specified, other than fruit or fruit pulp, is intended to be so treated before it is sold or exposed for sale by retail as to comply with the provisions of the Schedule as regards the proportion of sulphur dioxide contained.
- (2) The following provisions shall have effect with respect to any of the articles of food mentioned in paragraph 1 of the Second Schedule to this law which contains any preservative specified in Part I of the First Schedule as permissible in the case of such article, that is to say—
- (a) a person who exposes or offers any such article for sale by retail shall at the time when it is so exposed or offered either cause the articles to be labelled in accordance with the rules set out in the said Second Schedule, or cause a notice to the effect that the article contains preserva-

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tive to be exhibited in a conspicuous place so as to be easily readable by a customer ; and

- (b) a person who sells any such article shall cause it to be labelled in accordance with the said rules at the time when it is delivered to any purchaser, agent or broker :

Provided that :—

- (i) Neither the requirement mentioned in paragraph (a) nor that mentioned in paragraph (b) shall apply where the article is exposed or offered for sale by retail or delivered to a customer in a hotel, restaurant or other such place for consumption on the premises ; and
- (ii) the requirement mentioned in paragraph (b) shall not apply where the article is sold by retail and delivered to the purchaser at the vendor's premises or stall if such notice as is mentioned in paragraph (a) is there exhibited as provided in that paragraph.
- (3) No person shall sell cream which contains any thickening substance.

4.—(1) No person shall sell any article which is recommended in any mark or label placed thereon or on its receptacle or container for use as a preservative of, or colouring matter for, any article of food or is described or referred to in any such mark or label in terms likely to lead to its being so used—

- (i) if such use would be contrary to the regulations contained in this law ; or
- (ii) if in the case of a preservative, it is not labelled in accordance with the rules set out in the Second Schedule to this law.

(2) No person shall on or in connection with the sale of any article or in any advertisement, circular or notice relating thereto recommend it for use as a preservative of, or colouring matter for, any article of food, or describe or refer to it in terms likely to

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lead to its being so used, if such use would be contrary to the regulations contained in this law.

(3) No person shall sell any article which is recommended in any such mark or label as aforesaid for use as a thickening substance for cream or is described or referred to in any such mark or label in terms likely to lead to its being so used, and no person shall on or in connection with the sale of any article or in any advertisement, circular or notice relating thereto recommend it for use as a thickening substance for cream or describe or refer to it in terms likely to lead to its being so used.

5.—(1) Any officer authorised in writing by the Committee and acting in the execution of this law shall have power to enter at all reasonable times any premises where articles to which this law applies are prepared, packed, labelled or stored.

(2) The officer may take samples of any such article or of any substance used or capable of being used in the preparation of any such article and of any labels designed to be affixed to any such article or to any package or other receptacle containing such article, but shall if so required make reasonable payment for any samples so taken.

(3) The officer taking or purchasing any sample with the intention of submitting the same to analysis shall forthwith notify the owner, seller or his agent of his intention to have the same analysed by the States Analyst, and shall offer to divide the sample into three parts, to be then and there separated, and each part to be marked and sealed or fastened up in such manner as its nature will permit, and shall, if required to do so, proceed accordingly and shall deliver one of the parts to the owner, seller or his agent.

He shall afterwards retain one of the said parts for future comparison and submit the third part, if he deem it right to have the article analysed, to the States Analyst.

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(4) If the owner, seller or his agent do not accept the offer of the Officer to divide the sample taken or purchased in his presence, the Analyst receiving the sample for analysis shall divide the same into two parts, and shall seal or fasten up one of these parts and shall cause it to be delivered, either upon receipt of the sample or when he supplies his certificate to the purchaser, who shall retain the same for production in case proceedings shall afterwards be taken in the matter.

6. Where it appears to the Committee that any article has been sold contrary to the provisions of Article 3 or 4 of this law, the Committee may, instead of or in addition to taking proceedings against the seller, take proceedings against any previous seller of the article.

PART III.

IMPORTATION OF ARTICLES OF FOOD.

7.—(1) Subject to any directions given by the Board after consultation with the Committee, the States Officer of Customs shall have power to take such samples as may be necessary of consignments of imported articles to which this law applies.

(2) Where an Officer of the Customs takes a sample for the purpose of analysis he shall send a portion thereof to the States Analyst and a portion thereof to the importer.

(3) Where the duties of an Officer of the Customs with regard to the examination of a cargo or consignment comprising an article of food have not been wholly discharged, a sample of that article shall not be taken without his consent, but he shall afford such facilities as the circumstances require for the taking of samples in pursuance of this article.

8. If in any case the Board is of opinion that an offence has been committed, the Board shall com-

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municate to the Committee for its information the name of the importer and such other facts as it may possess or may obtain as to the destination of the consignment.

9.—(1) No person shall import into the Island any article of food intended for sale which contains any added preservative or any added colouring matter being one of those specified in Part II of the First Schedule to this law :

Provided that :—

- (i) any article of food specified in Part I of the said Schedule may contain preservative of the nature and in the proportion therein specified :
- (ii) where an article of food specified in Part I of the said Schedule otherwise than in item 4 thereof is used in the preparation of any other article of food, the latter article may contain any preservative necessarily introduced by the use of the former article, but the total proportion of any one preservative contained in any article of food specified in that part of the Schedule shall not exceed the proportion therein specified.
- (iii) The provision of this article shall not apply so as to prohibit the presence of sulphur dioxide in any article of food other than meat if it is shown either—
 - (a) that the article not being an article specified in Part I of the said Schedule is intended to be used in the preparation of an article which is so specified, or
 - (b) that the article being itself an article so specified, other than fruit or fruit pulp, is intended to be so treated before it is sold or exposed for sale by retail as to comply with the provisions of the Schedule as regards the proportion of sulphur dioxide contained.

(2) No person shall import into this Island any cream intended for sale which contains any thickening substance.

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PART IV.

MISCELLANEOUS.

10. The provisions of this law with respect to prohibiting any preservative or colouring matter or thickening substances in articles of food and requiring the labelling of certain articles of food and of articles sold as preservatives shall not apply in the case of any article which is intended to be exported or re-exported to places other than Great Britain or Northern Ireland or intended for use as ships' stores.

11.—(1) In any proceedings under this law the certificate of the States Analyst of the result of the chemical examination of a sample shall be sufficient evidence of the facts therein stated unless the defendant requires that the person who made the examination be called as a witness.

(2) In any proceedings under this law where the fact that any article had been dealt with contrary to this law has been proved, if the defendant desires to rely upon the exceptions or provisions contained in this law with reference to such article being sold for consumption on the premises, or being intended for export or re-export or for use as ships' stores, it shall be incumbent upon him to prove that the article was so sold or was intended for export or re-export or for use as ships' stores.

12. A person shall, if so required, give to the Officer of Customs who is acting in the execution of this law all reasonable assistance in his power, and shall, in relation to anything within his knowledge, furnish such officer with all information which he may reasonably require for the purpose of this law, including information as to the persons for whom

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PENALTIES.

13.—Any person who shall act in contravention of the provisions of this law or who shall refuse to allow an Officer duly authorised by the Committee or an Officer of the Customs to take or purchase a sample of any article of food to which this law applies, or shall in any way impede them in so doing, or who shall wilfully attach a label to any article of food to which this law applies containing any false statement of fact, shall be guilty of an offence and be liable on summary conviction to a fine not exceeding twenty pounds.

FIRST SCHEDULE.

PART I.

Articles of food which may contain Preservative and nature and proportion of Preservative in each case.

The articles of food specified in the first column of the following table may contain the preservative specified in the second column in proportions not exceeding the number of parts (estimated by weight) per million specified in the third column :—

FOOD.	PRESERVA- TIVE.	PARTS PER MILLION.
1. Sausages and sausage meat contain- ing raw meat, cereals and condiments.	Sulphur dioxide	450
2. Fruit and fruit pulp (not dried) for conversion into jam or crystallised glaci or cured fruit as defined in items 6 & 7 :		
(a) Cherries.	do.	3000
(b) Strawberries and raspberries.	do.	2000
(c) Other fruit	do.	1500
3. Dried fruit :		
(a) Apricots, peaches, nectarines, apples and pears.	do.	2000
(b) Raisins and sultanas.	do.	750
4. Unfermented grape juice and non- alcoholic wine made from such grape juice if labelled in accordance with the rules contained in the Second Schedule to these Regulations.	Benzoic acid.	2000
5. Other non-alcoholic wines, cordials and fruit juices, sweetened or un- sweetened.	Either Sulphur dioxide or Ben- zoic acid.	350 600
6. Jam (including marmalade and fruit jelly prepared in the way in which jam is prepared.	Sulphur dioxide.	40
7. Crystallised glaci or cured fruit (in- cluding candied peel).	do.	100
7a. Fruit and fruit pulp not otherwise specified in this schedule.	do.	350
8. Sugar (including Glucose) and cane syrops.	do.	70
8a. Cornflour (maize starch) and other prepared starches.	do.	100
9. Corn syrup (liquid Glucose).	do.	450
10. Gelatine	do.	1000
11. Beer.	do.	70
12. Cider.	do.	200
13. Alcoholic wines.	do.	450
14. Sweetened mineral waters.	Either Sulphur dioxide or Ben- zoic acid.	70 20
	Benzoic acid.	120
15. Brewed ginger beer.	do.	450
16. Coffee extract.		
17. Pickles and sauces made from fruit or vegetables.	do.	250

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PART II.

Colouring matters which may not be added to Articles of Food.

1. Metallic Colouring Matters. Compounds of any of the following metals :—
Antimony, Arsenic, Cadmium, Chromium, Copper, Mercury, Lead, Zinc.
2. Vegetable Colouring Matter. Gamboge.
3. Coal Tar Colours.

Number in Colour Index of Society of Dyers and Colourists, 1924.	NAME.	SYNONYMS.
7	Picric Acid.	Carbazotic Acid.
8	Victoria Yellow.	Saffron Substitute ; Di-nitrocresol.
9	Manchester Yellow.	Naphthol Yellow.
12	Aurantia.	Martius Yellow.
724	Aurine.	Imperial Yellow.
		Rosolic Acid ; Yellow Coralline.

SECOND SCHEDULE.

LABELLING OF ARTICLES OF FOOD CONTAINING PRESERVATIVE AND OF PRESERVATIVES.

1.—The articles of food containing preservative to which the Rules as to labelling set out in this Schedule apply are sausages, sausage-meat, coffee extract, pickles and sauces, and (where the proportion of benzoic acid exceeds 600 parts per million) grape juice and wine.

2.—(1) Where any of the said articles of food contains preservative, it shall bear a label on which is printed the following declaration or such other declarations substantially to the like effect as may be allowed by the Committee :—

<p>(a) CONTAIN(S) PRESERVATIVE.</p>
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(2) The declaration shall be completed by inserting at (a) the word "This" or "These," followed by the name of the Food as used in paragraph I. of this Schedule.

(3) In the case of grape juice or wine to which these rules apply there shall be added to the declaration the words "and is not intended for use as a beverage."

3.—(1) An article sold as a preservative shall bear a label on which is printed the following declaration or such other declaration substantially to the like effect as may be allowed by the Committee :—

<p>This Preservative contains (a) Per Cent. of Sulphur Dioxide.</p>
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(2) Where the article contains benzoic acid the words "Benzoic Acid" shall be substituted for the words "Sulphur Dioxide."

(3) The declaration shall be completed by inserting at (a) in words and figures, excluding fractions (*e.g.*, "seventy (70)") the true percentage of the sulphur dioxide or benzoic acid present in the article.

4. The prescribed declaration shall in each case be printed in dark block type upon a light-coloured ground within a surrounding line, and no other matter shall be printed within such surrounding line. The type used shall not be less than one-eighth of an inch in height, or, in the case of grape juice or wine to which these rules apply, one-sixteenth of an inch in height.

5. The label shall be securely affixed to the article or be part of or securely affixed to the wrapper or container, and in any case shall be so placed as to be clearly visible. If the article bears a label containing the name, trade mark, or design represent-

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ing 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.

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