
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to Great Britain, come into force on 1st January 1996.

The Regulations implement European Parliament and Council Directive [94/35/EC](#) (OJNo. L237, 10.9.94, p.3) on sweeteners for use in foodstuffs (which has to be read with Council Directive [89/107/EEC](#) (OJ No. L40, 11.2.89, p.27) on the approximation of the laws of the Member States concerning food additives authorised for use in foodstuffs intended for human consumption) and Commission Directive [95/31/EC](#) (OJ No. L178, 28.7.95, p.1) laying down specific criteria of purity concerning sweeteners for use in foodstuffs.

The principal provisions of the Regulations—

(1) prohibit the sale of any sweetener intended either for sale to the ultimate consumer or for use in or on any food, other than a permitted sweetener (regulation 3(1));

(2) prohibit the use of any sweetener in or on any food, other than for certain foods in which only specified permitted sweeteners may be used in accordance with conditions contained in the Regulations (regulation 3(2) and (3) and Schedule 1);

(3) prohibit the use of any sweetener in or on foods for infants and young children specified in Council Directive [89/398/EEC](#) (OJ No. L186, 30.6.89, p.27) on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses (regulation 3(4));

(4) prohibit the sale of table-top sweeteners unless they contain no sweetener other than a permitted sweetener and are labelled in accordance with the Regulations (regulation 4);

(5) prohibit the sale of any food containing any added sweetener other than a permitted sweetener used in or on it in accordance with the Regulations (regulation 5).

The Regulations also—

(a) make provision in relation to the condemnation of food (regulation 6);

(b) create offences, prescribe a penalty and provide for the Regulations to be enforced by food authorities (regulation 7);

(c) provide a defence in relation to exports, in implementation of Articles 2 and 3 of Council Directive [89/397/EEC](#) (OJ No. L186, 30.6.89, p.23) on the official control of foodstuffs, as read with the ninth recital to that Directive (regulation 8);

(d) incorporate specified provisions of the Food Safety Act 1990 (regulation 9);

(e) revoke the Regulations specified in Schedule 2 to the extent specified in that Schedule, and make consequential amendments (regulation 10);

(f) contain a transitional provision and exemption (regulation 11).

A Compliance Cost Assessment of the effect that these Regulations would have on the cost of business is available from Branch A of the Additives and Novel Foods Division of the Ministry of Agriculture, Fisheries and Food, Ergon House, c/o Nobel House, 17 Smith Square, London SW1P 3JR.