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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

L.D.-B 11/80.

FOOD ACT, No. 26 OF 1980

Food (Packaging Materials and Articles) Regulations - 2010

REGULATIONS made by the Minister of Health in consultation with the Food Advisory Committee in terms of Section 32 of the Food Act, No. 26 of 1980.

MAITHRIPALA SIRISENA,
Minister of Health.

Ministry of Health,
Colombo,
09th June, 2010.

REGULATIONS

1. These Regulations may be cited as the Food (Packaging Materials and Articles) Regulations - 2010 and shall come into operation from 01st July, 2011.

2.(1) No person shall import, manufacture, transport, advertise for sale, expose for sale, sell, package, store, use or distribute any food packaging material or article which under normal and foreseeable conditions —

- (a) is injurious to human health ;
- (b) deteriorates the organoleptic characteristics of food ; or
- (c) changes the nature, substance and quality of food.

(2) Every person who manufactures or imports any material or article intended to be used for the packaging of food shall ensure that there is printed thereon —

- (a) the words “FOR FOOD USE” or any relevant words or the designated symbol as indicated in Schedule I ;
- (b) any special condition to be observed in the use thereof ; and
- (c) the name and address or registered trade mark of the manufacturer.

(3) Every person who manufactures or imports any material or article intended to be used for the packaging of food shall be certified by the manufacturer to the effect that the raw material used in the manufacture of the packaging materials or articles meets the required quality or grade in compliance with international standards and that the packaging material or article is of food grade quality.

(4) Where plastic laminates are used for packaging food, all components of the laminate, including adhesives and inks, shall be certified by the manufacturer of each individual component, to be of required food grade quality, in compliance with international standards.

3. (1) No person shall import, manufacture, prepare or advertise for sale, expose for sale, sell, package, store, use, deliver or distribute any food —

- (a) which is packed in any packaging material or article made of enamel or glazed earthenware if such material or article is capable of imparting lead, antimony, arsenic, cadmium or any other toxic substance to any food prepared, packed, stored, delivered or exposed in such material or article which is not resistant to acid unless the leachate from the packaging material or article, satisfies parameters of the test results prescribed in Schedule II hereto.
- (b) for sale which is packed, stored, delivered or exposed for sale in any rigid or semi-rigid packaging material or article or any vessel made of polyvinyl chloride which contains more than 1mg/kg of vinyl chloride monomer ;
- (c) if such food contains more than 0.05 mg/kg of vinyl chloride monomer ; or
- (d) packed, stored, delivered or exposed for sale in any damaged package or container.

(2) For the purpose of subparagraph (d) of paragraph (1) of this regulation, the term ‘damaged’ includes —

- (a) chipping or distortion that affects integrity of the package or container or the wholesomeness of the product or both ; or
- (b) perforation or corrosion or leakage, or a combination of these.

4. No person shall use or cause or permit to be used—

- (a) any vinyl chloride plastics in coatings applied to fresh fruits in order to retain freshness ; or
- (b) any bottle, box or other container made of or containing acrylonitrile plastics as a container for the packaging, storing, delivering or exposing of food for sale.

5. (1) No person shall use or cause or permit to use in the preparation, packaging, storage, delivery or exposure for sale of—

- (a) any food in any package, appliance, container or vessel that had been used or intended to be used for any non-food product ;
- (b) any sugar or flour in any sack that has previously been used for any other purpose ;
- (c) any edible fat or any edible oil, in any bottle or metal container that has previously been used for any other purpose ; however silos and tankers used for the storage of edible fat and edible oil are exempted;
- (d) any plastic container that has previously been used for any other purpose unless the food has been packed in any extra wrapper of food grade material ;
- (e) any rice in any gunny bag or polysack that has previously been used for any other food ;
- (f) bottled drinking water in any containers of not less than eighteen (18) liters in size that has previously been used for any other purpose ; and
- (g) any food in any package, appliance , container or vessel that has been made from recycled plastic.

(2) Any box or crate that has previously been used for storage or packaging of vegetables may be used for the packaging or storage of fruit and *vice-versa*.

6. For the purpose of regulation 5, where a packaging material or article containing food bears any mark or label belonging to another food it shall be presumed that such packaging material or article has been used for that particular food as shown by such mark or label.

7.(1) No person shall place any toy, coin or other article in food exposed for sale or in the package containing such food.

Provided that any person may however place with any food or in packages of such food—

- (a) any article for measuring the recommended quantity of food to be consumed, provided that such article is sterile ;
- (b) the label placed inside a package of clear, transparent material if it is completely enclosed in an interior wrapper in such a manner that it has no direct contact or is not likely to come in contact with the food ready for direct consumption ; and
- (c) any sachet of reduced iron powder for the purpose of absorbing oxygen.

(2) The reduced iron powder specified in sub-paragraph (c) of paragraph (1) of this regulation shall be enclosed in a sachet in such a manner that the oxygen absorber will not contaminate, taint or migrate into the food.

(3) Where the sachet of reduced iron powder is in direct contact with the food, the sachet itself and its label shall compose of material that will not contaminate, taint or migrate into the food.

(4) The sachet of reduced iron powder may contain one or more of the items specified in Schedule III to these regulations.

(5) The sachet of reduced iron powder shall be labeled with the words “OXYGEN ABSORBER” or word or words having the same or similar effect and shall be followed by the words “DO NOT EAT CONTENTS” and “CONTAINS IRON POWDER”.

8. No person who is engaged in the business of packaging or storing food shall package or store such food except in a package or container which is labeled in accordance with the Food (Labeling and Advertising) Regulations 2005 made under the Food Act, No. 26 of 1980 published in *Gazette Extraordinary*, No. 1376/9 of 19th January, 2005 and any subsequent amendments or replacements.

9. The Food (Labeling and Miscellaneous) Regulations - 1993 made under the Food Act, No. 26 of 1980 published in *Gazette Extraordinary*, No. 788/7 of 14 October, 1993 are hereby amended by the repeal of regulation 25 of such regulation.

10. In these regulations, unless the context otherwise requires—

“Packaging material or article” includes any packing, Appliance, container or vessel

SCHEDULE I

Regulation 2(2).



SCHEDULE II

(Regulation 3.(1) a)

TEST FOR PACKAGES

(A) TEST FOR PACKAGES, APPLIANCES, CONTAINERS AND VESSELS USED FOR STORAGE OF FOOD.

1. Preparation :

The article of the ware to be tested shall be washed in water containing detergent and rinsed with clean water. The surface to be tested shall not be handled thereafter.

All remnant of water shall be removed from the washed ware by rinsing it with leaching solution that comprises 4 percent of acetic acid in water v/v.

2. Test :

The ware shall be filled with the leaching solution at room temperature to the maximum capacity of the ware.

The ware shall be covered to minimize contamination and shall be left at room temperature for 24 hours.

After the period of 24 hours, the leaching solution shall be thoroughly stirred and a portion shall be removed for analysis.

The leachate shall not contain antimony, arsenic, cadmium or lead above the following limits expressed in ppm :—

Sb	As	Cd	Pb
0.2	0.2	0.2	0.2

(B) TEST FOR PACKAGES, APPLIANCES, CONTAINERS AND VESSELS USED FOR COOKING.

1. Preparation :

As in A above.

2. *Test* :

The ware shall then be heated to 120⁰ C and filled to two-thirds of its effective volume with boiling leaching solution (4 percent of acetic acid in water v/v). the vessels shall be covered by its own lid, if any, and the leaching solution shall be kept boiling gently for 2 hours. Leaching solution shall be added periodically to ensure that the area of contact is not diminished, the vessel shall then be left at room temperature for 22 hours.

After 22 hours, the volume of the leaching solution shall be restored to two-third of the effective volume of the vessel. After thorough stirring, a portion of the leaching solution shall be removed for analysis.

The leachate shall not contain antimony, arsenic, cadmium, or lead above the following limits, expressed in ppm:

Sb	As	Cd	Pb
0.7	0.7	0.7	0.7

SCHEDULE III

Regulation 7(4)

CONTENTS OF SACHET OF REDUCED IRON POWDER :

- (a) calcium chloride,
- (b) calcium hydroxide,
- (c) activated carbon,
- (d) gypsum,
- (e) iron oxide
- (f) magnesium hydroxide,
- (g) magnesium stearate,
- (h) perlite,
- (i) common salt,
- (j) talc
- (k) zeolite.