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PART I: SECTION (I) - GENERAL

Government Notifications

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THE FOOD ACT, No. 26 OF 1980

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

SECRETARY,
Ministry of Health.

Colombo, 09th May, 1985

Regulations

1. These regulations may be cited as the Food Act (Miscellaneous) Regulations, 1984, and shall come into operation on such date as the Minister may appoint by Order published in the *Gazette*.

PART I

THE POWERS AND DUTIES OF AUTHORIZED OFFICERS

2. An authorized Officer shall, in addition to the powers conferred on him by section 14 of the Act, exercise and perform within the administrative area assigned to him the following powers and duties: -

(1) satisfy himself that the terms and conditions of any licence issued under section 7 of the Act are being observed and complied with ;

(2) investigate any complaint made to him in writing in respect of any contravention of the provisions of the Act or any regulation made thereunder ;

(3) maintain a record of all inspections made and other action taken by such officer in the exercise of his powers and the performance of his duties under these regulations and submit such reports as may be called for by the Food Authority or the Chief Food Authority ;

(4) where an Authorized Officer is of opinion that any person engaged in the manufacture, preparation, preservation, packaging, storing, distribution or sale of any article is suffering from any infectious disease to cause such person to be examined by a medical practitioner, and if on such examination the medical practitioner, finds such person to be suffering from such disease, to direct such person not to engage in the manufacture, preparation, preservation, packaging, distribution or sale of any article until such person is certified by a medical practitioner to be cured of such disease.



PART II

THE TAKING OF SAMPLES UNDER SECTION 14 OF THE ACT AND THE ANALYSIS OF EXAMINATION OF FOOD

3. The following regulations shall apply to the examination or analysis of food other than by the process of microbiological analysis -

(1) An Authorized Officer who takes a sample under section 14 of the Act, shall notify the person from whom the sample was taken of his intention to forward such sample to the Approved Analyst for analysis or examination under section 16 of the Act.

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

- (a) divide the sample into three parts ;
- (b) identify the three parts as the owner's portion, the sample and the duplicate sample. Where a part bears the label affixed on the article of food by the manufacturer such part shall be identified as the sample ;
- (c) require the owner or person from whom the sample was taken to affix his seal, or place his signature or thumb impression on all three parts ;
- (d) secure each part in a manner that it cannot be opened without breaking or damaging the seals ;
- (e) deliver the part identified as the owner's portion to the owner or the person from whom the sample was taken and forward the part identified as the sample to the Approved Analyst for analysis or examination together with a memorandum in Form I set out in the Schedule hereto, and
- (f) keep in safe custody, the part identified as the duplicate sample for production in Court, if legal proceedings are instituted against the owner or person from whom the sample was taken.

(3) If in the opinion of an Authorized Officer division of the sample into three parts is likely to render the analysis or examination impracticable or impossible he shall identify the entire quantity as the sample to be sent to the Approved Analyst for analysis, label it suitably, require the owner or the person from whom he obtained the sample to affix his seal, or place his signature or thumb impression on the sample, secure it in a manner that it cannot be opened without breaking or damaging the seal and forward the sample to the Approved Analyst for analysis or examination together with a memorandum in Form I set out in the Schedule hereto.

(4) Where a sample is sent for analysis or examination under regulation (3), the Approved Analyst shall, if in his opinion, division of the sample would not render impracticable or impossible the

analysis or examination, divide the sample into two parts, seal the part which contains the original label, if any affixed by the manufacturer, use the other part for analysis and return the sealed part together with the original label and the report or analysis to the relevant Food Authority.

(5) The quantity of the sample to be taken by an Authorized Officer shall be such as he shall deem necessary for the purposes of examination of analysis.

(6) An Authorized Officer taking a sample of milk including standardised, toned, skimmed or flavoured milk, or cream ice cream, ice-candy or curd may add formalin as a preservative and shall indicate the addition of formalin on the label of the sample sent for analysis.

(7) Any Magistrate sending a sample produced in court for analysis or examination under section 24(2) of the Act shall despatch such sample with the seals intact and after packing it again in thick paper and affixing his own seal.

4. The following regulations shall apply to the microbiological analysis of food :-

(1) An Authorized Officer who takes a sample under section 14 of the Act, shall notify the person from whom the sample was obtained of his intention to forward such sample to the Approved Analyst for microbiological analysis.

(2) Where the sample taken under section 14 of the Act consists of a sealed container such container shall be forwarded to the Approved Analyst unopened and intact and suitably packaged.

(3) Where the sample taken under section 14 of the Act is in bulk or contained in any package other than in a sealed container the sample shall be taken under sterile conditions and transferred into a sterile container and sealed in a manner that it cannot be opened without breaking or damaging the seal.

(4) The Authorized Officer shall require the owner or person from whom any sample is taken for microbiological analysis to affix his seal or place his signature or thumb impression on the sample.

(5) Any sample taken for microbiological analysis shall be delivered forthwith to the Approved Analyst together with a memorandum in form I set out in the Schedule hereto.

(6) If time taken to deliver the sample to the Approved Analyst is likely to exceed two hours the sample shall be transported under refrigeration.

(7) No preservative shall be added to any sample which is sent for microbiological analysis.

PART III

SCHEDULE

IMPORTATION OF FOOD

Form I

Memorandum to the Approved Analyst/ Additional Approved Analyst

No. _____ Place : _____
 Date : _____

From : _____
 To : _____

(1) The sample described below is forwarded herewith for examination*/ analysis under the section 16 of the Food Act, No. 26 of 1980. I request that a report of analysis may be forwarded after examination*/ analysis.

- 1. Nature of sample ;
- 2. Distinguishing No. on the sample ;
- 3. Date and Place of collection ;
- 4. Nature and quantity of preservative, if any added ;

(2) The stock of the entirety (specify quantity) has been detained under section 14 (1)(e) of the Food Act, No. 26 of 1980. Report of analysis may be sent expeditiously to the relevant Food Authority.

(3) The sample has been collected under Regulation 3(3). Hence a portion of the sample duly sealed, and the original label on the food may be returned along with the report of analysis.

(4) The sample has been collected using sterilised equipment and placed in sterilised screw capped containers.

Time collected : _____
 Time delivered : _____

(5) The sample sent to the Approved Analyst bears the original label. Hence the container with the original label may be returned, along with the report of analysis.

(6) A specimen impression of the seal affixed on the sample is also sent.

 Signature of Authorized Officer,
 (Administrative area).

*Delete whichever is not applicable.
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PART III

SCHEDULE

IMPORTATION OF FOOD

5. Every item of food imported into Sri Lanka shall conform to the standards of composition, purity and quality for that item of food as may be prescribed by regulations made under the Act.

6. (1) If on analysis or examination of any item of food imported into Sri Lanka the Approved Analyst finds that the sale of such item of food in Sri Lanka would contravene the provisions of the Act or any regulation made thereunder the Approved Analyst shall inform the Principal Collector of Customs of the findings of the analysis or examination and the Principal Collector of Customs shall take steps to prevent such item of food being released by the Customs for sale in Sri Lanka. The Authorized Officer who sent the sample for analysis or examination shall send a copy of the report of analysis to the Importer.

(2) Where the contravention referred to in paragraph (1) is in relation to the labelling of an item of food, such item of food shall be permitted to be released for consumption in Sri Lanka after re-labelling of such item of food in accordance with the recommendations of the Approved Analyst contained in the report of analysis. The re-labelling of any item of food shall be carried out under the supervision of the Authorized Officer.

(3) Where the re-labelling of any item of food is not satisfactorily carried out within such period as may be specified in the report of the Approved Analyst, the Authorized Officer shall inform the Principal Collector of Customs who shall take steps to prevent such item of food being released by the Customs for sale in Sri Lanka.

PART IV

INTERPRETATION

7. In these regulations, -
 "Act" means the Food Act, No. 26 of 1980 ;
 "Food" has the same meaning as in the Act ;
 "Labelling" has the same meaning as in the Act ;
 "Medical Practitioner" has the same meaning as in the Act ;

L. D. - B. 11 / 80

THE FOOD ACT, No. 26 OF 1980

REGULATIONS made by the Minister of Health under section 6 (1) read with section 32 of the Food Act, No. 26 of 1980.

SECRETARY,
 Ministry of Health.

09th May, 1985,
 Colombo.

Regulations

1. These regulations may be cited as the Food Act (Warranty) Regulations, 1984, and shall come into operation on such date as the Minister may appoint by Order published in the *Gazette*.

2. The warranty required to be given by any manufacturer, distributor or , commission agent or dealer in any food to any vendor under section 6 (1) of the food Act, No. 26 of 1980, shall be in the following form :-

FORM OF WARRANTY

From :

.....

..... (Manufacturer/
 Distributor/ Commission
 Agent/ Dealer)

To :

.....

..... (Vendor)

Place :

Date :

- (1) Date of Sale :
- (2) Nature and substance of article sold :
- (3) Quality :
- (4) Quantity :
- (5) Price :

(6) Invoice No.

and Date :

I/We hereby certify that the food/foods mentioned above sold by us to the vender mentioned above is/are warranted to be of the nature, substance and quality described above.

.....
 Signature of the Manufacturer/
 Distributor/ Commission Agent/ Dealer.

(Licence No. :))

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L. D. - B. 11/ 80.

THE FOOD ACT, No. 26 OF 1980

REGULATIONS made by the Minister of Health under Section 17(3) read with Section 32 of the Food Act, No. 26 of 1980.

SECRETARY,
 Ministry of Health.

Colombo, 09th May, 1985

Regulations

1. These regulations may be cited as the Food Act (Additional Approved Analyst) Regulations, 1984, and shall come into operation on such date as the Minister may appointed by Order published in the *Gazette*.

2. No person shall be approved as an Additional Approved Analyst unless :-

(a) he holds a degree of Master of Science in chemistry or a special degree of Bachelor of Science in Chemistry from any University recognized by the Minister, or possesses an equivalent qualification as may be determined by the Minister; and

(b) he has less than five year's experience in the analysis of food.

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