

---

**ANTIOXIDANTS IN FOOD REGULATIONS, 1987**

Regulations made under sections 6, 8 and 58.

**Subsidiary  
1987/041****ANTIOXIDANTS IN FOOD REGULATIONS, 1987****(LN. 1987/041)****1.8.1987**

| Amending<br>enactments | Relevant current<br>provisions | Commencement<br>date |
|------------------------|--------------------------------|----------------------|
| 1990/057               | regs. 1 and 2.                 | 1.7.1990             |

**EU Legislation/International Agreements involved:**

Directive 78/664/EEC

---

**ARRANGEMENT OF REGULATIONS.**

## Regulation

1. Title and Commencement.
2. Interpretation.
3. Exemptions.
4. Sale etc of food containing antioxidants.
5. Sale, advertisement and labelling of antioxidants.
6. Food for babies and young children.
7. Condemnation of food.
8. Penalties.
9. Defences.
10. Application of various sections of the Act.

SCHEDULE 1.

SCHEDULE 2.

SCHEDULE 3.

SCHEDULE 4.

**1964-07**

## Food and Drugs

---

**ANTIOXIDANTS IN FOOD REGULATIONS, 1987**

**Subsidiary  
1987/041**

---

**ANTIOXIDANTS IN FOOD REGULATIONS, 1987**

---

**Title and commencement.****Subsidiary  
1987/041**

1.(1) These regulations may be cited as the Antioxidants in Food and Regulations, 1987.

(2) The regulations shall come into operation on the 1st day of August, 1987.

**Interpretation**

2.(1) In these regulations, unless the context otherwise requires-

“anhydrous edible oils and fats” means oils and fats, intended for sale for human consumption, which have been derived from any animal, bird, fish or plant and from which all or almost all the water has been removed, and includes block suet and the fat content of shredded suet but does not include dairy products, essential oils or isolates from the concentrates of essential oils;

“antioxidant” means any substance which is capable of delaying, retarding or preventing the development in food of rancidity or other flavour deterioration due to oxidation but does not include-

- (a) any permitted sweetener,
- (b) any permitted colouring matter,
- (c) any permitted emulsifier,
- (d) any permitted miscellaneous additive other than a permitted diluent combined with such an antioxidant,
- (e) any permitted preservative,
- (f) any permitted stabiliser,
- (g) any permitted solvent other than a permitted diluent combined with such an antioxidant,
- (h) esters of L-ascorbid acid with straight-chain C14 and C18 fatty acids used or for use to dilute or dissolve colouring matter in accordance with the Colouring Matter in Food Regulations 1980;

“appropriate designation” means, as respects any permitted antioxidant or permitted diluent, a name or description or a name and description sufficiently specific, in each case, to indicate to an

---

**ANTIOXIDANTS IN FOOD REGULATIONS, 1987**

---

intending purchaser the true nature of the permitted antioxidant or permitted diluent to which it is applied;

“block suet” means rendered beef suet free from fibrous tissue;

“butter fat” means the product obtained by removing all or almost all the water and milk solids other than fat from milk, cream or butter and includes anhydrous butter fat, butter oil, anhydrous butter oil and anhydrous milk fat;

“container” includes any form packaging of food for sale as a single item, whether by way of wholly or partly enclosing the food or by way of attaching the food to some other article, and in particular includes a wrapper or confining band;

“dairy product” means any butter, butter fat, cream, dried cream, milk, condensed milk, evaporated milk, dried milk, cheese, dried cheese, dried whey or dried whey derivatives;

“diluent” means any substance used to dilute or dissolve antioxidant intended for use in food for human consumption;

“food” means food intended for sale for human consumption and includes drink, chewing gum and other products of a like nature and use, and articles and substances used as ingredients in the preparation of food or drink or of such products, but does not include-

- (a) water, live animals or birds,
- (b) fodder or feeding stuffs for animals, birds or fish, or
- (c) articles or substances used only as drugs;

“human consumption” includes use in the preparation of food for human consumption;

“the Act” means the Food and Drugs Act;

“permitted antioxidant” means any antioxidant specified in Part I of Schedule I which satisfies the specific purity criteria relating to that antioxidant specified or referred to in Part II of that Schedule and, so far as is not otherwise provided by any such specific purity criteria, satisfies the general purity criteria specified in Part III of that Schedule, or any mixture of two or more such antioxidants and (except in the definition of appropriate designation in this regulation and schedules 1 and 4) shall be construed as including

---

**ANTIOXIDANTS IN FOOD REGULATIONS, 1987**

any permitted diluent combined with such antioxidant or mixture of such antioxidants;

**Subsidiary  
1987/041**

“permitted colouring matter” means any colouring matter in so far as its use is permitted by the Colouring Matter in Food Regulations, 1980 as amended;

“permitted diluent” means any diluent described in Part I of Schedule 2 which satisfies the general purity criteria specified in Part II of that Schedule or any of the permitted solvents ethyl alcohol (ethanol), propylene glycol and glycerol, or the permitted sweetener sorbitol and includes any combination of two or more such substances;

“permitted emulsifier” means any emulsifier in so far as its use is permitted by the Emulsifiers and Stabilisers in Food Regulations 1990;

“permitted miscellaneous additive” means any miscellaneous additive so far as its use is permitted by the Miscellaneous Additives in Food Regulations 1987;

“permitted preservative” means any preservative in so far as its use is permitted by the Preservatives in Food Regulations 1987;

“permitted solvent” means any solvent in so far as its use is permitted by the Solvents in Food Regulations 1987;

“permitted stabiliser” means any stabiliser in so far as its use is permitted by the Emulsifiers and Stabilisers in Food Regulations 1990;

“permitted sweetener” means any sweetener in so far as its use is permitted by the Sweeteners in Food Regulations 1987;

“sell” includes offer or expose for sale or have in possession for sale, and “sale” and “sold” shall be construed accordingly;

“shredded suet” means the product consisting of rendered beef suet, free from fibrous tissue, which has been shredded, flaked or otherwise comminuted, with or without farinaceous material;

“specified food” means any food of a description specified in column I of Part I, Part II, Part III or Part IV of Schedule 3:

AND other expressions have the same meaning as in the Act.

(2) Unless a contrary intention is expressed, all proportions mentioned in these regulations are proportions calculated by weight of the product as sold.

**Subsidiary  
1987/041**

(3) Any reference in these regulations to a label borne on container shall be construed as including a reference to any legible marking on the container however effected.

(4) For the purpose of these regulations, the supply of food, otherwise than by sale, at, in or from any place where food is supplied in the course of a business shall be deemed to be the supply of that food.

(5) Any reference in these regulations to any other regulations shall be construed as a reference to such regulations as amended by any subsequent regulations.

(6) Any reference in these regulations to numbered regulation or schedule shall be construed as a reference to the regulation or schedule bearing that number in these regulations.

**Exemptions.**

3. The provisions of these regulations shall not apply to food having any antioxidant in it or on it, to any antioxidant or to any diluent combined with any antioxidant or antioxidants which, in any case, is intended at the time of sale, consignment, delivery or importation, as the case may be, for exportation to any place outside Gibraltar.

**Sale etc of food containing antioxidants.**

4.(1) Save as hereinafter provided and subject to paragraph (2) of this regulation, no food sold, consigned or delivered, or food containing imported into Gibraltar, shall have in it or on it any added antioxidant other than a permitted antioxidant:

Provided that apples and pears may have in them or on them diphenylamine in any proportion not exceeding 10 milligrammes per kilogramme, which is present solely by reason of the use of that substance as a scald inhibitor.

(2) Save as hereinafter provided, no food sold, consigned or delivered, or imported into Gibraltar shall have in it or on it any added permitted antioxidant specified in column 2 of Part I, Part II, Part III or Part IV of Schedule 3:

Provided that-

- (a) any specified food described in column 1 of any Part of schedule 3 may have in it or on it permitted antioxidant of a description specified in relation thereto in column 2 of such Part and in the proportion so specified in column 3 thereof;

---

**ANTIOXIDANTS IN FOOD REGULATIONS, 1987****Subsidiary  
1987/041**

- (b) any food, other than a dairy product, containing as an ingredient any specified food described in column 1 of Part I of Schedule 3 may contain permitted antioxidant of a description specified in column 2 of that Part, in an amount not exceeding that appropriate to the quantity of that specified food in accordance with the descriptions and proportions specified in columns 2 and 3 respectively of that Part;
- (c) any food, other than a dairy product, containing milk fat by reason of the use as an ingredient in the preparation of that food of any dairy product, other than a dairy product described in column 1 of Part I of Schedule 3, may contain permitted antioxidant of a description specified in column 2 of Part I of Schedule 3, in an amount not exceeding that appropriate to the quantity of that milk fat in accordance with the descriptions and proportions specified in columns 2 and 3 respectively of Part I of Schedule 3;
- (d) any food containing as an ingredient any specified food described in column I of Part II or Part III of Schedule 3 may contain permitted antioxidant of a description specified in column 2 of such Part for that specified food, in an amount not exceeding that appropriate to the quantity of that specified food in accordance with the descriptions and proportions specified in columns 2 and 3 respectively of such Part.

(3) No person shall sell, consign or deliver, or import into Gibraltar any food which does not comply with this regulation.

**Sale, advertisement and labelling of antioxidants**

5.(1) No person shall sell, consign or deliver, for import into Gibraltar, or advertise for sale any antioxidant (including and antioxidant with which any other substance has been mixed) for use as an ingredient in the preparation of food unless such antioxidant is a permitted antioxidant

(2) No person shall sell, consign or deliver any permitted antioxidant (including any permitted antioxidant with which any other substance has been mixed) for use as an ingredient in the 'preparation of food except in a container bearing label in accordance with the requirements of Schedule 4.

**Food for babies and young children**

6.(1) Subject to paragraph (2) of this regulation, no person shall-

- (a) give with any food sold by him any label, whether attached to or borne on the container or not, or display with any food

**Subsidiary  
1987/041****ANTIOXIDANTS IN FOOD REGULATIONS, 1987**

offered or exposed by him for sale any ticket or notice, being a label, ticket or notice which bears any words, device or description calculated to indicate either directly or indirectly that the food is intended for babies or young children, or

- (b) publish, or be a party to the publication of, any advertisement for any food, being an advertisement which includes any words, device or description as aforesaid, or
- (c) use on, or in connection with, the sale of any food any such words, device or description as aforesaid,

if the food has in it or on it any butylated hydroxyanisole, butylated hydroxytoluene, propylgallate, octyl gallate, dodecyl gallate or ethoxyquin.

(2) This regulation shall not apply to-

- (a) any specified food described in column I of item (b) of Part III of Schedule 3 which has in it or on it permitted antioxidant of a description specified in relation thereto in column 2 of that Part and in the proportion so specified in column 3 thereof:
- (b) any food which has in it or on it permitted antioxidant of the description specified in column 2 of item (b) of Part III of Schedule 3 introduced in the preparation of that food by the use of a specified food described in column I thereof if that permitted antioxidant is present in the food in no greater proportion in relation to the quantity of the specified food used than the proportion specified in column 3 of that item.

**Condemnation of food.**

7. Where any food is certified by a public analyst as being food which it is an offence against regulation 4 to sell, consign or deliver or import into Gibraltar, that food may be treated for the purposes of Section 10 of the Act (under which food may be seized and destroyed on the order of a Justice of the peace) as being unfit for human consumption.

**Penalties**

8. If any person contravenes or fails to comply with any of the foregoing provisions of these regulations he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000

**Defences**

9.(1) In any proceedings for an offence against these regulations in relation to the publication of an advertisement it shall be a defence for the



---

**ANTIOXIDANTS IN FOOD REGULATIONS, 1987**

defendant to prove that, being a person whose business it is to publish or arrange for the publication of advertisements, he received the advertisement for publication in the ordinary course of business.

**Subsidiary  
1987/041**

(2) In any proceedings against the manufacturer or importer of any antioxidant for use as an ingredient in the preparation of food, or of any food having added antioxidant 11 it or on it, for an offence against these regulations in relation to the publication of an advertisement, it shall rest on the defendant to prove that he did not publish, and was not a party to the publication of, the advertisement.

**Application of various sections of the Act.**

10. Sections 46 (2) and (3) (which relate to prosecutions), 47(1) and (2) (which relate to evidence of analysis), 49 (which relates to the power of a court to require analysis by the Government Chemist in the United Kingdom), 50 (which relates to a contravention due to some person other than the person charged), 51(2) (which relates to the conditions under which a warranty may be pleaded as a defence) and 52 (which relates to offences in relation to warranties and certificates of analysis) of the Act shall apply for the purposes of these regulations as it references therein to proceedings, or a prosecution, under or taken or brought under the Act included references to proceedings, or a prosecution, as the case may be, taken or brought for an offence under these regulations and as it the reference in the said Section 49 to subsection (3) of Section 46 included a reference to that subsection as applied by these regulations.

## SCHEDULE 1.

*Part I: Permitted antioxidants.*

| Name of Antioxidant                            | Serial Number |
|------------------------------------------------|---------------|
| L-Ascorbic acid                                | E300          |
| Sodium L-ascorbate                             | E301          |
| Calcium L-ascorbate                            | E302          |
| 6-0-Palmitoyl-L-ascorbic acid                  | E304          |
| Extracts of natural origin rich in tocopherols | E306          |
| Synthetic alpha-tocopherol                     | E307          |
| Synthetic gamma-tocopherol                     | E308          |
| Synthetic delta-tocopherol                     | E309          |
| Propyl gallate                                 | E310          |
| Octyl gallate                                  | E311          |
| Dodecyl gallate                                | E312          |
| Butylated hydroxyanisole (BHA)                 | E320          |
| Butylated hydroxytoluene (BHT)                 | E321          |
| Ethoxyquin                                     | -             |

*Part II: Specific purity criteria for permitted antioxidants*

Each of the following permitted antioxidants shall comply with the specific purity criteria for it contained in Council Directive No. 78/664/EEC-

|      |                                                                       |
|------|-----------------------------------------------------------------------|
| E300 | L-Ascorbic acid                                                       |
| E301 | Sodium L-ascorbate                                                    |
| E302 | Calcium L-ascorbate                                                   |
| E304 | 6-O-Palmitoyl-L-ascorbic acid (Synonym: Ascorbyl almitate)            |
| E306 | Extracts of natural origin rich in tocopherols                        |
| E307 | Synthetic alpha-tocopherol                                            |
| E308 | Synthetic gamma-tocopherol                                            |
| E309 | Synthetic delta-tocopherol                                            |
| E310 | Propyl gallate (Synonym: Propyl 3,4, 5-trihydroxybenzoate)            |
| E311 | Octyl gallate (Synonym: Octyl 3, 4, 5-trihydroxybenzoate)             |
| E312 | Dodecyl gallate (Synonym: Dodecyl 3, 4, 5-trihydroxybenzoate)         |
| E320 | Butylated hydroxyanisole (BHA)                                        |
| E321 | Butylated hydroxytoluene (BHT) (Synonym: 2, 6-di-tert-butyl-p-cresol) |

*Ethoxyquin* shall comply with the following specific purity criteria:-

---

**ANTIOXIDANTS IN FOOD REGULATIONS, 1987**

Description. . . . . Pale amber oil when freshly prepared. Tendency to polymerise on exposure to light and oxygen with darkening in colour.

**Subsidiary  
1987/041**

Content. . . . . Not less than 92 per centum of the monomer 1,2-dihydro-6-ethoxy-2,2, trimethylquinoline (C<sub>14</sub>H<sub>19</sub> NO). The remainder shall consist of the dimer and higher polymers.

Boiling Point. . . . . 125°C at 1 to 2 mm. of mercury.

Refractive index. 25°C . . . Not less than 1.569 and not more than 1.572.

*Part III: General purity criteria for permitted antioxidants*

No antioxidant shall contain more than—

- (a) 3 milligrammes per kilogramme of arsenic:
- (b) 10 milligrammes per kilogramme of lead:
- (c) 50 milligrammes per kilogramme of copper, or 25 milligrammes per kilogramme of zinc, or 50 milligrammes per kilogramme of any combination of copper and zinc.

**SCHEDULE 2.***Part 1: Permitted diluents (see Definition in Regulation 2(1))*

Drinking water, demineralised water, distilled water, edible oils and fats.

Part II: Genera/purity criteria for permitted diluents described in part I above

No diluent shall contain more than—

- (a) 3 milligrammes per kilogramme of arsenic;
- (b) 10 milligrammes per kilogramme of lead;
- (c) 50 milligrammes per kilogramme of copper, or 25 milligrammes per kilogramme of zinc, or 50 milligrammes per kilogramme of any combination of copper and zinc.

**SCHEDULE 3.****Antioxidants permitted only in certain foods.***Part I*

| Column I                                                                                                                        | Column 2                                                                                          | Column 3                                    |
|---------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|---------------------------------------------|
| Specified food                                                                                                                  | Permitted antioxidant                                                                             | Milligrammes per kilogramme - not exceeding |
| Any of the following dairy products for use as ingredients in the preparation of food intended for sale for human consumption:— | 1. Propylgallate or Octyl gallate or Dodecyl gallate or any mixture of two, or of all, of them    | 100<br>(Calculated on the milk fat content) |
| butter<br>butter fat,<br>dried cream                                                                                            | 2. Butylated hydroxyanisole (BHA) or Butylated hydroxytoluene (BHT) or any mixture of BHA and BHT | 200<br>(calculated on the milk fat content) |

## ANTIOXIDANTS IN FOOD REGULATIONS, 1987

Subsidiary  
1987/041

|                        |                       |                             |  |
|------------------------|-----------------------|-----------------------------|--|
| dried cheese           |                       | 300                         |  |
| dried whey             |                       | (of which not more than     |  |
| dried whey             |                       | 100 shall represent item 1  |  |
| derivatives            | 3. Any mixture of     | and not more than 200       |  |
|                        | one or more of the    | shall represent item 2)     |  |
|                        | permitted             | (calculated on the milk fat |  |
|                        | antioxidants          | content)                    |  |
|                        | mentioned in item 1   |                             |  |
|                        | of this column and    |                             |  |
|                        | either or both of the |                             |  |
|                        | permitted             |                             |  |
|                        | antioxidants          |                             |  |
|                        | mentioned in item 2   |                             |  |
|                        | of this column        |                             |  |
| (a) Anhydrous edible   | 1. Propyl gallate or  | 100                         |  |
| oils and fats and      | Octyl gallate or      |                             |  |
| vitamin oils and       | Dodecyl gallate or    |                             |  |
| concentrates other     | any mixture of two,   |                             |  |
| than preparations of   | or of all, of them    |                             |  |
| Vitamin A or Vitamin   |                       |                             |  |
| A esters containing    | 2. Butylated          | 200                         |  |
| more than 30,000       | hydroxyanisole        |                             |  |
| microgrammes retinol   | (BHA) or Butylated    |                             |  |
| equivalents per        | hydroxytoluene        |                             |  |
| gramme                 | (BHT) or any          |                             |  |
|                        | mixture of BHA and    |                             |  |
|                        | BHT                   |                             |  |
|                        |                       | 300                         |  |
|                        | 3. Any mixture of     | (of which not more than     |  |
|                        | one or more of the    | 100 shall represent item 1  |  |
|                        | permitted             | and not more than 200       |  |
|                        | antioxidants          | shall represent item 2)     |  |
|                        | mentioned in item 1   |                             |  |
|                        | of this column and    |                             |  |
|                        | either or both of the |                             |  |
|                        | permitted             |                             |  |
|                        | antioxidants          |                             |  |
|                        | mentioned in item 2   |                             |  |
|                        | of this column        |                             |  |
| (b) Any permitted      | 1. Propyl gallate or  | 100                         |  |
| emulsifier or          | Octyl gallate or      |                             |  |
| permitted stabiliser   | Dodecyl gallate or    |                             |  |
| containing combined    | any mixture of two,   |                             |  |
| fatty acids whether or | or of all of them     |                             |  |
| not those fatty acids  |                       |                             |  |
| have been              | 2. Butylated          | 200                         |  |
| polymerised            | hydroxyanisole        |                             |  |
|                        | (BHA) or Butylated    |                             |  |
|                        | hydroxytoluene        |                             |  |
|                        | (BHT) or any          |                             |  |

## ANTIOXIDANTS IN FOOD REGULATIONS, 1987

Subsidiary  
1987/041

|                                                                          |                                                                                                                                                                                    |                                                                                                  |
|--------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
|                                                                          | mixture of BHA and BHT                                                                                                                                                             | 300                                                                                              |
|                                                                          | 3. Any mixture of one or more of the permitted antioxidants mentioned in item 1 of this column and either or both of the permitted antioxidants mentioned in item 2 of this column | (of which not more than 100 shall represent item 1 and not more than 200 shall represent item 2) |
| (c) Essentials oils and isolates from the concentrates of essential oils | 1. Propyl gallate or Octyl gallate of Dodecyl gallate or any mixture of two, or of all, of them                                                                                    | 1,000                                                                                            |
|                                                                          | 2. Butylated hydroxyanisole (BHA) or Butylated hydroxytoluene (BHT) or any mixture of BHA and BHT                                                                                  | 1,000                                                                                            |
|                                                                          | 3. Any mixture of one or more of the permitted antioxidants mentioned in item 1 of them column                                                                                     | 1,000                                                                                            |
| (d) Potato powder, potato flakes and potato granules                     | Butylated hydroxyanisole (BHA) or Butylated hydroxytoluene (BHT) or any mixture of BHA and BHT                                                                                     | 25                                                                                               |
| (e) Walnuts (shelled)                                                    | 1. Butylated hydroxyanisole (BHA)                                                                                                                                                  | 70                                                                                               |
|                                                                          | 2. Butylated hydroxytoluene (BHT)                                                                                                                                                  | 70                                                                                               |
|                                                                          | 3. Any mixture of BHA and BHT                                                                                                                                                      | 140                                                                                              |
|                                                                          |                                                                                                                                                                                    | (of which note more than                                                                         |

**ANTIOXIDANTS IN FOOD REGULATIONS, 1987**

|                      |            |                                                                             |
|----------------------|------------|-----------------------------------------------------------------------------|
| (f) Apples and pears | Ethoxyquin | 70 shall represent item 1 and not more than 70 shall represent item 2)<br>3 |
|----------------------|------------|-----------------------------------------------------------------------------|

**Subsidiary  
1987/041**

*Part III*

| <b>Column 1</b>                                                                                                                                                                | <b>Column 2</b>                                                                                | <b>Column 3</b>                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| Specified food                                                                                                                                                                 | Permitted antioxidant                                                                          | Proportion - not exceeding                                                                                  |
| (a) Preparations of Vitamin A and Vitamin A esters containing more than 30,000 microgrammes retinol equivalents per gramme                                                     | Butylated hydroxyanisole (BHA) or Butylated hydroxytoluene (BHT) or any mixture of BHA and BHT | 33,3 milligrammes per kilogramme of preparation for every 1,000 microgrammes retinol equivalents per gramme |
| (b) Preparations of Vitamin A and Vitamin A esters for use as ingredients in the preparation of food described directly or indirectly as intended for babies or young children | Butylated hydroxyanisole (BHA) or Butylated hydroxytoluene (BHT) or any mixture of BHA and BHT | 0.35 milligrammes per kilogramme of preparation for every 1,000 microgrammes retinol equivalents per gramme |

*Part IV*

| <b>Column 1</b>                                                                                                  | <b>Column 2</b>                | <b>Column 3</b>                             |
|------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------------|
| Specified food                                                                                                   | Permitted antioxidant          | Milligrammes per kilogramme - not exceeding |
| (a) Chewing gum base                                                                                             | Butylated hydroxytoluene (BHT) | 1,000                                       |
| (b) Chewing gum manufactured from chewing gum base containing the permitted antioxidant Butylated hydroxytoluene | Butylated hydroxytoluene (BHT) | 200                                         |

## SCHEDULE 4.

**Labelling of permitted antioxidants and permitted diluents.**

1.(1) Every container to which regulation 5(2) applies shall bear a label on which is printed a true statement:

- (a) in respect of each permitted antioxidant present, of the serial number, if any, as specified in relation thereto in column 2 of Part I of Schedule 1, and of the common or usual name or an appropriate designation of that permitted antioxidant;
- (b) where any other substance (whether or not a permitted diluent) is present, of the common or usual name or an appropriate designation of that substance; and
- (c) where two or more of the substances referred to in paragraph 1(1) (a) and (b) of this Schedule are present, of the proportion of each such substance present, save that the label shall only have printed on it a statement of the proportion of any substance present, other than a permitted antioxidant or a permitted diluent, if any regulations, other than these regulations or any amendment to these regulations, made under the Act contain a requirement to that effect.

(2) The said statement shall be headed or preceded by the words 'for foodstuffs (restricted use)'.

2. Any statement required by the preceding paragraph-

- (a) shall be clear and legible;
- (b) shall be in a conspicuous position on the label which shall be marked on, or securely attached to, the container in such a manner that it will be readily discernible and easily read by an intending purchaser under normal conditions of purchase;
- (c) shall not be in any way hidden or obscured or reduced in conspicuousness by any other matter, whether pictorial or not, appearing on the label.

3. The figures and letters in every word in any statement to which the preceding paragraph applies-

- (a) shall be in characters of uniform colour and size (being not less than 1.5 millimetres in height for a label on a container of which the greatest dimension does not exceed 12 centimetres,



---

**ANTIOXIDANTS IN FOOD REGULATIONS, 1987****Subsidiary  
1987/041**

and not less than 3 millimetres in height for a label on a container of which the greatest dimension exceeds 12 centimetres), but so that the initial letter of any word may be taller than any other letter in the word;

- (b) shall appear on a contrasting ground, so however that where there is no ground other than such as is provided by a transparent container and the contents of that container are visible behind the letters, those contents shall be taken to be the ground for the purposes of this paragraph;
- (c) shall be within a surrounding line and no other written or pictorial matter shall appear within that line.

4. For the purposes of this Schedule-

- (a) The height of any lower case letter shall be taken to be the x height thereof, disregarding any ascender or descender thereof;
- (b) any requirement that figures or letters shall be of uniform height, colour or size, shall be construed as being subject to the saving that any inconsiderable variation in height, colour or size, as the case may be, may be disregarded.