

SCHEDULE 3

Regulation 4

REQUIREMENT FOR SALES

PART I

1. The requirements for a business sale of food additives are observed in relation to that sale where—

- (a) the container in which those food additives are bears the information required by Part II of this Schedule, or
- (b) that container bears the information required by paragraphs 1(a), 2, 3 and 4 of Part II of this Schedule and, in a conspicuous part thereof, the words “intended for manufacture of foodstuffs and not for retail sale” and trade documents relating to the consignment which comprises or includes the food additives are supplied to the purchaser with or in advance of the consignment and contain the information required by the remainder of Part II of this Schedule,

and that information is or, as the case may be, that information and those words are conspicuous, clearly legible and indelible.

2. The requirements for a consumer sale of food additives are observed in relation to that sale where—

- (a) the name used for the product comprising the food additives—
 - (i) comprises a description of those food additives specified in regulations in force under the Act and is accompanied by an EEC number also specified in those regulations in relation to each additive in that description, or
 - (ii) in any case where there is no such description so specified or there are food additives comprised in that description relating to which there is no EEC number so specified, comprises a description sufficiently precise to enable it to be distinguished from any product with which it could be confused,
- (b) there are stated on the container the essential contents, that is to say—
 - (i) the name (or, as the case may be, the name and EEC number) used for the product,
 - (ii) the information, in relation to the food additives, required by paragraphs 1 to 7 of Part II of this Schedule, and
 - (iii) insofar as neither regulation 21 of the Food Labelling Regulations 1984 nor regulation 21 of the Food Labelling (Scotland) Regulations 1984 applies 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 either regulation applied, and
- (c) those essential contents are so stated as to be conspicuous, clearly legible and indelible.

PART II

1. The information required by this paragraph is—

- (a) in relation to each food additive, the appropriate name information, that is to say—
 - (i) in the case of any food additive detailed by name and EEC number in any regulations for the time being in force under the Act, that name and number, and

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- (ii) in the case of any other food additive, a description of that additive sufficiently precise to enable it to be distinguished from any food additive with which it could be confused,
in descending order (where there is more than one such food additive) of the proportion by weight of the food additives in the container, and
 - (b) in relation to any food additive on or in which any supplementary material is present, an indication of each component of the supplementary material in descending order (where there is more than one such component) of the proportion by weight of those components.
- 2. The information required by this paragraph is—
 - (a) the statement “for use in food”,
 - (b) the statement “restricted use in food”, or
 - (c) a statement referring more specifically to the use in food for which the food additives are intended.
- 3. The information required by this paragraph comprises any special storage conditions for the food additives.
- 4. The information required by this paragraph comprises any special conditions of use of the food additives.
- 5. The information required by this paragraph comprises any instructions for use of the food additives if it would be difficult to make appropriate use of the food additives in the absence of such instructions.
- 6. The information required by this paragraph is a mark identifying the batch or lot in which each food additive was produced.
- 7. The information required by this paragraph is the name (or business name) and address of one of the following—
 - (i) the manufacturer of the food additives;
 - (ii) the packer of the food additives;
 - (iii) a seller of the food additives established in the European Economic Community.
- 8. The information required by this paragraph is the percentage of each component of the food additives the sale of any description of food containing which is, if that description of food contains more than a specified quantity or proportion of that component, prohibited by any provision of the Act or of regulations under it, or such information as is necessary to enable the purchaser to ascertain whether, and if so to what extent, he could use such food additives in food sold by him without contravening any such provision.