

No. R. 61

28 January 2009

**FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972
(ACT 54 OF 1972)**

**REGULATIONS RELATING TO MAXIMUM LEVELS FOR
MELAMINE IN FOODSTUFFS**

The Minister for Health intends, in terms of section 15 (1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972), to make the regulations set out in the Schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed regulations to the Director-General of Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Food Control), within three months from the date of publication of this notice.

SCHEDULE

1. In these regulations "**the Act**" shall mean the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972) and any expression to which a meaning has been assigned in the Act shall bear such meaning.
2. For the purposes of section 2 (1) (b) (i) of the Act, in so far as it is applied and applicable to foodstuffs, the following foodstuffs are hereby deemed to be contaminated, impure, or adulterated:
 - a. All foodstuffs which contain more than 2.5 milligrams per kilogram melamine; and
 - b. All infant formulas, foodstuffs intended for children under 36 months of age and foodstuffs for special dietary uses, which contain more than 1 milligram per kilogram melamine.
3. Regarding the analysis of samples of foodstuffs for official compliance monitoring purposes for the presence of melamine:
 - a. The method of Liquid Chromatography Coupled Mass Spectroscopy (LCMSMS) will apply; and
 - b. The limit of quantitation, irrespective of the method of analysis used, shall not be more than 0.25 mg/kg.



**BARBARA HOGAN MP
MINISTER OF HEALTH**