

1988 No. 2084 (S.201)

FOOD

COMPOSITION AND LABELLING

The Sweeteners in Food (Scotland) Amendment
Regulations 1988

Made - - - - - *25th November 1988*

Laid before Parliament *7th December 1988*

Coming into force *28th December 1988*

The Secretary of State, in exercise of the powers conferred upon him by sections 4, 7 and 56 of the Food and Drugs (Scotland) Act 1956(a) and of all other powers enabling him in that behalf, and after consultation in accordance with section 56(6) of the said Act with such organisations as appear to him to be representative of interests substantially affected by these Regulations, hereby makes the following Regulations:

Title and commencement

1. These Regulations may be cited as the Sweeteners in Food (Scotland) Amendment Regulations 1988 and shall come into force on 28th December 1988.

Interpretation

2. In these Regulations the expression "the principal Regulations" means the Sweeteners in Food (Scotland) Regulations 1983(b).

Amendment of the principal Regulations

3. Schedule 1 to the principal Regulations shall be amended as follows:—

(a) in Part I (permitted sweeteners) after the item relating to "Isomalt" there shall be inserted—

In Column 1

(Name of sweetener)

"Lactitol——"

In Column 2

(Serial Number)

———";

(a) 1956 c.30; section 4(1) was amended by the European Communities Act 1972 (c.68), Schedule 4, paragraph 3(1); section 7 and section 56 were amended by the Weights and Measures Act 1963 (c.31), Schedule 9, Parts I and II; section 56 was also amended by the Criminal Justice Act 1982 (c.48), Schedule 15, paragraph 8; section 56(8A) was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c.73), section 41 and is to be read with section 289GA of the Criminal Procedure (Scotland) Act 1975 (c.21) and S.I. 1984/526.

(b) S.I. 1983/1497, amended by S.I. 1985/1068.

- (b) in Part II (specific purity criteria for permitted sweeteners) after the item relating to "Isomalt" there shall be inserted—

"Lactitol

Synonyms	Lactit, Lactositol, Lactobiosit.
Chemical name	4-0-(β-D-galactopyranosyl)-D-glucitol.
Empirical formula	C ₁₂ H ₂₄ O ₁₁ .
Molecular weight	344.32.
Specific rotation (α) D	+ 13° to + 15° (using a 10% weight to volume aqueous solution).
Water	Lactitol monohydrate not more than 5.5% (Karl Fischer). Lactitol dihydrate not more than 10.5% (Karl Fischer).
Description	Colourless, aqueous syrup with a sweet taste. When dried, the resulting products, lactitol monohydrate and lactitol dihydrate, are white, odourless and crystalline.
Content	Not less than 97.5% 4-0-(β-D-galactopyranosyl)-D-glucitol on a dry weight basis.
Other polyols	Not more than 2.5% on a dry weight basis.
Reducing sugars	Not more than 0.2% on a dry weight basis, expressed as lactose.
Chlorides	Not more than 100 mg/kg on a dry weight basis, expressed as Cl.
Sulphate	Not more than 100 mg/kg on a dry weight basis, expressed as SO ₄ .
Arsenic	Not more than 1 mg/kg on a dry weight basis, expressed as As.
Nickel	Not more than 1 mg/kg on a dry weight basis, expressed as Ni.
Lead	Not more than 1 mg/kg on a dry weight basis, expressed as Pb.
Ash	Not more than 0.1% after ignition at 800 ± 25°C calculated on a dry weight basis."

Amendment of the Jam and Similar Products (Scotland) Regulations 1981

4. The Jam and Similar Products (Scotland) Regulations 1981(a) shall be amended by substituting for paragraph (2) of regulation 13—

"(2) Permitted sweeteners may be used in the preparation of reduced sugar products."

Amendment of the Food Labelling (Scotland) Regulations 1984

5. The Food Labelling (Scotland) Regulations 1984(b) shall be amended by inserting in Schedule 6 Part II (restricted claims), column 2 (conditions) in paragraphs 3 and 4 of claim 5 (Diabetic claims) after "isomalt" where it occurs in both places, "lactitol".

(a) S.I. 1981/1320; relevant amending instruments are S.I. 1982/1779, 1983/270, 1497 and 1985/1068.

(b) S.I. 1984/1519, to which there are amendments not relevant to these Regulations.

St. Andrew's House, Edinburgh
25th November 1988

Sanderson of Bowden
Minister of State,
Scottish Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to Scotland only, amend the Sweeteners in Food (Scotland) Regulations 1983 by adding Lactitol to the list of permitted sweeteners (regulation 3(a)). Specific purity criteria are prescribed for Lactitol (regulation 3(b)).

The Regulations amend the Jam and Similar Products (Scotland) Regulations 1981 by substituting for a specified list of sweeteners, a reference to "permitted sweeteners", which, as defined, will include Lactitol (regulation 4).

The Regulations also amend the Food Labelling (Scotland) Regulations 1984 by including Lactitol in the list of sweeteners in respect of which marking or labelling conditions apply where there is a claim that a food containing such a sweetener is suitable, or has been specially made, for diabetics (regulation 5).

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