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New Legislation and Official Literature Issued During 1978

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Lists are given of some of the documents of 1978 relating to legislation likely to be encountered in Public Analysts' laboratories. Reference is also made to some of the reports issued in 1978.

Every year Public Analysts feel a need to explain why they think it necessary to summarise such of the past years' legislation as may affect them. In 1978, the Department of Health and Social Security in Marsham Street, London issued a document entitled *D of E Central Unit on Environmental Pollution for the Inter-departmental Committee on the Redevelopment of Contaminated Land: Notes on Redevelopment of Gas Works Sites*, and numbered ICRCL 2/78 and CUEP/198/2, which serves as an excellent illustration for this. The list it contains, of tests to be applied to the soils of old gas works sites before consideration may be given to the redevelopment of the land for housing or other projects, is certainly comprehensive. It appeared to have been assembled as guidance for those concerned with utilising old gas works sites, to follow a report numbered ICRCL 3/78, called *Redevelopment of Contaminated Land*, which considered every possible hazard and inconvenience which might occur in the reclaiming of old industrial sites. The DHSS document is ambiguous as it uses the term "Total Metals" without defining what is meant by this and thus it often falls to the Analyst to decide what the enquirer really wants, and then to draft his certificate to show not only what his findings were, but how they relate to the document which may state what standards are being set.

The LAA/Bulletins (which serve so well in providing a guide to where the legislators' thoughts lie) have now proceeded to number 11. In number 11 it was announced that issue of the consultative document, on which comment would be invited about the proposed comprehensive review of the Food and Drugs Act, would be postponed until early in 1979. It has been hard not to make premature comment about this review, but all of us who have done so have merely made self-interested pleas for recognition in the new Act. It might have been better to wait and see whether at last some real effort will be made to make the anti-adulteration legislation work. The Food and Drugs Act was the only one of the three important consumer protection Acts of the mid 1800's that was not given its own Inspectorate. In September 1978, the Bank of England stated that there had been a "Consumer Boom". Perhaps it will influence the future of the Food and Drugs Act.

The *MAFF Information Bulletins* of 1978, broadly, were as follows:

Bulletin number	Topics
27	Hopes about methods of analysis, mainly from the Codex Alimentarius Commission.
28	Updated proposals for methods of analysis for concentrated milk products.
29	Some analytical methods relating to coffee products.
30	Analysis of caseinates and a method for copper in milk products.
31	Moisture and solubility of caseinates, NZ method for sediment in milk protein products.
32	Erucic acid, and coffee products.
33	Analytical methods for some sugar products.
34	Synopsis of methods of analysis for foods under discussion by EEC.

The *MAFF/DHSS Joint Announcements* in 1978 drew attention to the following matters.

- No. 47 Antioxidants in Food Regulations 1978.
- No. 64 Proposals to amend the Labelling of Food Regulations. (This was accompanied by a very useful comprehensive document which listed all the present U.K. food standards legislation.)
- No. 156 Labelling of Food (Amendment) Regulations 1978 which provided for changes in the names of certain pilchards.
- No. 162 Issue of a Report by the FSC on the declaration of added water in prepacked foods.
- No. 163 Proposals for regulations for coffee and coffee products.
- No. 173 Proposals for amending the Preservative in Food Regulations 1975 (as amended) to extend the use of benzoic acid in certain fish products and to permit the use of sulphur dioxide for the retention of colour in canned garden peas.
- No. 209 Introduction of the Common Agricultural Policy (Wine) Regulations 1978.
- No. 228 Publication of a FACC Report on a review of solvents in food.
- No. 237 Proposals for the transfer of provisions for the use of mineral hydrocarbons in food to the Miscellaneous Additives in Food Regulations 1974.
- No. 254 Proposals to amend the Colouring Matter in Food Regulations 1973 so that Riboflavin might be added and three colours (Orange G, Chocolate Brown FB and Channel Black) might be removed from the list of permitted food colours.
- No. 263 Publication of an FACC Report on the review of additives and processing aids used in the production of beer.
- No. 290 Appointments to the Food Standards Committee.
- No. 306 Setting up of a review of margarine and other table spreads.
- No. 320 Introduction of the Coffee and Coffee Product Regulations 1978.
- No. 329 Setting up of a review of regulations governing the use of emulsifiers and stabilisers in food.
- No. 408 The publication of a Report by the Food Standards Committee on exemptions from ingredients listing, and generic terms.
- No. 409 The introduction of the Colouring Matter in Food (Amendment)

Regulations 1978 (which make the changes proposed in announcement number 254).

- No. 414 The publication of a FACC Report on the review of nitrates and nitrites in cured meats and cheese (recommending a reduction in the levels permitted for the control of botulism in canned and cured meats).

CHAIS Bulletins

A new kindly venture which was introduced in 1978 for the assistance of Public Analysts in their new fields of endeavour was the *Consumer Hazards Analysis Information Service* (or the CHAIS Bulletins) issued by the Laboratory of the Government Chemist. Five issues were provided, with major topics as follows:

Issue no.	Contents
1	EEC Cosmetics Directive. Restricted substances. Methods provisionally agreed. Methods for nitromethane.
2	Methanol in cosmetic products. Organo-mercurial preservatives.
3	Methods for fluoride in toothpaste.
4	Methods for quinine in shampoos.
5	Cosmetic products—colouring agents.

The *Consumer Safety Bulletins* continued to be issued by the Department of Prices and Consumer Protection, numbers 11 to 19 appearing during 1978.

LACOTS and the EEC

On 1 March, 1978, another advisory body was born, after a two-year gestation, out of the former Local Authority Joint Advisory Committee on Standards. The new body is known as LACOTS, the Local Authority Co-ordinating body on Trading Standards. Its members include representatives of the ACC, AMA and COSLA. Its first Chairman was Mr Norman Best (Chairman of the ACC Consumer Services Committee), and its first task was a weights and measures one associated with the move from the U.K. minimum weight system to the EEC average weight system. The former Joint Secretary of LAJAC wrote to thank the LAJAC technical advisers, and to warn them that they might be called upon to join working parties for the new body. A major part of the new body's function is said to be concerned with EEC Consumer legislation. From the viewpoint of the local authority laboratories themselves, this last mentioned field of endeavour seemed incomprehensible, but the Department of Industry EEC Information Unit in Victoria Street, London, attempted to provide an overall map in a publication called "*EEC. This is your business—A T & I Guide to the European Communities. HOW IT WORKS.*" Another body called the International Union of Local Authorities Council of European Municipalities at 36 Old Queen Street, London, promised to provide a European Information Service, issue no. 1 of which appeared in June, and the third issue dated 8 October found its way to the laboratories because of an assertion that lead from wine bottle neck wrappers might be likely to contaminate wine. Mention was also made in

it of a report about the possible adverse effects of consuming fats. The magazine *Trade and Industry*, on 10 March, tried to provide a checklist of Environmental Directives, and then, on 28 April, provided another list of draft and adopted Directives, only 25 of which dealt with foods. An article by Mr Alan Turner of Cadbury Schweppes Ltd., which appeared in the November issue of the magazine *Environmental Health*, however, stated that, in 1976, the U.K. Food and Drinks Industries Council had identified 106 Directives which concerned food. He mentioned the tide of legislation as running so fast that everyone was being drowned by it, and although MAFF helped to negotiate British Milk Chocolate into the Cocoa and Chocolate Directive, it was only provided that it was called "Household Chocolate" in Germany and "Freak Chocolate" in Belgium. LAJAC produced a draft of a Codex Alimentarius document on Soups and Broths which indicated that, at the time of its distribution, there had been meetings on the topic which had involved representatives from seventeen countries. Then in June, from out of the blue, there appeared Codex Alimentarius Committee deliberations about oils and fats, about "Reduced-fat Margarine", about Low Erucic-acid Rapeseed-oil, about Edible Coconut-oil, Palm oil and Palm Kernel oil, some proposed draft standards for Grapeseed-oil and Babassu-oil, and documentation about Sterols and Fatty acids in edible oils.

Attention was also drawn during the year to the following references in the Official Journal of the European Communities.

<i>Date</i>	<i>Page</i>	<i>Subject</i>
14 i 78	L 11/18	Colours in medicinal products.
10 ii 78	L 40/19	Additives in feeding stuffs.
15 ii 78	L 44/15	Directive 78/142/EEC on vinyl chloride monomer in food.
15 ii 78	L 44/17	Limit of 1 mg/kg of vinyl chloride monomer in foodstuffs.
15 ii 78	L 44/18	Antioxidants in foodstuffs (amendment).
15 ii 78	L 44/20	Colouring in foodstuffs (amendment).
15 ii 78	L 44/23	Preservatives in food (amendment).
2 vi 68	L 146/1	Changing the laboratories which may issue wine documents for wines imported from third countries.
17 vi 78	L 160/9	Revising the levy on Isoglucose.
24 vi 78	L 167/36	The method for deciding the minimum bread-making quality of wheat.
22 vii 78	L 197/10	Amending the chocolate directive.
22 vii 78	L 197/22	Amending the emulsifiers, thickeners and gelling agents directive.
29 vii 78	L 206/13	Packaging of pesticides.
29 vii 78	L 206/43	Methods of analysis for feeding stuffs containing Zinc bacitracin, Flavophospholipol, Iron, Copper, Manganese and Zinc.
14 viii 78	L 223/7	Purity criteria for certain food additives.
14 viii 78	L 222/1	Quality of water for fish life.

14 viii 78	L 223/30	Purity criteria for certain antioxidants.
1 ix 78	L 208/2	Proposals for standards for upland surface drinking waters.
28 ix 78	L 272/1	Changing the date of arrangements for the determination of water in frozen chickens.
17 x 78	L 291/15	Amending the chocolate products directive.
20 x 78	L 295/21	Increasing the alcoholic strength of certain wines.
25 xi 78	L 330/30	Amending criteria for certain additives in feeding stuffs (includes a list of preservatives).

In addition the following answer to a question was given:

22 iii 78	L 72/25	Benomyl, used to protect plants and plant products against harmful organisms, but which does not appear in the list of permitted preservatives, may be considered a borderline case and the French Republic's authorisation of its use stands.
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There also appeared to be EEC discussions afoot about proposals for flavourings in foods, date markings, drained weights and the declaration of "EEC Index" numbers for food additives. A letter from MAFF dated 30 January 1978 and bearing ref. FCN 53G, stated that discussion of a Draft Directive on drinking water quality was unlikely to take place at least until mid-year.

Milk

Very little new legislation about milk appeared in 1978.

Under the Drinking Milk Regulations the "Guideline Figure" for the fat content of Standardised Whole Milk which might be imported into the U.K. during the year beginning in May 1978, was 3.78 per cent.

Two amendment orders to the *Brucellosis (England and Wales) Order 1977* extended the eradication areas and made changes in the powers of appointed officials, but these Statutory Instruments (SI 1978 Nos 541 and 689) made no changes to affect Public Analysts.

Two letters of guidance were received from the MAFF at Whitehall Place, SW1, bearing the reference MK 12417. The first mentioned sales of Untreated Milk, stating that the policy which already had resulted in the limitation of sales of untreated milk to that from cows in brucellosis accredited herds would be extended by 1 August 1980. New Milk (Special Designation) Regulations will then be made which will no longer provide for the sale of "Untreated Milk" except where special consents are given. This matter will affect some laboratories. The swings and roundabouts system of costings in some instances depends upon profits from milk testing subsidising losses on food testing, but many inspectors claim that there will be no further need for milk sampling when Untreated Farm Bottled Milk ceases to exist. Already among Inspectors who are so persuaded, there appears to be some misunderstanding about the meaning of milk-as-it-comes-from-the-cow, and those seem to believe that low-fat fore-milk may be accepted as "genuine milk". The Ministry letter MK 12317G re-emphasised the meaning of Section 91 (5) of the Food and Drugs Act 1955, and the last paragraph of the Seventh Schedule, (which refer to "milk of the cows

when properly and fully milked”) and pointed out that Regulation 16(f) of the Milk and Dairies (General) Regulations, 1959 makes special provision for the handling of fore-milk—both provisions superseding the ruling of *Grigg v. Smith*, 1917, whose reporting in Bell and O’Keefe had caused the misunderstanding.

A newspaper report in early 1979 suggested that Untreated Milk may be permitted to continue, after all, for another three years.

Food Standards

The new U.K. food legislation of 1978 was the following.

The Antioxidants in Food Regulations 1978, SI 1978 No. 105. The Regulations re-enact the regulations of 1974, with EEC provisions included (i.e. re-defining “Dairy Product”, extending the list of “specified foods”, permitting Diphenylamine on apples and pears (up to 10 p.p.m.) and allowing baby foods with added Vitamin A to contain BHA or BHT introduced with the Vitamin A preparations).

The Labelling of Food (Amendment) Regulations 1978, SI 1978 No. 646. The Regulations provided for two new designations for pilchards, namely “Pacific Pilchard” and “South Atlantic Pilchard” but names like “Chilian”, “Japanese” or “Californian” may still be used for the former, and “South African” may still be used for the latter until 31 March 1980.

The Common Agricultural Policy (Wine) Regulations 1978, SI 1978 No. 861. The Regulations re-enact with amendments the Regulations of 1973 making it much easier to identify the offences which the local authorities (or the Minister, or the Wine Standards Board) are expected to monitor.

The Beer Regulations 1978, SI 1978 No. 893. For the analyst, the parts of these Regulations which are of greatest importance are the instructions about the determination of Original Gravity (which must be carried out at 60°F) and the prohibitions on saccharin or liquorice.

The Beer (Amendment) Regulations 1978, SI 1978 No. 1186. The amendment rewords the prohibitions mentioned above.

The Price Marking (Food) Order 1978, SI 1978 No. 738.

The Food (Prohibition of Repricing) Order 1978, SI 1978 No. 1014. Except in the case of withdrawal of introductory or special offer prices, food items once displayed at a particular price for retail sale may not be repriced to a higher price.

The Coffee and Coffee Products Regulations 1978, SI 1978 No. 1420. The regulations replace, from July 1980, the Regulations of 1967.

The Colouring Matter in Food (Amendment) Regulations 1978, SI 1978 No. 1787. The Regulations remove from the permitted list of food colours the artificial

colours Orange G, Chocolate Brown FB and the Channel Black form of Carbon Black. They add a new colour Riboflavin-5-phosphate (which must meet certain purity criteria).

Further Statutory Instruments to note are the following.

The Price Marking (Cheese) (Amendment) Order 1978, SI 1978 No. 133. The order varies the unit pricing rules so that no ordinary customer will know whether the unit price should be shown or not.

The Bread Prices (No. 2) Order 1976 (Amendment) (No. 6) Order 1978, SI 1978 No. 545. Former references to bread loaf weights of 28 oz., 14 oz., 10 oz. and 8 oz. shall be replaced by the weights 800 g, 400 g, 300 g and 225 g respectively.

Bread Prices (No. 2) Order 1976 (Amendment) (No. 7) Order 1978, SI 1978 No. 1790. Price control.

The Butter Prices (Amendment) Order 1978, SI 1978 No. 835. The order increased the maximum prices of butter.

The Concentrated Butter Prices Order 1978, SI 1978 No. 971. The order regulated the maximum price to be charged for butter for cooking made from butter sold from intervention stocks at reduced prices.

The Provision of Milk and Meals (Amendment) Regulations 1978, SI 1978 No. 959. The Regulations make arrangements for the charges connected with the provision of school milk for pupils up to the age of 12. They are unlikely to affect sampling arrangements which may have been made by local authorities in respect of such milk.

The Authorised Officers (Meat Inspection) Regulations 1978, SI 1978 No. 884. The Regulations revoke the Regulations of 1974 and specify the qualifications to be held by Meat Inspectors.

The Materials and Articles in Contact with Food Regulations 1978, SI 1978 No. 1927. Public Analysts are specified as the analysts to carry out tests on materials expected to come into contact with food and which may use the restricted description "for food use". The method of testing for transfer of components to food is not shown in the Regulations.

Other Food Standards

Imported Milk. Circular FSH 9/78 (in the form of an MAFF letter ref. MK 13719A) reminded District Authorities that any UHT prepacked imported milk needed to be re-processed and packed at registered premises in this country as a precaution against the possible importation of Foot and Mouth Disease, and that the importers' Continental packs containing a litre contravene Schedule 4 Part V 3 (a) of the Weights and Measures Act.

Pasta. A Food Manufacturers Federation Code of Practice for dry pasta made in the U.K. seemed to be being circulated in 1978. It called for a maximum moisture content of $12\frac{1}{2}$ per cent., ash between 0.6 per cent. and 0.85 per cent., protein at least $11\frac{1}{2}$ per cent. ($N \times 5.7$) and beta-carotene colour at least $2\frac{1}{2}$ p.p.m. None of the imported pasta products appear to comply with these criteria.

Metallic Mercury in Oranges. A DHSS letter ref. CMO(78)2 asked that the discovery of metallic mercury in oranges be notified to Alexander Fleming House but that the metal did not constitute a significant hazard to health.

Water Content of Deep-frozen Turkeys. The Commission of the European Communities *Information on Agriculture* series No. 42 is mainly a statement of experimental work on the title subject, but it does state that the physiological water of turkey carcasses is related to the protein by the equation:

$$\text{Water} = 3.21 \text{ protein} + 89.8.$$

Water Content of Poultry Meat. Two circulars about poultry meat were issued by the MAFF. Circular FSH 1/78, issued by the branch at Surbiton, was about interim arrangements for health marking of carcasses sent to other premises for cutting, and would scarcely affect Public Analysts except that it lists EEC Directives concerned with poultry meat.

Circular FSH 3/78 bears an earlier date than FSH 1/78 but it was issued by MAFF at Whitehall Place. It explains that Food and Drugs Authorities are the designated authorities for ensuring that regular checks on water uptake of poultry carcasses during washing and chilling are carried out at slaughterhouses, and suggests that when "in-plant" tests indicate that there has been less than 5.5 per cent. water uptake, the ANNEX III test will be satisfied. It also contained a reminder that at least one test in each four-hour working-period is required.

Council Regulation (EEC) No. 2238/78 of 26 September 1978 (O.J., 28 September 1978, p. L 221(1)) postponed implementation of the control measures which involve ANNEX III testing.

Proposed Standard for Canned Mackerel. This was a proposed draft standard only, which had reached Step 5 in the procedures of the Codex Alimentarius Commission, and bore the number ALINORM 78/18A. It consisted of product quality detail for manufacturers. It included a "Defects Score" which seemed not to consider parasites.

Ministry Guidance Letters

The MAFF is kind enough to send guidance letters with most of its circulations of proposals, and with some of the new regulations. In addition it will sometimes provide informal opinions about matters which are found not to be straightforward but it is always careful to include the caveat that only a Court could give an authoritative interpretation of legislation. The letters are, nevertheless, extremely valuable as indications of what was probably intended by the various regulations.

MAFF letter ref. FS 6336B. Labelling of Sausages. It was not intended that the 1976 Amendment Regulations should permit excess preservative in rusk to carry over significant quantities into the sausages and yet remain undeclared, simply because it was an ingredient of the rusk. Additionally a sausage does not opt out of the minimum meat standards simply by substituting for the usual adjective "Beef" or "Pork" a word like "Farmhouse", and making up the protein content with milk powder.

MAFF letter on Benomyl Residues on Citrus Fruit. The letter drew attention to "Chemicals Used in Agriculture and Food Storage" leaflet "RECS/1172", issued in April 1976, which states that Benomyl is not a hazardous chemical and is recommended as a post-harvest dip for fruit and potatoes. The CODEX committee had put forward a guideline recommendation of about 10 p.p.m. for residues on citrus fruit.

MAFF letter ref. ADF99. Polyethylene Glycol Tablet Lubricant in Campden Tablets. The letter stated that polyethylene glycol is a non-permitted stabiliser, and the regulations prohibit chemicals not on the permitted list but which have capabilities of emulsifying and stabilising, regardless of the function actually performed.

MAFF letter ref. FS 4878A. Slimcea Lightmilk is not a concentrated milk but a mixture of milk and skimmed milk. It should not be labelled "enriched" and it should bear a list of ingredients.

MAFF letter ref. FS 6336. The designation "Whole Orange Drink". The letter recalled that the FSC's 1959 report objected to the term "drinks made from whole oranges" and in the review FSC/REP/65 (published in 1976) recorded that the term "Orange Drink" had come to replace it. While appreciating the ambiguity in the designation "Whole Orange Drink" it seemed that if the term "Orange Drink" were to be considered acceptable for diluted and sweetened orange juice, the name "Whole Orange Drink" might have to be accepted for a similar drink, whose orange component consisted of comminuted whole oranges.

MAFF letter from Local Advisory Service. This is mentioned because it raised the interesting question of whether a poultry processing plant might use octadecylamine to protect its steam-raising equipment. The local Veterinary Officer thought the local authority would object. When this was looked into, however, it was found that Paragraph 24 of the *Food Additives and Contaminants Committee Review of the Emulsifiers and Stabilisers in Food Regulations* (H.M.S.O., 1970) had already taken a rather indulgent attitude toward the small amounts which would be carried over into food by steam.

Fertilisers and Feeding Stuff

Because farming is one of Britain's largest industries, one might expect it to be able to look after its own raw materials by the usual industrial process of buying

against Specifications and Warranty, but probably because farming affects everyone, the control of fertilisers and animal feeding stuffs is a Consumer activity. For many years, control was effected by means of the Fertilisers and Feeding Stuffs Act 1926, but since the U.K. became associated with the EEC, the legislation itself has been stimulated. Difficulties which have been mentioned in the past arise not only from incorporation of the earlier legislation into parts of the newer Agriculture Act 1970, and that part of the Medicines Act 1968 which deals with medicated animal feeds, but also because the moment of transfer coincided almost exactly with Britain's acceding to the EEC, and with the EEC having, at that stage, two Directives almost at completion. The Council Directive 76/116/EEC then had to be enforced in Britain by January 1978 and the Directive 77/535/EEC (which appeared in the Official Journal of the European Communities for 22 August 1977) had to be implemented in Britain by December 1978. Methods of analysis were in the latter Directive and most of them were included in the following.

Agriculture. The Fertilisers (Sampling and Analysis) Regulations, 1978, SI 1978 No. 1108. Guide to the Requirements of the Fertilisers Regulations 1977. This very necessary MAFF Guide was issued in November but distributed after Christmas. It draws attention to such matters as the overall variation which applies in the case of compound fertilisers, and which may narrow the limits of variation for individual constituents. Examples of how the limits should be applied are given.

MAFF letter ref. DW 334 (17 August 1978). This letter announced the publication of the Fertilisers (Sampling and Analysis) Regulations 1978 and explained that the sampling procedures for liquid fertilisers, and methods of analysis for fertilisers which are not sold as "EEC Fertilisers", would continue to be those in The Fertilisers and Feeding Stuffs Regulations 1973.

MAFF letter ref. DW 334 (18 September 1978). This letter suggested that in order to enable certificates of analysis to occupy only one side of a sheet of paper the pre-printed forms need not include all the analytical headings shown in the form of certificate detailed in Schedule 3 (p. 98) of the Fertilisers (Sampling and Analysis) Regulations 1978.

MAFF letters ref. DW 302 (December 1977 and 1978). These were summaries of local authority sampling for 1976 and 1977 respectively (certain corrections followed later in 1978).

MAFF letter ref. DW 356 (12 December 78). The letter drew attention to the forms in which nitrogen content should be declared in addition to *total N*, and explained that the declarations required for two of the soluble forms of phosphorus salts, namely " P_2O_5 soluble in neutral ammonium citrate and in water" and " P_2O_5 soluble in water" are mutually exclusive and should therefore be treated as separate entities each to be reported in its own right.

The Agriculture Act 1967 (Amendment) Regulations 1978, SI 1978 No. 244. This Statutory Instrument is mentioned only to indicate that it will in future be difficult to know which Agriculture Act legislation affects Public Analysts. In Stationery Office lists, items marked "Agriculture Act" may in future refer, as this Instrument does, to matters such as afforestation areas. SI 1978 No. 244 set out to metricate acreages, "four hectares" replacing former references to "ten acres".

Directory of Garden Chemicals (British Agrochemicals Association). The third edition of this booklet is a useful quick guide to uses, trade names and suppliers of certain chemicals.

Medicines

From 1 February 1978, "Drugs" were removed from the Food and Drugs Act 1955 in all places except the title. The Medicines Act 1968 provides for a comprehensive system of controls over medicinal products by a licensing system operated by the Health and Agricultural departments of central government, and enforced mainly by the Secretary of State for Social Services, or, when animal diseases are concerned, by the Minister of Agriculture, Fisheries and Food. Except for "counter prescribing", certain products sold from the manufacturing pharmacy without advertisement, and herbal practitioners' remedies prescribed for specific patients, licensing covers all manufacture and importation of medicines. The product licences usually make provisions about specifications (such as those of the B.P.), and about advertising, labelling, etc. The need, therefore, for checks at retail level has been considered to have been much reduced.

Some local authority involvement is anticipated by the Act, since in Section 128 (4) there is provision for the Minister to pay the local authorities such sums as may reasonably be incurred in the enforcement of certain provisions of the Act. So far, the only provisions (other than those imposed under Section 108, relating to medicated animal feeding stuffs as detailed in Section 62(1) (b) and Section 90 of the Act) to have been entrusted to the local authorities relate to Sections 53, 54 and 66 of the Act, which are mainly to do with the supervision of premises. In this connection however, it has been pointed out that no-one outside a pharmacy is allowed to sell loose medicine, so a local authority does have power to go into a shop where loose medicine might be on sale and take action. They would have similar powers over wrong labels on General Sale List Medicines. The only regulations so far to have been made under Section 66 concern segregation of veterinary drugs not on the General Sale List.

The *British Food Journal* for March/April 1978, p. 41, drew attention to the role under the Act of the Public Analyst in cases of "complaints" about medicines.

It has already been pointed out that local authorities were given an enforcement role in the case of the prohibition order, made under Section 62(1), to the Indian medicine, Bal Chivan Chamcho, and they may have a role in the control of herbal remedies mentioned in Section 12 of the Act. It is also suggested that the local authorities may have a role in checking false labels or misleading

labels as indicated by Section 85(5), in cases where drugs may be sold in premises other than registered pharmacies. They have also performed a role under Section 87 when local authorities checked retail outlets for aspirin and paracetamol preparations which were not in accordance with the requirements of the *Medicines (Child Safety) Regulations*. It is also believed that the local authorities could be given a function to fulfil under Section 95(1) of the Act, in connection with the advertisement of non-medicinal materials or of remedies for diseases which used to be listed in the Pharmacy and Medicines Act 1941 and now are listed in the *Medicines (Labelling and Advertising to the Public) Regulations 1978*.

Such views were broadly indicated in a press release ref. PCY 222.37 issued in July by the Association of County Councils, possibly following representations made in May by Hampshire County Council. Under the Food and Drugs Act 1955 most criticism of drugs arose through deterioration due to excessively prolonged storage, but this aspect appears to have been disregarded in the new legislation.

In the present circumstances therefore, it may not be appropriate to attempt to list Medicines legislation, because the impression grows that the DHSS is easing the local authority function out of the Medicines Act enforcement arrangements, and the paragraph headed "Sampling" on page 90 of the *Annual Report for 1977 of the Medicines Commission* (H.M.S.O., ISBN 010 257778 1, price £2) makes this almost a certainty. In case the ground needs to be made up, however, such guidance as may be found in the *Pharmaceutical Journal* 1978 for 21 January, p. 45, 28 January, p. 70, 4 February, p. 98, 25 February, p. 174 and 5 August, p. 110 may be worth noting.

The Statutory Instruments connected with Medicines to reach the Analysts' laboratories in 1978 were as follows.

The Medicines (General Sale List) Order 1977, SI 1977 No. 2129.

The Medicines (Fluted Bottles) Regulations 1978, SI 1978 No. 40.

The Medicines (Labelling and Advertising to the Public) Regulations 1978, SI 1978 No. 41.

The Medicines (Prescription Only) Amendment Order 1978, SI 1978 No. 187.

The Medicines (Labelling) (Special Transitional) Regulations 1978, SI 1978 No. 190.

The Medicines (Prescription Only) (Amendment (No. 2) Order 1978, SI 1978 No. 987.

The Medicines (Pharmacy and General Sale—Exemption) Amendment Order 1978, SI 1978 No. 988.

The Medicines (Sale or Supply) (Miscellaneous Provisions) Amendment Regulations 1978, SI 1978 No. 989.

The Medicines (Labelling) Amendment Regulations 1977, SI 1978 No. 996.

The Medicines (Exemptions from Restrictions on the Retail Sale or Supply of Veterinary Drugs (Amendment) Order 1978, SI 1978 No. 1001.

BRITISH PHARMACOPOEIA 1973 ADDENDUM 1978

This third Addendum, effective from 1 December 1978, amends the B.P. 1973 and the B.P. Addenda for 1975 and 1977. It was published on the recommendation of the Medicines Committee in accordance with Section 99(b) of the Medicines Act.

The 44 new monographs include the following:

Alcoholism treatment:	Disulfiram.
Anabolic steroid:	Oxymetholone.
Analgesics:	Alclofenac and Naproxen.
Antibiotic:	Rifampicin.
Antifungal:	Miconazole nitrate.
Diuretic:	Polythiazide.
Gonadotrophin:	Menotrophin.
Neuromuscular blocking agent:	Pancuronium bromide.
Vasodilator:	Methyl nicotinate.

The two monographs on *Charcoal* and *Piperazine Hydrate* are transferred to the Addendum from the B.P.C., to give effect to the European Pharmacopoeia requirements. Twenty-nine monographs of the B.P. 1973, and the 1975 and 1977 Addenda have been withdrawn in favour of the European Monographs. The requirements of the former general monograph on *Tablets* have been replaced by those of the European Pharmacopoeia and include a change in the method of performing the disintegration test.

New assay methods, and tests for related impurities, are given for the antibiotics *Ampicillin* and *Carbenicillin*, while G.L.C. becomes the official method for the assay of *Atropine* and hyoscine preparations. A new T.L.C. method is included for the detection of impurities in *Saccharin* and *Sodium Saccharin* (the impurity level having been reduced from 0.1 per cent. to 100 parts per million).

A new monograph for *NYSTATIN (Dermatological)* was issued, to have effect from May 1978.

Two series of amendments to the B.P.C. and the British National Formulary 1976-1978 were published in the *Pharmaceutical Journal* of 18 February and 30 September 1978. They concerned the B.P.C. preparations (i) Prepared Storax, (ii) Paraffin Gauze Dressing, (iii) Hydromellose Eye Drops, (iv) Calcium with Vitamin D Tablets, (v) Vitamins A & D Capsules, (vi) Vitamin capsules, and (vii) the B.P. preparation, Neomycin Tablets.

Guide to the Misuse of Drugs Act 1971 and to Certain Regulations made under the Act. This useful guide was published by the DHSS at Elephant and Castle, London, SE1 6TE in 1977, and became generally available early in 1978.

WHO Technical Report Series 615. Includes a model list of effective drugs such as might benefit developing countries which need to limit their purchases of drugs to those which are most cost-effective.

MEDICINES—RADIOACTIVE SUBSTANCES

The Medicines (Radioactive Substances) Order 1978, SI 1978 No. 1004. (Laid before Parliament in draft in April and made in July.) Brought within the control of the Medicines Act certain pieces of sealed-source radioactive apparatus intended for carrying out medical tests upon the human body.

The Medicines (Committee on Radiation from Radioactive Medicinal Products) Order 1978, SI 1978 No. 1005. Set up an advisory committee on medicinal radiation.

The Medicines (Administration of Radioactive Substances) Regulations 1978, SI 1978 No. 1006. Implement provisions in Council Directive 76/579/Euratom for a system of prior authorisation for use of ionising radiation in medicine.

Consultative Document: Health and Safety Commission "Ionising Radiations". Includes a summary of present legislation, maximum levels of surface contamination, etc.

Poisons

The Poisons Act 1972. This Act was brought into effect on 1 February 1978 by *The Medicines Act 1968 (Commencement No. 7) Order 1977* and deals with the control of non-medicinal poisons. In general terms, the Act replaces the control of those poisons which under the *Pharmacy and Poisons Act 1933* might only be sold by an *Authorised Seller of Poisons* or a *Listed Seller of Part II Poisons*. Enforcement remains with the local authorities.

The Poisons Rules 1978, SI 1978 No. 1. Apply only to listed poisons.

The Poisons (Amendment) Rules 1978, SI 1978 No. 672. This amendment was made in consequence of the *Packaging and Labelling of Dangerous Substances Regulations 1978* (SI 1978 No. 209) which implemented an EEC Directive on the classification, packaging and labelling of dangerous substances. (One effect is to relieve suppliers of liquid poisons, packed in quantities of not more than 1.14 litres, of the obligation to use fluted or ribbed bottles.)

The Poisons List Order 1978, SI 1978 No. 2. The new list contains only substances which have a non-medicinal use, so the Rules and the List relate only to the Poisons Act.

This legislation affects local authority laboratories most, in all probability, with questions involving the sale of disinfectants, so that attention should be paid to Schedule 3 which exempts preparations which do not contain phenol itself and contain less than 2½ per cent. of other phenols. British Standard 5917: 1976 "Specifications for Aromatic Disinfectant Fluids" will also be of interest, since this retains the old pine oil disinfectants.

Diseases of Animals

The Diseases of Animals (Approved Disinfectants) Order 1978, SI 1978 No. 32.

The Diseases of Animals (Approved Disinfectants) (Amendment) Order 1978, SI 1978 No. 934.

The Diseases of Animals (Fees for the Testing of Disinfectants) Order 1978, SI 1978 No. 708.

Weights and Measures

Weights and Measures legislation affects the laboratories only indirectly and in a manner similar to the legislation in such documents as The Bread Prices Order (i.e. to indicate what the original weight of certain commodities should have been). This is sometimes important when a sample has suffered deterioration, such as, for example, evaporation of natural moisture. The following list will almost certainly be incomplete:

The Weights and Measures Act 1963 (Potatoes) Order 1978, SI 1978 No. 741.

The Weights and Measures Act 1963 (Various Goods) (Termination of Imperial Quantities) Order 1978, SI 1978 No. 1080.

The Weights and Measures Act 1963 (Coffee Extracts and Chicory Extracts) Order 1978, SI 1978 No. 1081.

The Trade Marks (Amendment) Rules 1978, SI 1978 No. 1120.

The Trade Descriptions (Indication of Origin) (Exemptions No. 11) Directions 1978, SI 1978 No. 1153.

Consumer Protection

The Consumer Safety Act 1978.

Consumer Protection. The Babies Dummies (Safety) Regulations 1978, SI 1978 No. 836. Refers to BS 5239: 1975.

The Nightwear Safety Order 1978, SI 1978 No. 1728.

The Tobacco Products (Higher Tar Cigarettes) Regulations 1978, SI 1978 No. 1156. Higher duty is charged on cigarettes with a tar yield exceeding 20 mg per cigarette. This extraordinary piece of legislation may indicate a benign government or an avaricious one. Smokers seem to smoke for the nicotine stimulation, so when they change to low-tar cigarettes they smoke more of them. Since 1974, the low-tar cigarettes have already increased their share of the market from 5 to 12 per cent., during which time the number of smokers has fallen but the remaining smokers have increased the number of cigarettes smoked per person. While lung cancer deaths (associated with tar) have declined in men

under 60 years of age in rough proportion to the decline in men who smoke, the incidence of death from coronary heart disease (associated with the carbon monoxide, and therefore with the number of cigarettes smoked) has increased. It is rather strange that none of these things was discovered before Rhodesian tobacco became scarce, and Virginia tobacco cost valuable dollars. In Japan, where exchange rates do not hamper tobacco studies, twice as many cigarettes are smoked per person and the lung cancer death rate is only a fifth of that in the West—which is not to say that tobacco is without hazard.

✓ *Consumer Protection. The Cosmetic Product Regulations 1978, SI 1978 No. 1354.*

D of E Waste Management Paper No. 19. Wastes from the Manufacture of Pharmaceuticals Toiletries and Cosmetics (including a code of practice).

Consumer Law Statutes (ISBN 0 906533 00 7, Monitor Press).

The Environment: Water

D of E/National Water Council—Standing Committee of Analysts First Report on Methods for Quality Control of the Water Cycle (ISBN 0 904561 26 7). Published in 1977 and available in 1978, this is standard Technical Committee Report No. 7, and it reports on surveys of water analysis methods.

D of E Circular 20/78 and River Pollution Survey Report updated to 1975, D of E Circular 72/78. The D of E/National Water Council Sub-committee on the Treatment of Water of Swimming Pools has recommended that the I.C.I. cessation of supply of chlorine gas in cylinders to swimming pools, which is intended to operate from the end of 1980, should be postponed until the end of 1984.

The Water Authorities (Control of Discharges) Order 1978, SI 1978 No. 1210. Concerns procedures for granting and varying "Consents to discharge" effluents to streams and controlled waters.

Miscellaneous Environmental Matters

Harwell Environmental and Medical Sciences Division Report AERE—R 8869 "A Survey of Atmospheric Trace Elements in the U.K." Results for 1976.

D of E Eighteenth Progress Report of the Standing Technical Committee on Synthetic Detergents.

The Detergents (Composition) Regulations 1978, SI 1978 No. 564. When tested by the OECD Method, the surfactants in synthetic detergents must be at least 80 per cent. biodegradable.

Control of Pollution Act 1974 (Commencement No. 13) Order 1978, SI 1978 No. 954 (corrected).

Health and Safety Commission Draft Regulations, etc. "Control of Lead at Work".

Health and Safety Executive Guidance Note EH 15/77, Threshold Limit Values for 1977.

D of E Central Unit on Environmental Pollution Report of Joint Working Party: Pollution Paper No. 14. "Lead Pollution in Birmingham". The earlier pollution papers that most laboratories would benefit from holding are numbers 1, 2, 3, 4, 11 and 12.

D of E Waste Management Paper No. 17. Wastes from Tanning, Leather Dressing and Fellmongering (including a Code of Practice).

Proposals for New Legislation

- May 1978 Proposals for Revised Lead in Food Regulations.
- May 1978 Proposals for Regulations on Coffee and Coffee Products (seven days later a revised and corrected Schedule to the proposals was issued)—(later implemented).
- July 1978 Proposals to amend further the Miscellaneous Additives in Food Regulations 1974 to incorporate Mineral Hydrocarbons in Food legislation.
- July 1978 Proposals to amend the Colouring Matter in Food Regulations —(later implemented).
- December 1978 Proposals to amend and consolidate the Preservatives in Food Regulations 1975.

FSC Review of Food Labelling Part 2 *Exemptions from Ingredient Listing and Generic Terms* (FSC/REP/698) (dated 1977 but available in January 1978).

Reports, Etc.

- ✓ FACC Report on the Review of Solvents in Food (FAC/REP/25).
- FACC Report on the Review of Additives and Processing Aids, used in the production of beer (FAC/REP/26).
- ✓ Food Standards Committee Report on Water in Food (FSC/REP/70).
- FACC Report on the Review of Nitrites and Nitrates in Cured Meats and Cheese. Recommends maxima for sodium nitrate and nitrite (both expressed as sodium nitrite). The first number following shows as mg/kg the recommended limit for the two together, and the second number represents the maximum nitrite component of the first. Thus:

Uncooked ham and bacon	500/200 mg/kg
Sterile cured meat packs	150/50 mg/kg
Salami and cured sausages	400/50 mg/kg
Other cured meat packs	250/150 mg/kg
Continental cheeses	50/5 mg/kg

Evaluation of Certain Food Additives. Joint FAO/WHO Technical Report Series No. 617.

Food Control Laboratories (ICP/FSP 003). WHO Regional Office for Europe Report on a Conference.

Nitrates, Nitrites and N-nitroso Compounds. WHO Environmental Health Criteria 5 (ISBN 92-4-154065-6).

MAFF Food Surveillance Paper No. 1. First Report of the Steering Group on Food Surveillance. The Surveillance of Food Contamination in the United Kingdom. It is interesting to read alongside this report, a paper in *New Scientist* for 1 December 1977 by Dr Robin Wilson of Brunel University, and called, "Zinc: A Radical Approach to Disease".

MAFF Food Surveillance Paper No. 2. Second Report of the Steering Group on Food Surveillance. "Survey of Vinyl Chloride Content of Polyvinyl Chloride for Food Contact, and of Foods".

D of E Circular 50/78. Report of the Advisory Committee on Aggregates. Building Research Station Information Sheet IS/78 August 78. "Carbonation of Concrete Made with Dense Natural Aggregates".

Other Publications

Council of Europe 1977. Advice and Recommendations to be used by Authorities Concerned with the Registration of Pesticides. Pesticides (4th ed.).

A.D.A.S.: A Guide to Veterinary Pesticides (ISBN 011-241102-9).

Report of the FAO Global Survey of Pesticide Susceptibility of Stored Grain Products (ISBN 9205-1000-22-0). FAO Plant Production and Protection Series 5.

Second Report of the WHO Expert Committee on Vector Biology. "Chemistry and Specifications of Pesticides". WHO Technical Report Series 620.

British Association for the Advancement of Science Reports. "Salmonella, the Food Poisoner 1975-1977".

DHSS Local Authority Circular LAC(78)25. Annual Return of Food Poisoning: SBL 640.

Reprint from Chemical Society Reviews, Vol. 7, No. 2, 1978. "Chemistry and Flavour".

Industrial Training. The Industrial Training (Transfer of the Activities of Establishments) Order 1978, SI 1978 No. 448.

This final SI is of interest to Public Analysts as a reminder that there are no training arrangements for Public Analysts whatever.