1969. No. 346 [C]

FOOD AND DRUGS

Composition and Labelling

Artificial Sweeteners in Food

REGULATIONS, DATED 22ND DECEMBER 1969, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER SECTIONS 4, 7 AND 68 OF THE FOOD AND DRUGS ACT (NORTHERN IRELAND) 1958.

The Ministry of Health and Social Services, in exercise of the powers conferred upon it by sections 4, 7 and 68 of the Food and Drugs Act (Northern Ireland) 1958(a), having consulted with such organisations as appear to it to be representative of interests substantially affected by these regulations, hereby makes the following regulations:—

PART I

PRELIMINARY

Citation and commencement

1. These regulations may be cited as the Artificial Sweeteners in Food Regulations (Northern Ireland) 1969 and shall come into operation on 1st January 1970.

Interpretation

2.—(1) In these regulations—

"the Act" means the Food and Drugs Act (Northern Ireland) 1958;

"artificial sweetener" means any chemical compound which is sweet to the taste, but does not include any sugar or any polyhydric alcohol;

"artificial sweetening tablet" means any tablet which contains an artificial sweetener and which is intended for sale with a view to its use in the preparation of food;

"carbohydrate" means a substance containing carbon, hydrogen and oxygen only in which the hydrogen and oxygen occur in the same proportion as in water;

"full strength tablets" means artificial sweetening tablets which comply with the requirements as to composition set out in paragraph 1 of Schedule 2;

"half strength tablets" means artificial sweetening tablets which comply with the requirements as to composition set out in paragraph 2 of Schedule 2;

"permitted artificial sweetener" means saccharin, saccharin calcium or saccharin sodium;

"polyhydric alcohol" means an alcohol with three or more free hydroxyl groups;

"saccharin" means the substance conforming to the description, specifications and requirements for saccharin contained in the British Pharmacopoeia 1968;

(a) 1958. c. 27.

"saccharin calcium" means the substance conforming to the description, specifications and requirements for saccharin calcium contained in Schedule 1;

"saccharin sodium" means the substance conforming to the description, specifications and requirements for saccharin sodium contained in the British Pharmacopoeia 1968;

"sell" includes offer or expose for sale or have in possession for sale;

"sugar" means any soluble carbohydrate sweetening matter.

(2) For the purposes of these regulations, the supply of any artificial sweetener or any food containing any artificial sweetener, otherwise than by sale, at, in or from any place where artificial sweeteners or such food are or is supplied in the course of a business shall be deemed to be a sale of that artificial sweetener or that food, as the case may be; and references to purchasing and purchaser shall be construed accordingly.

(3) For the purposes of the Labelling of Food Regulations (Northern Ireland) 1961(**b**), these regulations, insofar as they prescribe requirements as to composition for artificial sweetening tablets, shall be taken to prescribe standards for such tablets.

(4) Any reference in these regulations to a label borne on a container shall be construed as including a reference to any legible marking on the container however effected.

Exemptions

3. The provisions of these regulations shall not apply to any food or artificial sweetener intended at the time of sale, consignment or delivery, as the case may be, for exportation to any place outside the United Kingdom.

PART II

REQUIREMENTS RELATING TO ARTIFICIAL SWEETENERS

Sale, etc. of artificial sweeteners

4. No person shall sell, consign or deliver any artificial sweetener for human consumption which is not a permitted artificial sweetener.

Requirements as to composition for tablets containing artificial sweeteners

5.—(1) Every artificial sweetening tablet containing saccharin or saccharin calcium or saccharin sodium or a mixture of two or all of those substances shall conform to the requirements as to composition set forth in relation thereto in the appropriate paragraph of Schedule 2.

(2) No person shall sell, consign or deliver any artificial sweetening tablet which does not comply with this regulation.

Labelling of containers of artificial sweetening tablets

6.—(1) No person shall sell, consign or deliver any artificial sweetening tablets in a container unless such container bears a label on which there appears such one of the following descriptions as may be appropriate:—

(*a*) the words "saccharin tablets" or "half strength saccharin tablets" for full strength or half strength tablets respectively, containing no permitted artificial sweetener other than saccharin or a mixture of saccharin and saccharin calcium and saccharin sodium or of any two of those substances;

(*b*) the words "saccharin calcium tablets" or "half strength saccharin calcium tablets" for full strength or half strength tablets respectively, containing no permitted artificial sweetener other than saccharin calcium;

(**b**) S.R. & O. (N.I.) 1961, No. 160.

(*c*) the words "saccharin sodium tablets" or "soluble saccharin tablets" for full strength tablets, or the words "half strength saccharin sodium tablets" or "half strength soluble saccharin tablets" for half strength tablets, containing in each case no permitted artificial sweetener other than saccharin sodium:

Provided that any word of similar meaning may be substituted for the word "tablets" in any of the foregoing descriptions.

(2) Every letter in every word appearing on a label on a container which is required so to appear by virtue of this regulation shall appear conspicuously and legibly in a dark colour upon a light coloured ground or in a light colour upon a dark coloured ground and shall be of uniform colour and size.

Sales by description

7. No person shall sell any food under such a description as to lead an intending purchaser to believe that he is purchasing a permitted artificial sweetener or artificial sweetening tablet if the food does not conform to the appropriate description, specifications and requirements prescribed by these regulations.

8. Where a person sells any article or substance to a purchaser in response to a request for an artificial sweetener to which these regulations apply, he shall be deemed to sell such article or substance as such an artificial sweetener and under such a description as is specified in relation to such an artificial sweetener in these regulations unless he clearly notifies the purchaser at the time of sale that the article or substance is not such an artificial sweetener.

PART III

REQUIREMENTS RELATING TO FOOD CONTAINING ARTIFICIAL SWEETENERS

Sale, etc. of food containing artificial sweeteners

9.—(1) No food shall contain any artificial sweetener other than a permitted artificial sweetener.

(2) No person shall sell, consign or deliver any food which does not comply with this regulation.

PART IV

ADMINISTRATIVE PROVISIONS

Condemnation of food

10. Where any artificial sweetener or any other food is certified by a public analyst as being food which it is an offence against regulation 4 or 9 hereof to sell, consign or deliver, it may be treated for the purposes of section 9 of the Act (under which food may be seized and destroyed on the order of a justice of the peace) as being unfit for human consumption.

Penalties

11.—(1) If any person contravenes or fails to comply with any of the foregoing provisions he shall be guilty of an offence and shall be liable on summary conviction—

(*a*) to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment; and

(*b*) in the case of a continuing offence, to a further fine not exceeding five pounds for each day during which the offence continues after conviction.

(2) The requirements of section 47(3) of the Act (which requires notice to be given to the Ministry of Health and Social Services of intention to begin a prosecution for an offence against any provisions of these regulations relating to labelling or marking) shall not apply as respects any proceedings instituted by a health authority for an offence against any such provisions.

Revocation

12. The Artificial Sweeteners in Food Regulations (Northern Ireland) 1967(c) are hereby revoked.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 22nd day of December 1969.

(L.S.)

S. H. O'Fee,
Assistant Secretary.

(c) S.R. & O. (N.I.) 1967, No. 209.

SCHEDULE 1 Regulation 2(1)

Saccharin calcium

Saccharin calcium is the calcium derivative of 2-sulphobenzoic imide with $3\frac{1}{2}$ molecules of water of crystallisation. It contains not less than 98 per cent. of $C_{14}H_8\,Ca\,N_2O_6S_2$ calculated with reference to the substance dried to constant weight at 105°C.

Description	White crystals or white crystalline powder, odour faintly aromatic, taste intensely sweet.
Solubility	1 g. dissolves in 1·5 g. water.
Loss on drying . . .	When dried to constant weight at 105°C. loses not less than 11 per cent. and not more than 15 per cent. of its weight.
Ammonium Compounds .	Complies with the test given under Saccharin in the British Pharmacopoeia 1968.
4-*Sulphamoylbenzoates* .	Complies with the test given under Saccharin Sodium in the British Pharmacopoeia 1968.

SCHEDULE 2 Regulations 2(1) and 5

Requirements as to composition for tablets containing permitted artificial sweeteners

1. *Full strength tablets*

An artificial sweetening tablet containing saccharin or saccharin calcium or saccharin sodium or a mixture of two or all of those substances shall, when dried to constant weight at 105°C., have a total quantity of saccharin free and combined calculated as $C_7H_5NO_3S$, which shall be not less than 11 milligrams and not more than 14 milligrams.

2. *Half strength tablets*

An artificial sweetening tablet containing saccharin or saccharin calcium or saccharin sodium or a mixture of two or all of those substances shall, if sold in a container bearing a label upon which there appears the description "half strength", have when dried to constant weight at 105°C. a total quantity of saccharin free and combined calculated as $C_7H_5NO_3S$, which shall be not less than 5·5 milligrams and not more than 7 milligrams.

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations supersede the Artificial Sweeteners in Food Regulations (Northern Ireland) 1967 and come into operation on 1st January 1970.

The principal change is that cyclamic acid, calcium cyclamate and sodium cyclamate are no longer permitted artificial sweeteners or permitted ingredients in artificial sweetening tablets.