

# Statutory Rule 1996 No. 48

## Sweeteners in Food Regulations (Northern Ireland) 1996

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### 1996 No. 48

#### FOOD

#### Sweeteners in Food Regulations (Northern Ireland) 1996

*Made* 28th February 1996

*Coming into operation* 22nd April 1996

The Department of Health and Social Services in exercise of the powers conferred on it by Articles 15(1)(a) and (e), 16(1), 25(1) and (3), 26(3) and 47(2) of, and paragraph 1 of Schedule 1 to, the Food Safety (Northern Ireland) Order 1991<sup>[1]</sup> and of all other powers enabling it in that behalf and after consultation in accordance with Article 47(3) of that Order with such organisations as appear to it to be representative of interests likely to be substantially affected by these Regulations, hereby makes the following Regulations:

## Citation and commencement

1. These Regulations may be cited as the Sweeteners in Food Regulations (Northern Ireland) 1996 and shall come into operation on 22nd April 1996.

## Interpretation

2. —(1) In these Regulations—

"Directive 94/35/EC" means European Parliament and Council Directive 94/35/EC<sup>[2]</sup> on sweeteners for use in foodstuffs;

"Directive 95/31/EC" means Commission Directive 95/31/EC<sup>[3]</sup> 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;

"the Order" means the Food Safety (Northern Ireland) Order 1991;

"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;

"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 the same meaning as they have in that Directive. (2) 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—

- (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 40% 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.

### **Sale and use of sweeteners**

3.—(1) Subject to regulation 4, no person shall sell any sweetener which is intended—

(a) for sale to the ultimate consumer, or

(b) for use in or on any food,

other than a permitted sweetener.

(2) Subject to paragraph (3), no person shall use any sweetener in or on any food.

(3) Subject to paragraph (4), no person shall use any permitted sweetener in or on any food listed in column 3 of Schedule 1 other than a permitted sweetener listed in relation to that food in column 2 of Schedule 1 in an amount not exceeding the maximum usable dose for such permitted sweetener in or on such food as listed in Column 4 of Schedule 1.

(4) No person shall use any permitted sweetener in or on any food for infants or young children as specified in Council Directive 89/398/EEC<sup>[4]</sup> on the approximation of the laws of the member States relating to foodstuffs intended for particular nutritional uses.

### **Sale of table-top sweeteners**

4. No person shall sell any table-top sweetener unless—

(a) it contains no sweetener other than a permitted sweetener, and

(b) it is marked or labelled—

(i) with the description "x-based table-top sweetener", substituting for x the name of any permitted sweetener which it contains,

(ii) where it contains polyols, with the warning "excessive consumption may induce laxative effects", and

(iii) where it contains aspartame, with the warning "contains a source of phenylalanine".

### **Sale of food containing sweeteners**

5. No person shall sell any food having in it or on it any added sweetener other than a permitted sweetener which has been used in or on that food without contravening any of the provisions of paragraphs (2), (3) and (4) of regulation 3.

### **Condemnation of food**

6. Where any food is certified by a food analyst as being food which it is an offence against these Regulations to sell, that food may be treated for the purposes

of Article 8 of the Order (inspection and seizure of suspected food) as failing to comply with food safety requirements, and Article 7(2) of the Order shall apply for the purposes of these Regulations as it applies for the purposes of the Order.

### **Offences, penalties and enforcement**

7.—(1) If any person contravenes any of the provisions of these Regulations he shall be guilty of an offence, and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(2) These Regulations shall be enforced and executed by each district council within its district.

### **Defence in relation to exports**

8. In any proceedings for an offence under these Regulations it shall be a defence for the person charged to prove—

(a) that the food or, as the case may be, sweetener in respect of which the offence is alleged to have been committed was intended for export to a country which has legislation analogous to these Regulations and that such food or sweetener complies with that legislation; and

(b) in the case of export to another member State, that the legislation complies with Council Directive 89/107/EEC<sup>[5]</sup> on the approximation of the laws of the member States concerning food additives authorised for use in foodstuffs intended for human consumption, Directive 94/35/EC and Directive 95/31/EC.

### **Application of various provisions of the Order**

9. The following provisions of the Order shall apply for the purposes of these Regulations as they apply for the purposes of Articles 7, 13 and 14 of the Order and any reference in them to the Order shall be construed as a reference to these Regulations:

- (a) Articles 2(4) and 3 (extended meaning of "sale" etc.);
- (b) Article 4 (presumptions that food intended for human consumption);
- (c) Article 19 (offences due to fault of another person);
- (d) Article 20 (defence of due diligence);
- (e) Article 21 (defence of publication in the course of business);
- (f) Article 30(8) (which relates to documentary evidence);
- (g) Article 34 (obstruction etc. of officers).

### **Revocation and amendments**

10.—(1) The Regulations and order specified in columns 1 and 2 of Schedule 2 shall be revoked to the extent specified in column 3 of that Schedule.

(2) In the Jam and Similar Products Regulations (Northern Ireland) 1982<sup>[6]</sup>, in paragraph (1) of regulation 2 (interpretation), for the definition of "permitted sweetener" there shall be substituted—

""permitted sweetener" means any sweetener in so far as its use is permitted by the Sweeteners in Food Regulations (Northern Ireland) 1996;" .

(3) In the Meat Products and Spreadable Fish Products Regulations (Northern Ireland) 1984<sup>[7]</sup>, in the definition of "additive" in paragraph (1) of regulation 2 (interpretation), for "1983" there shall be substituted "1996".

(4) In the Food Additives Labelling Regulations (Northern Ireland) 1992<sup>[8]</sup>, in Part II of Schedule 1 (categories of food additives), in subparagraph (n), for "1983" there shall be substituted "1996".

**Transitional provision and exemption**

**11.**—(1) In any proceedings for an offence against these Regulations it shall be a defence to prove that—

(a)

(i) the act was committed before 30th June 1996, or

(ii) the act was that of selling a sweetener or a food which, in either case, was put on the market or labelled before 30th June 1996; and

(b) the matters constituting the offence would not have constituted an offence under any Regulations now revoked or amended by these Regulations if those Regulations had been in operation (in the case of Regulations now being amended, as if such amendments had not been made) when the act was committed or the sweetener or, as the case may be, the food was put on the market or labelled.

(2) These Regulations shall not apply to any sweetener or, as the case may be, food which—

(a) is brought into Northern Ireland before 30th June 1996 from a member State in which it was lawfully produced and sold or in which it was in free circulation and lawfully sold; and

(b) is suitably labelled to give the nature of the sweetener or, as the case may be, the food.

(3) For the purpose of paragraph (2), "free circulation" shall be construed in accordance with Article 9.2 of the Treaty establishing the European Community.

Sealed with the Official Seal of the Department of Health and Social Services on

*D. A. Baker*

Assistant Secretary

28th February 1996.

**SCHEDULE 1**

Regulations 2(1) and (3) and 3(3)

Permitted sweeteners and the foods in or on which they may be used

Column 1	Column 2	Column 3	Column 4
EC No.	Permitted sweetener	Foods in or on which permitted sweeteners may be used	Maximum usable dose
E 420	Sorbitol	<p><b>[Desserts and similar products</b></p> <p>— water-based flavoured desserts, energy-reduced or with no added sugar</p> <p>— Milk- and milk-derivative-based preparations, energy-reduced or with no added sugar</p> <p>— Fruit and vegetable-based desserts, energy-reduced or with no added sugar</p> <p>— Egg-based desserts, energy-reduced or with no added sugar</p> <p>— Cereal-based desserts, energy-reduced or with no added sugar</p> <p>— Breakfast cereals or cereal-based products, energy reduced or with no added sugar</p> <p>— Fat-based desserts, energy-reduced or with no added sugar</p> <p>— Edible ices, energy reduced or with no added</p>	<p>] <i>quantum satis</i></p> <p>] <i>quantum satis</i></p>
E 421	(i) Sorbitol		
E 953	(ii) Sorbitol syrup		
E 965	Mannitol		
E 966	Isomalt		
E 967	Maltitol		
	(i) Maltitol		
	(ii) Maltitol syrup		
	Lactitol		
	Xylitol		

Column 1	Column 2	Column 3	Column 4
EC No.	Permitted sweetener	Foods in or on which permitted sweeteners may be used	Maximum usable dose
		<p>sugar</p> <ul style="list-style-type: none"> <li>— Jams, jellies, marmalades and crystallized fruit, energy-reduced or with no added sugar</li> <li>— Fruit preparations, energy-reduced or with no added sugar, with the exception of those intended for the manufacture of fruit-juice-based drinks</li> </ul> <p><b>Confectionery</b></p> <ul style="list-style-type: none"> <li>— Confectionery with no added sugar</li> <li>— Dried-fruit-based confectionery, energy-reduced or with no added sugar</li> <li>— Starch-based confectionery, energy-reduced or with no added sugar</li> <li>— Chewing gum with no added sugar</li> </ul> <p><b>Miscellaneous</b></p> <ul style="list-style-type: none"> <li>— Cocoa-based products, energy-reduced or with no</li> </ul>	

Column 1	Column 2	Column 3	Column 4
EC No.	Permitted sweetener	Foods in or on which permitted sweeteners may be used	Maximum usable dose
		<p>added sugar</p> <ul style="list-style-type: none"> <li>— Cocoa-, milk-, dried fruit - or fat-based sandwich spreads, energy-reduced or with no added sugar</li> <li>— Sauces</li> <li>— Mustard</li> <li>— Fine bakery products, energy-reduced or with no added sugar</li> <li>— Products intended for particular nutritional uses</li> <li>— Solid food supplements/dietary integrators</li> </ul>	
E 950	Acesulfame K	<p><b>Non-alcoholic drinks</b></p> <ul style="list-style-type: none"> <li>— Water-based flavoured drinks, energy-reduced or with no added sugar</li> </ul>	350 mg/l
		<ul style="list-style-type: none"> <li>— Milk-and milk-derivative-based or fruit-juice-based drinks, energy-reduced or with no added sugar</li> </ul>	350 mg/l
		<p><b>Desserts and similar products</b></p> <ul style="list-style-type: none"> <li>— Water-based flavoured desserts, energy-reduced or with no added</li> </ul>	350 mg/kg



<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>EC No.</b>	<b>Permitted sweetener</b>	<b>Foods in or on which permitted sweeteners may be used</b>	<b>Maximum usable dose</b>
		sugar	
		— Milk- and milk-derivative-based preparations, energy-reduced or with no added sugar	350 mg/kg
		— Fruit- and vegetable-based desserts, energy-reduced or with no added sugar	350 mg/kg
		— Egg-based desserts, energy-reduced or with no added sugar	350 mg/kg
		— Cereal-based desserts, energy reduced or with no added sugar	350 mg/kg
		— Fat-based desserts, energy-reduced or with no added sugar	350 mg/kg
		<b>Confectionery</b>	— Confectionery with no added sugar
		— Cocoa- or dried-fruit-based confectionery, energy-reduced or with no added sugar	500 mg/kg
		— Starch-based confectionery, energy-reduced or with no added sugar	1000 mg/kg
		— Chewing gum with no added sugar	2000 mg/kg
		<b>Miscellaneous</b> — "Snacks": certain flavours of ready to eat, prepacked, dry,	350 mg/kg

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>EC No.</b>	<b>Permitted sweetener</b>	<b>Foods in or on which permitted sweeteners may be used</b>	<b>Maximum usable dose</b>
		savoury starch products and coated nuts	
		— Cocoa-, milk-, dried-fruit- or fat-based sandwich spreads, energy-reduced or with no added sugar	1000 mg/kg
		— Cider and perry	350 mg/l
		— Alcohol-free beer or with an alcohol content not exceeding 1.2% vol	350 mg/l
		— "Bière de table/Tafelbier/Table beer" (original wort content less than 6%) except for "Obergäriges Einfachbier"	350 mg/l
		— Beers with a minimum acidity of 30 milli-equivalents expressed as NaOH	350 mg/l
		— Brown beers of the "oud bruin" type	350 mg/l
		— Edible ices, energy-reduced or with no added sugar	800 mg/kg
		— Canned or bottled fruit, energy-reduced or with no added sugar	350 mg/kg
		— Energy-reduced jams, jellies and marmalades	1000 mg/kg
		— Energy-reduced fruit and vegetable preparations	350 mg/kg
		— Sweet-sour preserves of fruit and vegetables	200 mg/kg
		— Sweet-sour preserves and semi-preserves of fish	200 mg/kg

Column 1	Column 2	Column 3	Column 4
EC No.	Permitted sweetener	Foods in or on which permitted sweeteners may be used	Maximum usable dose
		and marinades of fish, crustaceans and molluscs	
		— Sauces	350 mg/kg
		— Mustard	350 mg/kg
		— Fine bakery products for special nutritional uses	1000 mg/kg
		— Complete formulae for weight control intended to replace total daily food intake or an individual meal	450 mg/kg
		— Complete formulae and nutritional supplements for use under medical supervision	450 mg/kg
		— Liquid food supplements/dietary integrators	350 mg/l
		— Solid food supplements/dietary integrators	500 mg/kg
		— Vitamins and dietary preparations	2000 mg/kg
E 951	Aspartame	<b>Non-alcoholic drinks</b> — Water-based flavoured drinks, energy-reduced or with no added sugar	600 mg/l
		— Milk- and milk-derivative-based or fruit juice-based drinks, energy-reduced or with no added sugar	600 mg/l
		<b>Desserts and</b>	1000 mg/kg

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>EC No.</b>	<b>Permitted sweetener</b>	<b>Foods in or on which permitted sweeteners may be used</b>	<b>Maximum usable dose</b>
		<b>similar products</b> — Water-based flavoured desserts, energy-reduced or with no added sugar	
		— Milk- and milk-derivative-based preparations, energy-reduced or with no added sugar	1000 mg/kg
		— Fruit- and vegetable-based desserts, energy-reduced or with no added sugar	1000 mg/kg
		— Egg-based desserts, energy-reduced or with no added sugar	1000 mg/kg
		— Cereal-based desserts, energy-reduced or with no added sugar	1000 mg/kg
		— Fat-based desserts, energy-reduced or with no added sugar	1000 mg/kg
		<b>Confectionery</b> — Confectionery with no added sugar	1000 mg/kg
		— Cocoa- or dried-fruit-based confectionery, energy-reduced or with no added sugar	2000 mg/kg
		— Starch-based confectionery, energy-reduced or with no added sugar	2000 mg/kg
		— Chewing gum with no	5500 mg/kg

Column 1	Column 2	Column 3	Column 4
EC No.	Permitted sweetener	Foods in or on which permitted sweeteners may be used	Maximum usable dose
		added sugar	
		<b>Miscellaneous</b> —"Snacks": certain flavours of ready to eat, prepacked, dry, savoury starch products and coated nuts	500 mg/kg
		— Cocoa-, milk-, dried-fruit- or fat-based sandwich spreads, energy-reduced or with no added sugar	1000 mg/kg
		— Cider and perry	600 mg/l
		— Alcohol-free beer or with an alcohol content not exceeding 1.2% vol	600 mg/l
		—"Bière de table/Tafelbier/Table beer" (original wort content less than 6%) except for "Obergäriges Einfachbier"	600 mg/l
		— Beers with a minimum acidity of 30 milli-equivalents expressed as NaOH	600 mg/l
		— Brown beers of the "oud bruin" type	600 mg/l
		— Edible ices, energy-reduced or with no added sugar	800 mg/kg
		— Canned or bottled fruit, energy-reduced or with no added sugar	1000 mg/kg
		— Energy-reduced jams, jellies and marmalades	1000 mg/kg
		— Energy-reduced fruit	1000 mg/kg

Column 1	Column 2	Column 3	Column 4
EC No.	Permitted sweetener	Foods in or on which permitted sweeteners may be used	Maximum usable dose
		and vegetable preparations	
		— Sweet-sour preserves of fruit and vegetables	300 mg/kg
		— Sweet-sour preserves and semi-preserves of fish and marinades of fish, crustaceans and molluscs	300 mg/kg
		— Sauces	350 mg/kg
		— Mustard	350 mg/kg
		— Fine bakery products for special nutritional uses	1700 mg/kg
		— Complete formulae for weight control intended to replace total daily food intake or an individual meal	800 mg/kg
		— Complete formulae and nutritional supplements for use under medical supervision	1000 mg/kg
		— Liquid food supplements/dietary integrators	600 mg/kg
		— Solid food supplements/dietary integrators	2000 mg/kg
		— Vitamins and dietary preparations	5500 mg/kg
E 952	Cyclamic acid and its Na and Ca Salts <sup>[9]</sup>	<p><b>Non-alcoholic drinks</b></p> <p>— Water-based flavoured drinks, energy-reduced or with no added sugar</p>	400 mg/l
		— Milk- and milk-	400 mg/l

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>EC No.</b>	<b>Permitted sweetener</b>	<b>Foods in or on which permitted sweeteners may be used</b>	<b>Maximum usable dose</b>
		derivative-based or fruit-juice-based drinks, energy-reduced or with no added sugar	
		<b>Desserts and similar products</b> — Water-based flavoured desserts, energy-reduced or with no added sugar	250 mg/kg
		— Milk- and milk-derivative-based preparations, energy-reduced or with no added sugar	250 mg/kg
		— Fruit- and vegetable-based desserts, energy-reduced or with no added sugar	250 mg/kg
		— Egg-based desserts, energy-reduced or with no added sugar	250 mg/kg
		— Cereal-based desserts, energy-reduced or with no added sugar	250 mg/kg
		— Fat-based desserts, energy-reduced or with no added sugar	250 mg/kg
		<b>Confectionery</b> — Confectionery with no added sugar	500 mg/kg
		— Cocoa- or dried-fruit-based confectionery, energy-reduced or with no added	500 mg/kg

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>EC No.</b>	<b>Permitted sweetener</b>	<b>Foods in or on which permitted sweeteners may be used</b>	<b>Maximum usable dose</b>
		sugar	
		— Starch-based confectionery, energy-reduced or with no added sugar	500 mg/kg
		— Chewing gum with no added sugar	1500 mg/kg
		<b>Miscellaneous</b> — Cocoa-, milk-dried-fruit or fat-based sandwich spreads, energy-reduced or with no added sugar	500 mg/kg
		— Edible ices, energy-reduced or with no added sugar	250 mg/kg
		— Canned or bottled fruit, energy-reduced or with no added sugar	1000 mg/kg
		— Energy-reduced jams, jellies and marmalades	1000 mg/kg
		— Energy-reduced fruit and vegetable preparations	250 mg/kg
		— Fine bakery products for special nutritional uses	1600 mg/kg
		— Complete formulae for weight control intended to replace total daily food intake or an individual meal	400 mg/kg
		— Complete formulae and nutritional supplements for use under medical supervision	400 mg/kg
		— Liquid food supplements/dietary	400 mg/kg



Column 1	Column 2	Column 3	Column 4
EC No.	Permitted sweetener	Foods in or on which permitted sweeteners may be used	Maximum usable dose
		integrators	
		— Solid food supplements/dietary integrators	500 mg/kg
E 954	Saccharin and its Na, K and Ca salts <sup>[10]</sup>	<p><b>Non-alcoholic drinks</b></p> <p>— Water-based flavoured drinks, energy-reduced or with no added sugar</p>	80 mg/l
		— Milk- and milk-derivative based or fruit-juice-based drinks, energy-reduced or with no added sugar	80 mg/l
		— "Gaseosa": non-alcoholic water-based drink with added carbon dioxide, sweeteners and flavourings	100 mg/l
		<p><b>Desserts and similar products</b></p> <p>— Water-based flavoured desserts, energy-reduced or with no added sugar</p>	100 mg/kg
		— Milk- and milk-derivative-based preparations, energy-reduced or with no added sugar	100 mg/kg
		— Fruit- and vegetable-based desserts, energy-reduced or with no added sugar	100 mg/kg

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>EC No.</b>	<b>Permitted sweetener</b>	<b>Foods in or on which permitted sweeteners may be used</b>	<b>Maximum usable dose</b>
		— Egg-based desserts, energy-reduced or with no added sugar	100 mg/kg
		— Cereal-based desserts, energy-reduced or with no added sugar	100 mg/kg
		— Fat-based desserts, energy-reduced or with no added sugar	100 mg/kg
		<b>Confectionery</b> — Confectionery with no added sugar	500 mg/kg
		— Cocoa- or dried-fruit-based confectionery, energy-reduced or with no added sugar	500 mg/kg
		— Starch-based confectionery, energy-reduced or with no added sugar	300 mg/kg
		— Chewing gum with no added sugar	1200 mg/kg
		<b>Miscellaneous</b> —"Snacks": certain flavours of ready to eat, prepacked, dry savoury starch products and coated nuts	100 mg/kg
		— Essoblaten	800 mg/kg
		— Cocoa-, milk-, dried-fruit- or fat-based sandwich spreads, energy-reduced or with no added sugar	200 mg/kg

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>EC No.</b>	<b>Permitted sweetener</b>	<b>Foods in or on which permitted sweeteners may be used</b>	<b>Maximum usable dose</b>
		— Cider and perry	80 mg/l
		— Alcohol-free beer or with an alcohol content not exceeding 1.2% vol	80 mg/l
		— "Bière de table/Tafelbier/Table beer"(original wort content less than 6%)except for "Obergäriges Einfachbier"	80 mg/l
		— Beers with a minimum acidity of 30milli-equivalents expressed as NaOH	80 mg/l
		— Brown beers of the "oud bruin" type	80 mg/l
		— Edible ices, energy-reduced or with no added sugar	100 mg/kg
		— Canned or bottled fruit, energy-reduced or with no added sugar	200 mg/kg
		— Energy-reduced jams, jellies and marmalades	200 mg/kg
		— Energy-reduced fruit and vegetable preparations	200 mg/kg
		— Sweet-sour preserves of fruit and vegetables	160 mg/kg
		— Sweet-sour preserves and semi-preserves of fish and marinades of fish, crustaceans and molluscs	160 mg/kg
		— Sauces	160 mg/kg
		— Mustard	320 mg/kg
		— Fine bakery products for special nutritional uses	170 mg/kg
		— Complete formulae for	240 mg/kg

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>EC No.</b>	<b>Permitted sweetener</b>	<b>Foods in or on which permitted sweeteners may be used</b>	<b>Maximum usable dose</b>
		weight control intended to replace total daily food intake or an individual meal	
		— Complete formulae and nutritional supplements for use under medical supervision	200 mg/kg
		— Liquid food supplements/dietary integrators	80 mg/kg
		— Solid food supplements/dietary integrators	500 mg/kg
		— Vitamins and dietary preparations	1200 mg/kg
E 957	Thaumatococcus	<b>Confectionery</b> — Confectionery with no added sugar	50 mg/kg
		— Cocoa- or dried-fruit-based confectionery, energy-reduced or with no added sugar	50 mg/kg
		— Chewing gum with no added sugar	50 mg/kg
		<b>Miscellaneous</b> — Vitamins and dietary preparations	400 mg/kg
E 959	Neohesperidin DC	<b>Non-alcoholic drinks</b> — Water-based flavoured drinks, energy-reduced or with no added	30 mg/l

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>EC No.</b>	<b>Permitted sweetener</b>	<b>Foods in or on which permitted sweeteners may be used</b>	<b>Maximum usable dose</b>
		sugar	
		— Milk- and milk-derivative-based drinks, energy-reduced or with no added sugar	50 mg/l
		— Fruit-juice-based drinks, energy-reduced or with no added sugar	30 mg/l
		<b>Desserts and similar products</b> — Water-based flavoured desserts, energy-reduced or with no added sugar	50 mg/kg
		— Milk- and milk-derivative-based preparations, energy-reduced or with no added sugar	50 mg/kg
		— Fruit- and vegetable-based desserts, energy-reduced or with no added sugar	50 mg/kg
		— Egg-based desserts, energy-reduced or with no added sugar	50 mg/kg
		— Cereal-based desserts, energy-reduced or with no added sugar	50 mg/kg
		— Fat-based desserts, energy-reduced or with no added sugar	50 mg/kg
		<b>Confectionery</b> — Confectionery with no added	100 mg/kg

Column 1	Column 2	Column 3	Column 4
EC No.	Permitted sweetener	Foods in or on which permitted sweeteners may be used	Maximum usable dose
		sugar	
		— Cocoa- or dried-fruit-based confectionery, energy-reduced or with no added sugar	100 mg/kg
		— Starch-based confectionery, energy-reduced or with no added sugar	150 mg/kg
		— Chewing gum with no added sugar	400 mg/kg
		<b>Miscellaneous</b> — Cocoa-, milk-, dried-fruit- or fat-based sandwich spreads, energy-reduced or with no added sugar	50 mg/kg
		— Cider and perry	20 mg/l
		— Alcohol-free beer or with an alcohol content not exceeding 1.2% vol	10 mg/l
		— "Bière de table/Tafelbier/Table beer"(original wort content less than 6%)except for "Obergäriges Einfachbier"	10 mg/l
		— Beers with a minimum acidity of 30milli-equivalents expressed as NaOH	10 mg/l
		— Brown beers of the "oud bruin" type	10 mg/l
		— Edible ices, energy-reduced or with no added sugar	50 mg/kg
		— Canned or bottled fruit,	50 mg/kg

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>EC No.</b>	<b>Permitted sweetener</b>	<b>Foods in or on which permitted sweeteners may be used</b>	<b>Maximum usable dose</b>
		energy-reduced or with no added sugar	
		— Energy-reduced jams, jellies and marmalades	50 mg/kg
		— Sweet-sour preserves of fruit and vegetables	100 mg/kg
		— Energy-reduced fruit and vegetable preparations	50 mg/kg
		— Sweet-sour preserves and semi-preserves of fish and marinades of fish, crustaceans and molluscs	30 mg/kg
		— Sauces	50 mg/kg
		— Mustard	50 mg/kg
		— Fine bakery products for special nutritional uses	150 mg/kg
		— Complete formulae for weight control intended to replace total daily food intake or an individual meal	100 mg/kg
		— Liquid food supplements/dietary integrators	50 mg/kg
		— Solid food supplements/dietary integrators	100 mg/kg

#### Revocations

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Regulations and order revoked</b>	<b>References</b>	<b>Extent of revocation</b>
The Sweeteners in Food Regulations (Northern Ireland) 1983	S.R. 1983 No. 265	The whole Regulations
The Food (Revision of Penalties and Mode of Trial) Regulations	S.R. 1987 No. 38	In Schedule 1, the reference to the Sweeteners in Food Regulations

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Regulations and order revoked</b>	<b>References</b>	<b>Extent of revocation</b>
(Northern Ireland) 1987		(Northern Ireland) 1983
The Sweeteners in Food (Amendment) Regulations (Northern Ireland) 1988	S.R. 1988 No. 433	The whole Regulations
The Food Safety (Northern Ireland) Order 1991 (Consequential Modifications) Order (Northern Ireland) 1991	S.R. 1991 No. 203	In Part I of Schedule 1 and in Schedules 3, 5 and 6, the references to the Sweeteners in Food Regulations (Northern Ireland) 1983
The Food Safety (Exports) Regulations (Northern Ireland) 1991	S.R. 1991 No. 344	In the Schedule, the reference to the Sweeteners in Food Regulations (Northern Ireland) 1983

### **EXPLANATORY NOTE**

*(This note is not part of the Regulations.)*

These Regulations implement European Parliament and Council Directive 94/35/EC (O.J. No. L237, 10.9.94, p. 3) on sweeteners for use in foodstuffs (which has to be read with Council Directive 89/107/EEC (O.J. 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 (O.J. 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 (O.J. 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 Regulation 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 district councils (regulation 7);
- (c) provide a defence in relation to exports, in implementation of Articles 2 and 3 of Council Directive 89/397/EEC (O.J. 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 (Northern Ireland) Order 1991 (regulation 9);
- (e) revoke the Regulations and order 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).

*Notes:*

[1] S.I. [1991/762](#) (N.I. 7). *See* Article 2(2) for the definition of "regulations" and "the Department concerned" [back](#)

[2] O.J. No. L237, 10.9.94, p. 3 [back](#)

[3] O.J. No. L178, 28.7.95, p. 1 [back](#)

[4] O.J. No. L186, 30.6.89, p. 27 [back](#)

[5] O.J. No. L40, 11.2.89, p. 27 [back](#)

[6] S.R. 1982 No. 105; the relevant amending Regulations are S.R. 1983 No. 265 [back](#)

[7] S.R. 1984 No. 408, to which there are amendments not relevant to these Regulations [back](#)

[8] S.R. 1992 No. 417 [back](#)

[9] The maximum usable doses for cyclamic acid and its Na and Ca salts are expressed in terms of the free acid [back](#)

[10] The maximum usable doses for saccharin and its Na, K and Ca salts are expressed in terms of the free imide [back](#)