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# VICTORIA GOVERNMENT GAZETTE

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AMENDMENT SERIAL NO. 3.

*Health Act 1958.*

DEPARTMENT OF HEALTH—VICTORIA.

*At the Executive Council Chamber, Melbourne, the  
twenty-sixth day of July, 1961.*

PRESENT:

His Excellency the Administrator of the Government of Victoria.

Mr. Bolte	Mr. Chandler
Mr. Mibus	Mr. Bloomfield
Mr. Petty	Mr. Turnbull
Mr. Reid	Mr. Porter
Mr. Fraser	Mr. Thompson.

## REGULATIONS RELATING TO FOODS, DRUGS, SUBSTANCES AND METHODS OF ANALYSIS.

UNDER the powers conferred by the *Health Act 1958* (No. 6270), and all other powers enabling him in that behalf, His Excellency the Administrator of the Government of the State of Victoria, with the advice of the Executive Council of the said State, and on the recommendation of the Food Standards Committee, doth hereby make the Regulations following (that is to say):—

1. These Regulations may be cited as the Amending Food and Drug Standards Regulations 1961 (No. 1), and shall be read and construed as one with the Food and Drug Standards Regulations 1958, hereinafter referred to as the Principal Regulations, and shall come into operation upon publication in the *Government Gazette*.

2. Regulation No. 10 of the Principal Regulations is hereby amended by—

(a) in proviso (b) to sub-regulation (1), substituting for the word "Margarine" the words "Table Margarine";

(b) in sub-regulation (3) (b)—

(i) deleting the expression "Black 5410";

(ii) adding under the heading Yellow Shades the expression "Yellow RFS.";

(iii) adding under the heading Violet Shades the expression "Violet BNP.";

(iv) adding under the heading Brown Shades the expression "Brown FK."

3. Regulation No. 12 of the Principal Regulations is hereby amended by deleting in sub-regulation (1) the word "saccharin" and substituting therefor the word "saccharine".

4. The Principal Regulations are hereby amended by deleting Regulation No. 13 and substituting therefor the following Regulation:—

" 13. POISON IN OR ON FOOD.

No person shall sell any food containing or having on its surface any poisonous substance.

Provided that—

(a) the presence on fresh fruit and vegetables of the following substances in proportion not exceeding the proportions prescribed below for each substance shall not be deemed to be a contravention of this Regulation.

Substance.	Parts Per Million.
Benzene hexachloride .. .. .	5.0
Bis (dimethylamino) fluorophosphine oxide (Dimefox)	1.0
Chlordane .. .. .	0.1
Dichloro-diphenyl-trichloroethane (D.D.T.) ..	7.0
2,4- Dichloro-phenoxyacetic acid (2,4-D) ..	5.0
Fluorine (F) present as a fluorine compound ..	7.0
Hexachloro-epoxy-octahydro-diendomethylene naphthalene (Dieldrin) .. .. .	0.1
Hexachloro-hexahydro-diendomethylene naphthalene (Aldrin) .. .. .	0.1
Mercury (Hg) present as any mercury-containing compound .. .. .	0.1
Naphthalene acetic acid .. .. .	1.0
Phosphorus (P) organically combined—present as Parathion, Malathion, Systox, Pestox III, H.E.T.P., T.E.P.P., Diazinon or any other organic phosphate	0.15
Trichloro-bis-p-methoxyphenyl ethane (Methoxychlor)	14.0
2,2-bis (p-chlorophenyl)-1, 1-dichloroethane (T.D.E.)	7.0
Toxaphene (chlorinated camphene) .. .. .	7.0
Zinc dimethyldithiocarbamate (Ziram) .. .. .	7.0
Zinc ethylene bis-dithiocarbamate (Zineb) .. .. .	7.0

(b) the foods and food substances set out in the Schedule hereunder, without contravention of this Regulation, may contain the metals specified in amounts not greater than the proportions specified in each case;

(c) any food substance, other than those named in the Schedule hereunder, which is used in the cooking or preparation of food shall, if standardized in the British Pharmacopoeia or the British Pharmaceutical Codex in respect of poisonous food content, comply with such standards.

SCHEDULE.

Food or Food Substances.	Parts per Million by Weight.	
	Arsenic calculated as Arsenious Oxide.	Lead calculated as Metal.
Ales and beer .. .. .	0.15	0.2
Baking powder .. .. .	1.5	10.0
Cheese and other foods wrapped in tinfoil ..	1.5	4.0
Cream of tartar .. .. .	1.5	20.0
Dried fruit .. .. .	4.0	15.0
Fish in tinfoil containers .. .. .	1.5	5.5
Fruit and fruit products other than dried fruit ..	1.5	5.5
Gelatine .. .. .	4.0	10.0
Glucose .. .. .	1.5	10.0
Lactic acid .. .. .	5.0	10.0
Meat in tinfoil containers .. .. .	1.5	5.5
Milk .. .. .	0.15	0.2
Milk and-milk products in tinfoil containers ..	1.5	2.0
Non-excisable fermented drinks .. .. .	0.15	0.2
Phosphates for use in food .. .. .	1.5	10.0
Sauces .. .. .	1.0	10.0
Summer drinks and aerated waters .. .. .	0.15	0.2
Vegetables .. .. .	1.5	4.0
Vinegar .. .. .	1.0	10.0
All other foods .. .. .	1.5	2.0

## SCHEDULE—continued.

Food.	Metal.	Parts per Million Calculated by Weight as the Metal.
Beverages .. .. .	Antimony .. .. .	0·15
Other foods .. .. .	Antimony .. .. .	1·5
Beverages .. .. .	Copper .. .. .	5·0
Other foods .. .. .	Copper .. .. .	30·0
Any food .. .. .	Selenium .. .. .	2·0
Any food packed in tinfoil or tinplate containers	Tin .. .. .	250·0
Other foods .. .. .	Tin .. .. .	40·0
Beverages .. .. .	Zinc .. .. .	5·0
Gelatine .. .. .	Zinc .. .. .	100·0
Other foods .. .. .	Zinc .. .. .	40·0

In any food, any metal other than aluminium, arsenic, antimony, calcium, copper, iron, lead, lithium, magnesium, manganese, potassium, selenium, sodium, tin or zinc 5·5 parts per million in solid foods and 0·15 parts per million in beverages, calculated by weight as the metal in both cases.

The proportions here specified refer to the total contents of the container and for the purpose of analysis a portion representative of the whole of the contents of the container shall be taken."

5. Regulation No. 22 of the Principal Regulations is hereby amended by deleting sub-regulations (15), (16), (17) and (18).

6. The Principal Regulations are hereby amended by deleting Regulation No. 27 and substituting therefor the following Regulation:—

## " 27. GELATINE.

(1) Gelatine sold for human consumption is the clean wholesome product obtained from skin, bone or other collagenous material. It shall contain not more than three parts per centum of ash. An aqueous solution containing five parts per centum prepared by soaking the gelatine for one hour in cold water and then dispersing at 60°C. with frequent stirring shall be clear, light in colour and practically tasteless. This solution maintained at 18·5°C. for two hours shall form a satisfactory jelly.

*Labelling.*

(2) Every person who sells any package containing gelatine for human consumption shall attach thereto a label in which shall be written in letters of not less than eight points the words EDIBLE GELATINE.

*Preservative.*

(3) Gelatine sold for human consumption may contain sulphur dioxide in proportion not exceeding seven grains to the pound. Declaration on the label of the presence of sulphur dioxide in gelatine sold for human consumption is not required unless the proportion contained therein exceeds five-tenths of one grain to the pound.

*Prohibition.*

(4) No person shall sell any gelatine contrary to any provision of this Regulation."

7. The Principal Regulations are hereby amended by deleting Regulation No. 28 and substituting therefor the following Regulation:—

## " 28. EDIBLE FATS AND OILS.

*General Standard.*

(1) Edible fats and edible oils are the fats and oils modified or not and commonly recognized as wholesome foodstuffs. They shall be free from rancidity and from decomposition and from offensive odour and taste, and unless otherwise specified in these Regulations, shall contain not more than one part per centum of free fatty acids calculated as oleic acid. They shall not contain any mineral oil but may contain prescribed antioxidants in accordance with the provisions of Regulation No. 10 (A).

*Labelling.*

(2) (a) Every person who sells any package containing any edible fat or any edible oil which is not a mixture of two or more edible fats or oils shall attach thereto a label in which shall be written in letters of not less than six points the true descriptive name of the oil or fats.

(b) Every person who sells any package containing a mixture of edible fats or edible oils or a mixture of both shall attach thereto a label in which shall be written in letters of not less than six points the words BLENDED EDIBLE (here state whether ANIMAL, VEGETABLE or ANIMAL AND VEGETABLE) FAT, or OIL or FAT AND OIL, as the case may be.

*Olive Oil.*

(3) Olive oil is the oil obtained by expression from the sound mature fruit of the cultivated olive tree (*Olea europea* L.). It shall conform to the requirements of the British Pharmacopoeia.

*Lucca Oil, Sublime Salad Oil and Virgin Oil.*

(4) Lucca oil, sublime salad oil, or virgin oil is an oil which conforms to the standard for olive oil.

*Labelling.*

(5) The word "olive" or the word "lucca" or the words "sublime salad" or the word "virgin" or any expression or device or representation which resembles the said words or any of them or suggests the presence of olive oil shall not appear in the label of any package of oil which does not conform to the standard for olive oil.

*Dripping.*

(6) Dripping is clean fat rendered from meat other than that of swine. It shall not contain more than two parts per centum of free fatty acids calculated as oleic acid, nor more than one part per centum of foreign matter, including salt, unavoidably incorporated in the course of rendering, nor more than two parts per centum of water. If it bears a name descriptive of its origin it shall correspond thereto.

*Lard.*

(7) Lard is the clean fat rendered from the meat of swine. It shall not contain more than two parts per centum of free fatty acids calculated as oleic acid, nor more than one part per centum of foreign matter, including salt, unavoidably incorporated in the course of rendering, nor more than one part per centum of water.

*Prohibition.*

(8) No person shall sell any edible fat or oil contrary to any provision of this Regulation."

8. Regulation No. 36 of the Principal Regulations is hereby amended by inserting immediately following the expression "ripening ferments," in sub-regulation (1) (a) the expression "nisin,"

9. Regulation No. 39 of the Principal Regulations is hereby amended by deleting the word "liquid"—

(a) in the expression "prepared from liquid coffee" in sub-regulation (1); and

(b) in the expressions "prepared from a mixture of liquid coffee and chicory" and "not less than fifty parts per centum shall be liquid coffee" in sub-regulation (2) (a).

10. The Principal Regulations are hereby amended by deleting Regulation No. 40 and substituting therefor the following Regulation:—

**" 40. COCOA AND COCOA PRODUCTS.***Cocoa Beans.*

(1) Cocoa beans, for the purposes of this Regulation, are the dried and fermented seeds of *Theobroma cacao*, L.

*Cocoa Nibs or Cracked Cocoa.*

(2) Cocoa nibs or cracked cocoa is the roasted cocoa bean freed from its shell or husk, with or without the germ.

*Cocoa Paste, Cocoa Mass, Cocoa Slab, Cocoa Neat Work or Cocoa Liquor.*

(3) Cocoa paste, cocoa mass, cocoa slab, cocoa neat work or cocoa liquor is the solid or semi-solid mass produced by grinding cocoa nibs. It shall contain not less than forty-eight parts per centum of cocoa fat. The water-free and fat-free residue of cocoa paste shall contain not more than nineteen parts per centum of starch naturally present in cocoa nibs or cracked cocoa (as determined by the prescribed method); not more than seven parts per centum of crude fibre (as determined by the prescribed method); not more than eight parts per centum of total ash; not more than five and five-tenths parts per centum of ash insoluble in water; and not more than four-tenths of one part per centum of ferric oxide.

*Cocoa, Cocoa Powder or Soluble Cocoa.*

(4) Cocoa, cocoa powder or soluble cocoa is powdered cocoa paste deprived or not of a portion of its fat and treated or not with alkali or alkaline salt. The water-free fat-free alkali-free content shall comply with the standard for water-free and fat-free residue as prescribed in sub-regulation (3) of this Regulation and the water-free fat-free alkali-free cocoa content shall not contain more than ten and one-half parts per centum of total alkalinity calculated as potassium carbonate and shall not contain more than twelve and one-half parts per centum of total ash.

*Prepared, Compounded or Sweetened Cocoa.*

(5) (a) Prepared, compounded or sweetened cocoa is cocoa, cocoa powder, or soluble cocoa mixed with other wholesome foodstuffs. It shall contain not less than twenty parts per centum of water-free fat-free alkali-free cocoa paste, and its water-free fat-free and alkali-free cocoa content shall comply with the standard for water-free and fat-free residue as prescribed in sub-regulation (3) of this Regulation.

*Labelling.*

(b) Every person who sells any package containing prepared, compounded or sweetened cocoa, shall attach thereto a label in which shall be written in letters of not less than eight points a statement in the following form:—

CONTAINING NOT LESS THAN (here insert the number of parts per centum) PARTS PER CENTUM OF DRY FAT-FREE COCOA PASTE.

*Chocolate.*

(6) Chocolate, chocolate paste, drinking chocolate, confectioners' chocolate, chocolate coatings and chocolate powder are cocoa paste or soluble cocoa mixed with sugar with or without addition or subtraction of cocoa fat and with or without spices or flavourings. They shall contain not less than fifteen parts per centum of water-free fat-free cocoa paste, and the water-free fat-free and alkali-free cocoa content shall comply with the standard for water-free and fat-free residue as prescribed in sub-regulation (3) of this Regulation.

*Milk Chocolate.*

(7) Milk chocolate is cocoa paste or soluble cocoa mixed with sugar milk solids and cocoa fat, with or without spices or flavourings. It shall contain not less than four and five-tenths parts per centum of milk fat, not less than ten and five-tenths parts per centum of non-fat milk solids and not less than three parts per centum of water-free fat-free cocoa paste.

*Cocoa and Milk and Chocolate and Milk.*

(8) Cocoa and Milk and Chocolate and Milk shall be prepared from milk or condensed milk, sugar and cocoa. They shall contain not less than eight parts per centum of water-free fat-free alkali-free cocoa paste.

The addition of sodium alginate in amounts not exceeding 0.75 parts per centum and/or mono or di-glycerides of fat forming fatty acids not exceeding 0.5 parts per centum with or without not more than 0.3 parts per centum added soluble inorganic phosphate calculated as phosphorus pentoxide ( $P_2O_5$ ) is hereby permitted.

*Compounded Chocolate.*

(9) (a) Compounded chocolate is chocolate defined in sub-regulation (6) of this Regulation with the addition of other wholesome foodstuffs including edible fats. It shall contain not less than three parts per centum of water-free fat-free cocoa paste.

*Labelling.*

(b) Every person who sells any package containing compounded chocolate shall attach thereto a label in which shall be written in letters of not less than twelve points the words COMPOUNDED CHOCOLATE and in a prominent position in letters of not less than six points the name or names of the ingredients added to the chocolate.

*Prohibited Additions.*

(10) No person shall add any foreign fat (except where such fat is specifically allowed) cocoa husks or paraffin to any product of cocoa beans.

*Permitted Additions.*

(11) The addition of flavourings and of lecithin or the ammonium salt of phosphatidic acid to cocoa, chocolate and preparations of cocoa and chocolate is hereby permitted.

*Prohibition.*

(12) No person shall sell any cocoa or cocoa product contrary to any provision of this Regulation."

11. Regulation No. 43 of the Principal Regulations is hereby amended by deleting sub-regulation (6) (e).

12. Regulation No. 45 of the Principal Regulations is hereby amended by deleting in sub-regulation (5) (a) the word "wholesale" and substituting therefor the word "wholesome".

13. Regulation No. 47 of the Principal Regulations is hereby amended by deleting in sub-regulation (1) the word "saccharin" and substituting therefor the word "saccharine".

14. Regulation No. 48 of the Principal Regulations is hereby amended by deleting in sub-regulation (3) (a) the expression "alum, or any salt of copper.", and substituting therefor the expression "or alum."

15. The Principal Regulations are hereby amended by deleting Regulation No. 53.

16. Regulation No. 54 of the Principal Regulations is hereby amended by deleting sub-regulation (11) and substituting therefor the following:—

*" CANNED FRUITS.*

(11) Canned fruits (including tomatoes) of which the pH is below 4.5 may contain nisin.

*Prohibition.*

(12) No person shall sell any fruit or fruit product contrary to any provision of this Regulation."

17. Regulation No. 66 of the Principal Regulations is hereby amended by deleting in sub-regulation (1) the expression "lead or other poisonous metal, nor any".

And the Honorable Sir Ewen Paul Cameron, Her Majesty's Minister of Health for the State of Victoria, shall give the necessary directions herein accordingly.

A. MAHLSTEDT,  
Clerk of the Executive Council.