

Association of Public Analysts

Mastership in Chemical Analysis Examination

Training Guide

Legislation
(2013 Edition)

Compilation date 31st December 2013

ACKNOWLEDGEMENTS

This guide has been prepared by the Training Committee of the Association of Public Analysts. Although all Committee members have contributed in various ways by checking relevant legislation from the United Kingdom or in editorial work, the main database and its upkeep and presentation are the responsibility of J A Robinson, and this work is gratefully acknowledged.

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Web edition December 2013

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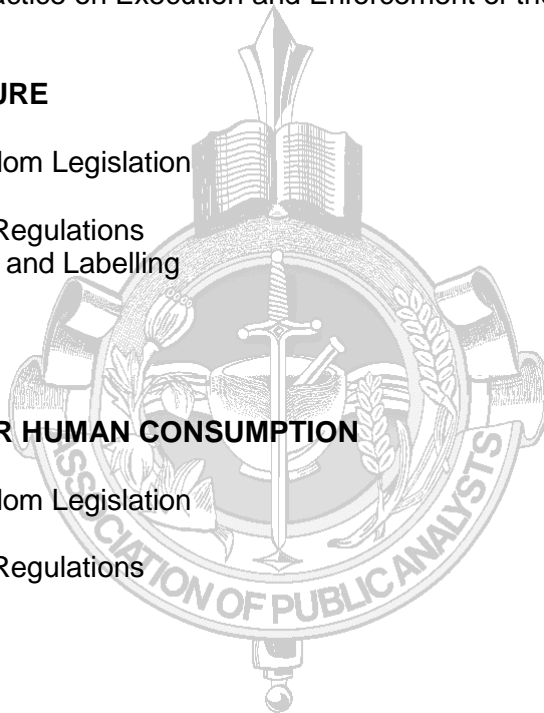
The publication of this guide has been sponsored by the APA Educational Trust. The Trust (Registered Charity number 328086) was established in 1988 'to advance training and education in the field of scientific analysis and examination'.

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FOREWORD

This training guide is one of a series produced by the Association of Public Analysts for use in the profession. It is particularly directed at candidates preparing for the Mastership in Chemical Analysis (MChemA) examination.

The MChemA is the qualification prescribed by the Food Safety (Sampling and Qualifications) (England) Regulations 2013 (devolved Countries have their own equivalent legislation) for a person to be appointed as a Public Analyst in the United Kingdom. These regulations also provide that the MChemA is an authorised qualification for a person to practice as a Food Examiner. Additionally, the qualification is a prescribed option in the Fertilisers (Sampling and Analysis) Regulations 1996 and the Feed (Sampling and Analysis and Specified Undesirable Substances) (England) Regulations 2010 for a person to be appointed as an Agricultural Analyst in the United Kingdom. Furthermore, the MChemA has been recognised in the European Council Directive on a General System for the Recognition of Higher Education Diplomas (89/48/EEC). Responsibility for the examination and the award of a Mastership remain with the Royal Society of Chemistry, from which copies of current regulations and syllabus for the examination may be obtained.

Candidates using this book should be alert to the following matters.

1. The decision has been taken to drop EU legislation from this edition. Nearly all UK food legislation now implements EU Directives and these are referenced in the UK legislation. Readers should therefore use this mechanism to backtrack relevant EU legislation.
2. The lists of legislation presented here are not intended to be a comprehensive coverage of all instruments in the topic areas. Rather, the entries reflect the Training Committee's view of instruments that should be studied, and it is acknowledged that examiners may take a slightly different view. Also, the Committee has refrained from grading entries according to their importance or peripheral interest for Public Analysts or Food Examiners; that judgement must be for the candidate and his/her counsellors.
3. Although the Committee has considered the special needs of candidates working in Scotland, Northern Ireland and other places as regards legislation, a decision has been taken not to include instruments issued specifically for those areas.
4. New and amending regulations, on any given topic often amend more than one regulation on an entirely different topic within that general subject area. Thus, for example the Cocoa and Chocolate Products (England) Regulations 2003 amend many regulations, including those on Miscellaneous Food Additives and Food Labelling. Hence, candidates need an overview of relevant legislation in order to know the up-to-date content of any act or statutory instrument.

Other training guides published by the Association of Public Analysts include the 'Study Guide for the MChemA', 'Candidate's Record of Professional Training and Experience', 'Microscopy (2nd Edition)', 'Microbiology (1st Edition)', 'Certificate Writing', 'Food Complaints' and 'Labelling of Food, Bottled Water and Agricultural Materials'. This guide on 'Legislation' complements the series. However, statutes and regulations within the United Kingdom and European Community are frequently amended or consolidated and new instruments are being introduced, and therefore it is necessary to update the legislation guide on a more frequent basis than is required for the other publications.

To confirm these pieces of legislation and monitor new legislation enacted after this guide, please checkout the APA website legislation section and/or the office of public sector information legislation. These can be found at:

www.publicanalyst.com/Legislation

www.legislation.gov.uk

The guide was first published in December 1990; a second edition was issued in March 1993, a third in March 1996 and a fourth in 1999. This web edition will be monitored and revised on an annual basis. **The Training Committee would welcome corrections to the text and suggestions for improvements to future editions.**

Jonathan Griffin
Training Committee Chairman
Association of Public Analysts



Food

Part A: FOOD

1 United Kingdom Legislation

1.1 Acts

AGRICULTURE AND HORTICULTURE ACT 1964

ALCOHOLIC LIQUOR DUTIES ACT 1979

EUROPEAN COMMUNITIES ACT 1972

FOOD ACT 1984

FOOD AND ENVIRONMENT PROTECTION ACT 1985

FOOD SAFETY ACT 1990

HORTICULTURAL PRODUCE ACT 1986

INTERNATIONAL CARRIAGE OF PERISHABLE FOODSTUFFS ACT 1976

INTERPRETATION ACT 1978

WATER INDUSTRY ACT 1991

WATER INDUSTRY ACT 1999

1.2 Orders and Regulations

1.2.1 Composition and Labelling



	SI Number
Alcoholic Liquor Duties (Definition of Cider) Order	2010/1914
Beef and Veal Labelling Regulations	2010/983
Bread and Flour Regulations	1998/141
Caseins and Caseinates Regulations	1985/2026
Caseins and Caseinates (Amendment) Regulations	1989/2321
Cocoa and Chocolate Products (England) Regulations	2003/1659
Coffee Extracts and Chicory Extracts (England) Regulations	2000/3323
Condensed Milk and Dried Milk (England) Regulations	2003/1596
Condensed Milk and Dried Milk (England)(Amendment) Regulations	2008/85
Education (Nutritional Standards for School Lunches)(England) Regulations	2000/1777
Fish Labelling (England) Regulations	2013/1768
Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (England) Regulations	2002/1817
Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes)(Amendment)(England) Regulations	2004/649
Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes)(Amendment)(England) Regulations	2006/3116
Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes)(Amendment)(England) Regulations	2009/3051
Food for Particular Nutritional Uses (Miscellaneous Amendments)(England) Regulations	2007/2591

Food

Food for Particular Nutritional Uses (Miscellaneous Amendments) (England) Regulations	2010/295
Food for Special Medicinal Purposes (Scotland) Regulations	2000/130
Foodstuffs Suitable for People Intolerant to Gluten (England) Regulations	2010/2281
Food Intended for Use in Energy Restricted Diets for Weight Reduction Regulations	1997/2182
Food (Lot Marking) Regulations	1996/1502
Food Labelling Regulations	1996/1499
Food Labelling (Amendment) Regulations	1998/1398
Food Labelling (Amendment) Regulations	1999/747
Food Labelling (Amendment) (No 2) Regulations	1999/1483
Food Labelling (Amendment) (England) Regulations	2003/474
Food Labelling (Amendment) (England) Regulations	2005/899
Food Labelling (Amendment) (England) (No 2) Regulations	2005/2969
Food Labelling (Declaration of Allergens) (England) Regulations	2008/1188
Food Labelling (Declaration of Allergens) (England) Regulations	2011/402
Food Labelling (Nutrition Information) (England) Regulations	2009/2538
Food (Provisions relating to Labelling) (England) Regulations	2003/2647
Food Safety (Amendment) (Metrication) Regulations	1992/2597
Fruit Juices and Fruit Nectars (England) Regulations	2013/2775
Genetically Modified Food (England) Regulations	2004/2335
Genetically Modified Organisms (Traceability and Labelling)(England) Regulations	2004/2412
Genetically Modified Organisms (England) (Amendments) Regulations	2008/2598
Genetically Modified Organisms (Contained Use) Regulations	2000/2831
Genetically Modified Organisms (Contained Use) (Amendment) Regulations	2010/2840
Honey (England) Regulations	2003/2243
Honey (Amendment) (England) Regulations	2005/1920
Jam and Similar Products (England) Regulations	2003/3120
Meat Products (England) Regulations	2003/2075
Meat Products (England) (Amendment) Regulations	2008/517
Medical Food (England) Regulations	2000/845
Natural Mineral Water, Spring Water and Bottled Drinking Water (England) Regulations	2007/2785
Natural Mineral Water, Spring Water and Bottled Drinking Water (England) (Amendment) Regulations	2010/433
Natural Mineral Water, Spring Water and Bottled Drinking Water (England) (Amendment) (No.2) Regulations	2010/896
Natural Mineral Water, Spring Water and Bottled Drinking Water (England) (Amendment) Regulations	2011/451
Nutrition and Health Claims (England) Regulations	2007/2080
Nutrition and Health Claims (England) (Amendment) Regulations	2010/1768
Organic Products Regulations	2009/842
Organic Products (Amendment) Regulations	2010/1902
Processed Cereal-Based Foods and Baby Foods for Infants and Young Children (England) Regulations	2003/3207
Quick-Frozen Foodstuffs (England) Regulations	2007/191
Scotch Whisky Regulations	2009/2890
Specified Sugar Products (England) Regulations	2003/1563
Specified Products from China (Restriction on First Placing on the Market) (England) Regulations	2008/1079
Specified Products from China (Restriction on First Placing on the Market) (England) (Amendment) Regulations	2012/47

Food

Specified Products from China (Restriction on First Placing on the Market) (England) (Amendment) Regulations	2013/1683
Spirit Drinks Regulations	2008/3206
Spreadable Fats (Marketing Standards) and the Milk and Milk Products (Protection of Designations)-(England) Regulations	2008/1287
Environmental Noise, Site Waste Management Plans and Spreadable Fats etc. (Revocations and Amendments) Regulations	2013/2854
Tryptophan in Food (England) Regulations	2005/2630
Wine Regulations	2011/2936

1.2.2 Additives and Contaminants

Addition of Vitamins, Minerals and Other Substances (England) Regulations	2007/1631
Addition of Vitamins, Minerals and Other Substances (England) (Amendment) Regulations	2010/1886
Animals and Animal Products (Examination for Residues and Maximum Residue Limits) Regulations	1997/1729
Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (Amendment) Regulations	2001/3590
Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (Amendment) Regulations	2004/147
Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (Amendment) Regulations	2006/755
Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (Amendment) Regulations	2009/1925
Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (Amendment) Regulations	2013/804
Contaminants in Food (England) Regulations	2013/2196
Control of Pesticide Regulations	1986/1510
Flavourings in Food (England) Regulations	2010/2817
Food Additives, Flavourings, Enzymes and Extraction Solvents (England) Regulations	2013/2210
Food Enzymes Regulations	2009/3235
Food with Added Phytosterols or Phytosteranols (Labelling) (England) Regulations	2004/3344
Food Supplements (England) Regulations	2003/1387
Food Supplements (England) (Amendment) Regulations	2007/330
Food Supplements (England) and Addition of Vitamins, Minerals and Other Substances (England) (Amendment) Regulations	2009/3251
Materials and Articles in Contact with Food (England) Regulations	2012/2619
Packaging (Essential Requirements) Regulations	2003/1941
Packaging (Essential Requirements) (Amendment) Regulations	2004/1188
Packaging (Essential Requirements) (Amendment) Regulations	2005/894
Packaging (Essential Requirements) (Amendment) Regulations	2006/1492
Packaging (Essential Requirements) (Amendment) Regulations	2009/1504
Pesticides (Maximum Residue Levels) (England and Wales) Regulations	2008/2570
Products of Animal Origin (Third Country Imports) (England) Regulations	2006/2841
Products of Animal Origin (Third Country Imports) (England) (Amendment) Regulations	2007/1605
Products of Animal Origin (Third Country Imports) (England) (Amendment) Regulations	2008/3230
Products of Animal Origin (Third Country Imports) (England) (Amendment) Regulations	2009/875
Products of Animal Origin (Third Country Imports) (England) (Amendment) Regulations	2010/1758

Food

1.2.3 Milk, Cream, and Milk-Based Drinks

Drinking Milk (England) Regulations	2008/1317
Infant Formula and Follow-on Formula (England) Regulations	2007/3521
Infant Formula and Follow-on Formula (England)(Amendment) Regulations	2008/2445
Infant Formula and Follow-on Formula (England) (Amendment) Regulations	2013/3243
Milk (Presentation) Regulations	1982/1702
Milk and Dairies (Legal Proceedings) Regulations	1962/1288
Milk and Dairies (Revision of Penalties) Regulations	1982/1703
Milk and Dairies (Revision of Penalties) Regulations	1985/68
Milk and Dairies (Standardisation and Importation) Regulations	1992/3143
Milk and Dairies and Milk (Special Designation) (Charges) (Amendment) Regulations	1990/1584
Milk and Dairies and Milk (Special Designation) (Charges) (Amendment) Regulations	1991/2900
Milk and Dairies and Milk (Special Designation) (Charges) (Amendment) Regulations	1994/1446
Milk and Dairies and Milk (Special Designation) (Charges) (Amendment) Regulations	1992/2763
Milk and Milk Products (Pupils in Educational Establishments) (England) Regulations	2008/2072

1.2.4 Miscellaneous

Detention of Food (Prescribed Forms) Regulations	1990/2614
Food (Control of Irradiation) Regulations	1990/2490
Food (Control of Irradiation)(Amendment)(England) Regulations	2002/1992
Food (Forces Exemptions) (Revocations) Regulations	1992/2596
Food (Miscellaneous Revocations) Regulations	1991/1231
Food (Miscellaneous Revocations and Amendments) Regulations	1995/3267
Food (Miscellaneous Amendment and Revocation) (England) Regulations	2013/466
Food (Revision of Penalties) Regulations	1982/1727
Food (Revision of Penalties) Regulations	1985/67
Food Irradiation (England) Regulations	2009/1584
Food Irradiation (England) (Amendment) Regulations	2010/2312
Food Irradiation Provisions (England) Regulations	2000/2254
Food Irradiation Provisions (England) Regulations	2000/2254
Food Imitations (Safety) Regulations	1989/1291
Food Safety (Enforcement Authority) (England and Wales) Order	1990/2462
Food Safety (Exports) Regulations	1991/1476
Food Safety (Improvement and Prohibition - Prescribed Forms) Regulations	1991/100
Food Safety (Sampling and Qualifications) Regulations	1990/2463
Food Safety Act (Consequential Modifications) (England and Wales) Order 1990	1990/2486
Food Safety Act (Consequential Modifications) (Local Enactments) Order	1992/117
Food Safety Act (Consequential Modifications) (Local Enactments) (No 2) Order	1992/2766
Food Safety Act (Consequential Modifications) (No 2) (Great Britain) Order 1990	1990/2487
Food Safety Act 1990 (Commencement No 1) Order	1990/1383
Food Safety Act 1990 (Commencement No 2) Order	1990/2372
Food Safety Act 1990 (Commencement No 3) Order	1992/57

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Food Safety Act 1990 (Amendment) Regulations	2004/2990
General Product Safety Regulations	2005/1803
General Food Regulations	2004/3279
Official Feed and Food Controls (England) Regulations	2009/3255
Official Feed and Food Controls (England) (Amendment) Regulations	2011/136

1.2.5 Health Aspects

Animals and Animal Products (import and Export)(England) Regulations	2006/1471
Animals and Animal Products (import and Export) (England)(Amendment) Regulations	2006/2126
Animals and Animal Products (import and Export) (England)(Amendment) Regulations	2007/3277
Animals and Animal Products (Import and Export) (England) (Amendment) Regulations	2010/1760
Animals and Animal Products (import and Export)(England) (Laboratories, Circuses and Avian Quarantine) Regulations	2007/1621
Animal By-Products Regulations	2005/2347
Animal By-Products (Amendment) Regulations	2009/1119
Animal By-Products (Enforcement) and Transmissible Spongiform Encephalopathies (England) (Amendment) Regulations	2011/2681
Animal By-Products (Enforcement) (Amendment) (England) Regulations	2013/2952
Authorised Officers (Meat Inspection) Regulations	1987/133
Food (Control of Irradiation) Regulations	1990/2490
Food (Control of Irradiation) (Amendment) (England) Regulations	2002/1922
Food Safety and Hygiene (England) Regulations	2013/2996
Food Irradiation Provisions (England) Regulations	2000/2254
Food Protection (Emergency Prohibitions) (Paralytic Shellfish Poisoning) Order	1995/1388
Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations	1998/994
Food Safety (Fishery Products and Live Shellfish) (Hygiene) Amendment Regulations	1999/399
Food Safety (Fishery Products and Live Shellfish) (Hygiene) Amendment (No 2) Regulations	1999/1585
Imported Food Regulations	1984/1918
Imported Food Regulations	1997/2537
International Carriage of Perishable Foodstuffs Regulations	1985/1071
International Carriage of Perishable Foodstuffs (Amendment) Regulations	1989/1185
International Carriage of Perishable Foodstuffs (Amendment) Regulations	1990/2033
International Carriage of Perishable Foodstuffs (Amendment) Regulations	1991/425
International Carriage of Perishable Foodstuffs (Amendment) (No 2) Regulations	1991/969
International Carriage of Perishable Foodstuffs (Amendment) (No 3) Regulations	1991/2571
International Carriage of Perishable Foodstuffs (Amendment) Regulations	1992/2682
International Carriage of Perishable Foodstuffs (Amendment) Regulations	1993/1589
International Carriage of Perishable Foodstuffs (Amendment) Regulations	1995/1716
International Carriage of Perishable Foodstuffs (Amendment) Regulations	1996/2765
International Carriage of Perishable Foodstuffs (Amendment) Regulations	1997/1673
International Carriage of Perishable Foodstuffs (Amendment) Regulations	2003/1693
Products of Animal Origin (Disease Control) (England) Regulations	2008/465
Products of Animal Origin (Disease Control) (England) (Amendment) Regulations	2009/1297

Food

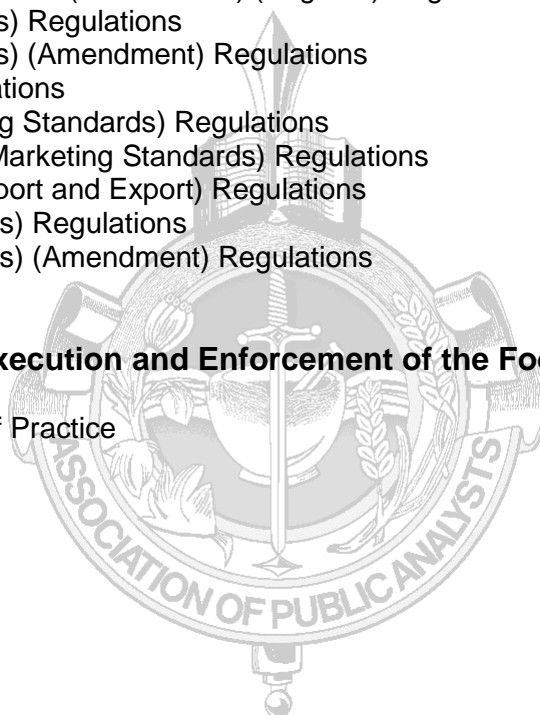
Transmissible Spongiform Encephalopathies Regulations	2006/68
Transmissible Spongiform Encephalopathies (No 2) (Amendment) Regulations	2008/1180
Transmissible Spongiform Encephalopathies Regulations	2008/1881

1.2.6 Marketing and Grading Standards

Eggs and Chicks (England) Regulations	2009/2163
Eggs (Marketing Standards) Regulations	1995/1544
Eggs (Marketing Standards) (Amendment) Regulations	1996/1725
Eggs (Marketing Standards) (Amendment) Regulations	1997/1414
Eggs (Marketing Standards) (Amendment) Regulations	1998/1665
Eggs (Marketing Standards)(Amendment)(England and Wales) Regulations	2006/1540
Grading of Horticultural Produce (Amendment) Regulations	1973/22
Grading of Horticultural Produce (Amendment) Regulations	1983/1053
Novel Foods and Food Ingredients Regulations	1997/1335
Novel Foods and Food Ingredients (Amendment) (England) Regulations	1999/3182
Olive Oil (Marketing Standards) Regulations	2003/2577
Olive Oil (Marketing Standards) (Amendment) Regulations	2004/2661
Poultrymeat (England) Regulations	2011/452
Preserved Sardines (Marketing Standards) Regulations	1990/1084
Preserved Tuna and Bonito (Marketing Standards) Regulations	1994/2127
Products of Animal Origin (Import and Export) Regulations	1996/3124
Sea Fish (Marketing Standards) Regulations	1986/1272
Sea Fish (Marketing Standards) (Amendment) Regulations	1989/687

1.3 Codes of Practice on Execution and Enforcement of the Food Safety Act

Food Safety Act 1990 Code of Practice	2004
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Agriculture

Part B: AGRICULTURE

1 United Kingdom Legislation

1.1 Acts

AGRICULTURE ACT (PART IV), 1970
ANIMAL HEALTH ACT 1981
ENVIRONMENTAL PROTECTION ACT 1990
EUROPEAN COMMUNITIES ACT 1972
FARM AND GARDEN CHEMICALS ACT 1967
HORTICULTURAL PRODUCE ACT 1986
MEDICINES ACTS, 1968 & 1971

1.2 Orders and Regulations

SI Number

Agriculture, Animals, Environment and Food etc.
(Miscellaneous Amendments) Order 2012 2012/2897
Agriculture Act 1970 (Amendment) Regulations 1982/980
Animal Health Act 1981 (Amendment) Regulations 1992/3293
Bovine Spongiform Encephalopathy (No 2) (Amendment) Order 1990/1930
Bovine Spongiform Encephalopathy Order 1991/2246
Control of Salmonella in Poultry Order 2007/3574
Diseases of Animals (Waste Food) Order 1974/1936
Processed Animal Protein Order 1989/661
Sheep Scab Order 1986/862
Specified Bovine Material Order 1996/963
Zoonoses Order 1989/285

1.2.1 Feeding stuffs

Animal Feed (England) Regulations 2010/2503
Feed (Sampling and Analysis and Specified Undesirable Substances)
(England) Regulations 2010/2280
Feed (Hygiene and Enforcement) (England) Regulations 2005/3280
Genetically Modified Animal Feed (England) Regulations 2004/2334
Official Feed and Food Controls (England) Regulations 2009/3255
Official Feed and Food Controls (England) (Amendment) Regulations 2011/136

1.2.2 Fertilisers

EC Fertilisers (England and Wales) Regulations 2006/2486
Fertilisers Regulations 1991/2197
Fertilisers (Amendment) Regulations 1995/16
Fertilisers (Sampling and Analysis) Regulations 1996/1342

Agriculture

1.2.3 Other

Farm and Garden Chemicals Regulations	1971/729
Plant Protection Products Regulations	2011/2131
Sludge (Use in Agriculture) Regulations	1989/1263
Sludge (Use in Agriculture) (Amendment) Regulations	1990/880



Water For Human Consumption

Part C: WATER FOR HUMAN CONSUMPTION

1 United Kingdom Legislation

1.1 Acts

FOOD AND ENVIRONMENT PROTECTION ACT 1985

WATER ACT 1973

WATER ACT 1989

WATER INDUSTRY ACT 1991

WATER ACT 2003

1.2 Orders and Regulations

SI Number

Natural Mineral Water, Spring Water and Bottled Drinking Water (England) Regulations	2007/2785
Natural Mineral Water, Spring Water and Bottled Drinking Water (England) (Amendment) Regulations	2009/1598
Natural Mineral Water, Spring Water and Bottled Drinking Water (England) (Amendment) Regulations	2010/433
Natural Mineral Water, Spring Water and Bottled Drinking Water (England) (Amendment) (No.2) Regulations	2010/896
Natural Mineral Water, Spring Water and Bottled Drinking Water (England) (Amendment) Regulations	2011/451
Private Water Supplies (England) Regulations	2009/3101
Surface Waters (Classification) Regulations	1989/1148
Surface Waters (Dangerous Substances) (Classification) Regulations	1989/2286
Surface Waters (Dangerous Substances) (Classification) Regulations	1992/337
Water (Prevention of Pollution) (Code of Practice) Order	1998/3084
Water Supply Regulations 2010	2010/991
Water Supply (Water Quality) Regulations	2000/3184
Water Supply (Water Quality) (Amendment) Regulations	2001/2285
Water Supply (Water Quality) Regulations 2000 (Amendment) Regulations	2007/2734
Water Supply (Water Quality) Regulations	2010/994
Water Supply (Water Quality) (Amendment) Regulations	2011/0014
Water Fluoridation (Consultation) (England) Regulations	2005/921
Water Supply (Fluoridation Indemnities) (England) Regulations	2005/920
Water Supply (Miscellaneous Amendments) (England and Wales) Regulations	2010/996