
STATUTORY INSTRUMENTS

1995 No. 3123

The Sweeteners in Food Regulations 1995

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“the Act” means the Food Safety Act 1990;

“Directive 94/35/EC” means European Parliament and Council Directive 94/35/EC(1) on sweeteners for use in foodstuffs;

“Directive 95/31/EC” means Commission Directive 95/31/EC(2) laying down specific criteria of purity concerning sweeteners for use in foodstuffs;

“food” means food sold, or intended for sale, for human consumption, and in regulation 6 and for the purposes of regulation 9 includes a sweetener;

“food additive” means any substance not normally consumed as a food in itself and not normally used as a characteristic ingredient of food, whether or not it has nutritive value, the intentional addition of which to food for a technological purpose in the manufacture, processing, preparation, treatment, packaging, transport or storage of such food results, or may reasonably be expected to result, in it or its by-products becoming directly or indirectly a component of such foods;

“infants” means children under the age of twelve months;

“member State” means a member State of the European Community;

“permitted sweetener” means any sweetener specified in Column 2 of Schedule 1 which satisfies the specific purity criteria for that sweetener set out in the annex to Directive 95/31/EC;

“sell” includes possess for sale, and offer, expose or advertise for sale, and “sale” and “sold” shall be construed accordingly;

“sweetener” means any food additive which is used or intended to be used—

(a) to impart a sweet taste to food, or

(b) as a table-top sweetener;

“young children” means children aged between one and three years,

and other expressions used in these Regulations and in Directive 94/35/EC have, in so far as the context admits, the same meaning as they bear in that Directive.

(2) Any reference in these Regulations to a numbered regulation or Schedule shall, unless the context otherwise requires, be construed as a reference to the regulation or Schedule bearing that number in these Regulations.

(3) In Schedule 1—

(a) in Column 3, the description “with no added sugar” means that the food to which it refers does not contain any—

(1) OJNo. L237, 10.9.94, p.3.

(2) OJ No. L178, 28.7.95, p.1.

- (i) added monosaccharide,
- (ii) added disaccharide,
- (iii) other added food used for its sweetening properties;
- (b) in Column 3, the description “energy-reduced” means that the food to which it refers has an energy value reduced by at least 30 per cent compared with the original or a similar food;
- (c) in Column 4, the maximum usable dose indicated in relation to a food is the maximum amount, in milligrams, of permitted sweetener per kilogram or, as the case may be, per litre of that food which is ready to eat having been prepared according to any instructions for use;
- (d) in Column 4, “quantum satis” means that no maximum level of permitted sweetener in or on a corresponding food is specified but that in or on such food a permitted sweetener may be used in accordance with good manufacturing practice at a level not higher than is necessary to achieve the intended purpose and provided that such use does not mislead the consumer.