

SCHEDULE 3

REQUIREMENTS FOR SALES

PART I

1. The requirements for a business sale of any relevant flavourings are observed in relation to that sale where—
 - (a) the container in which those flavourings are held bears in correct form the information required by Part II of this Schedule, or
 - (b) that container bears in correct form the information required by paragraph 1 of Part II of this Schedule and, in a conspicuous part thereof, the words “intended for the manufacture of foodstuffs and not for retail” and trade documents relating to the consignment which comprises or includes the relevant flavourings are supplied to the purchaser with or in advance of the consignment and contain the information required by paragraphs 2 and 3 of Part II of this Schedule.
2. The requirements for a consumer sale of any relevant flavourings are observed in relation to that sale where the container in which those flavourings are held bears—
 - (a) in correct form, and subject to sub-paragraph (e) below, the information required by paragraph 1 of Part II of this Schedule;
 - (b) insofar as regulation 21 of the Food Labelling Regulations 1984 or, as appropriate, regulation 21 of the Food Labelling (Scotland) Regulations 1984 does not apply to the product, the indication of minimum durability of the product which would be required by that regulation if the product had been a food to which that regulation applied;
 - (c) any special storage conditions or conditions of use;
 - (d) instructions for use if omission thereof would prevent appropriate use of the flavouring; and
 - (e) where the relevant flavourings include substances or materials other than components specified in paragraph 2(a) of Part II of this Schedule, a list setting out in descending order of weight—
 - (i) in respect of the components so specified, the information required by paragraph 1(b) of Part II of this Schedule, and
 - (ii) in respect of each other substance or material its name or, where appropriate, its “E” number.
3. Material (whether information or words) is borne in correct form for the purposes of paragraphs 1 and 2 above where, subject to paragraph 4 below, it is—
 - (a) easily visible,
 - (b) clearly legible,
 - (c) indelible, and
 - (d) in any case where more than one means of expression may be used, expressed in terms (in relation to a business sale) or in a language (in relation to a consumer sale) capable of being easily understood by the purchaser.
4. Paragraph 3 above shall not be taken—
 - (a) to require expressions in terms (in relation to a business sale) or in a language (in relation to a consumer sale) capable of being easily understood by the purchaser where other

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measures have been taken to enable him easily to understand the particulars included pursuant to the requirements of this regulation, or

(b) to prohibit any of those particulars from being included in more than one language, on the container or, where applicable, trade documents.