

Subsidiary Legislation made under ss.6, 8 and 58.

Artificial Sweeteners in Food Regulations

1970.02.25

Commencement

1.4.1970

ARRANGEMENT OF REGULATIONS

Regulation

1. Title.
2. Interpretation.
3. Sale, etc., of artificial sweeteners.
4. Requirements as to composition for tablets containing artificial sweeteners.
5. Labelling of containers of artificial sweetening tablets.
6. Sales by descriptions.
7. Notification that article sold is not an artificial sweetener.
8. Sale, etc., of food containing artificial sweeteners.
9. Condemnation of food.
10. Penalties.
11. Application of various sections of the Act.

SCHEDULE 1. Saccharin Calcium.

SCHEDULE 2. Requirements as to Composition for tablets containing permitted Artificial Sweeteners.

1964-07

Food and Drugs

1970.02.25

Artificial Sweeteners in Food Regulations

Title.

1. These regulations may be cited as the Artificial Sweeteners in Food Regulations.

Interpretation.

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

“artificial sweeteners” means any chemical compound which is sweet to the taste, but does not include any sugar or any polyhydric alcohol;

“artificial sweetening tablet” means any tablet which contains an artificial sweetener and which is intended for sale with a view to its use in the preparation of food;

“carbohydrate” means a substance containing carbon, hydrogen and oxygen only in which the hydrogen and oxygen occur in the same proportion as in water;

“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;
- (c) articles or substances used only as drugs;

“full strength tablets” means artificial sweetening tablets which comply with the requirements as to composition set out in paragraph 1 of Schedule 2;

“half strength tablets” means artificial sweetening tablets which comply with the requirements as to composition set out in paragraph 2 of Schedule 2;

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

“permitted artificial sweetener” means saccharin, saccharin calcium or saccharin sodium;

“polyhydric alcohol” means an alcohol with three or more free hydroxyl groups;

“saccharin” means the substance conforming to the description, specifications and requirements for saccharin contained in the British Pharmacopoeia 1968;

“saccharin calcium” means the substance conforming to the description, specifications and requirements for saccharin calcium contained in Schedule 1;

“saccharin sodium” means the substance conforming to the description, specifications and requirements for saccharin sodium contained in the British Pharmacopoeia 1968;

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

“sugar” means any soluble carbohydrate sweetening matter.

(2) For the purposes of these regulations, the supply of any artificial sweetener or any food containing any artificial sweetener, otherwise than by sale, at, in or from any place where artificial sweeteners or such food are or is supplied in the course of a business shall be deemed to be a sale of that artificial sweetener or that food, as the case may be; and references to purchasing and purchaser shall be construed accordingly.

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

Sale, etc., of artificial sweeteners.

3. No person shall sell, consign, deliver or import into Gibraltar any artificial sweetener for human consumption which is not a permitted artificial sweetener.

Requirements as to composition for tablets containing artificial sweeteners.

4.(1) Every artificial sweetening tablet containing saccharin or saccharin calcium or saccharin sodium or a mixture of two or all of those substances shall conform to the requirements as to composition set forth in relation thereto in the appropriate paragraph of Schedule 2.

(2) No person shall sell, consign, deliver or import into Gibraltar any artificial sweetening tablet which does not comply with this regulation.

Labelling of containers of artificial sweetening tablets.

5.(1) No person shall sell, consign, deliver or import into Gibraltar any artificial sweetening tablets in a container unless such container bears a label on which there appears such one of the following descriptions as may be appropriate—

- (a) the words “saccharin tablets” or “half strength saccharin tablets” for full strength or half strength tablets respectively, containing no permitted artificial sweetener

1964-07

Food and Drugs

1970.02.25

Artificial Sweeteners in Food Regulations

other than saccharin or a mixture of saccharin and saccharin calcium and saccharin sodium or of any two of those substances;

- (b) the words “saccharin calcium tablets” or “half strength saccharin calcium tablets” for full strength or half strength tablets respectively, containing no permitted artificial sweetener other than saccharin calcium;
- (c) the words “saccharin sodium tablets” or “soluble saccharin tablets” for full strength tablets, or the words “half strength saccharin sodium tablets” or “half strength soluble saccharin tablets” for half strength tablets, containing in each case nil permitted artificial sweetener other than saccharin sodium:

Provided that any word of similar meaning may be substituted for the word “tablets” in any of the foregoing descriptions.

(2) Every letter in every word appearing on a label on a container which is required so to appear by virtue of this regulation shall appear conspicuously and legibly in a dark colour upon a light coloured ground or in a light colour upon a dark coloured ground and shall be of uniform colour and size.

Sales by description.

6. No person shall sell any food under such a description as to lead an intending purchaser to believe that he is purchasing a permitted artificial sweetener or artificial sweetening tablet if the food does not conform to the appropriate description, specifications and requirements prescribed by these regulations.

Notification that article sold is not an artificial sweetener.

7. Where a person sells any article or substance to a purchaser in response to a request for an artificial sweetener to which these regulations apply, he shall be deemed to sell such article or substance as such an artificial sweetener and under such a description as is specified in relation to such an artificial sweetener in these regulations unless he clearly notifies the purchaser at the time of sale that the article or substance is not such an artificial sweetener.

Sale, etc., of food containing artificial sweeteners.

8.(1) No food shall contain any artificial sweetener other than a permitted artificial sweetener.

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

Condemnation of food.

9. Where any artificial sweetener or any other food is certified by a public analyst as being food which it is an offence against regulation 3 or 8 to sell, consign, deliver or import into Gibraltar, it may be treated for the purposes of section II) 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.

10. A person who contravenes or fails to comply with any of the foregoing provisions of these regulations is guilty of an offence and is liable to imprisonment for three months and to a fine of £100, and, in the case of a continuing offence, to a further fine of £5 for each day during which the offence continues after conviction.

Application of various sections of the Act.

11.(1) 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 if 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 if the reference in section 49 to subsection (3) of section 46 included a reference to that subsection as applied by these regulations.

(2) Paragraph (b) of the proviso to section 46(1) of the Act shall apply for the purposes of these regulations as if the reference therein to section 52 of the Act included a reference to that section as applied by these regulation.

1964-07

Food and Drugs

1970.02.25

Artificial Sweeteners in Food Regulations

SCHEDULE 1.

Regulation 2(1).

SACCHARIN CALCIUM.

Saccharin calcium is the calcium derivative of 2-sulphobenzoic imide with $3\frac{1}{2}$ molecules of water of crystallization. It contains not less than 98 per cent $C^{14}H^8Ca N^2 O^6 S^2$ of calculated with reference to the substance dried to constant weight at $105^{\circ}C$

Description	White crystals or white crystalline powder, odour faintly aromatic, taste intensely sweet.
Solubility	1 g. dissolves in 1.5g. water.
Loss on drying	When dried to constant weight at $105^{\circ}C$ loses not less than 11 per cent and not more than 15 per cent of its weight.
Ammonium Compounds	Complies with test given under Saccharin in the British Pharmacopoeia 1968.
4-Sulphamoylbenzoates	Complies with the test given under Saccharin Sodium in the British Pharmacopoeia 1968.

SCHEDULE 2

Regulations 2(1) and 4.

REQUIREMENTS AS TO COMPOSITION FOR TABLETS CONTAINING PERMITTED
ARTIFICIAL SWEETENERS.1. *Full strength tablets.*

An artificial sweetening tablet containing saccharin or saccharin calcium or saccharin sodium or a mixture of two or all of those substances shall, when dried to constant weight at 105 °C., have a total quantity of saccharin free and combined calculated as $C^7H^5NO^3S$, which shall be not less than II milligrams and not more than 14 milligrams.

2. *Half strength tablets.*

An artificial sweetening tablet containing saccharin or saccharin calcium or saccharin sodium or a mixture of two or all of those substances shall, if sold in a container bearing a label upon which there appears the description “half strength”, have when dried to constant weight at 105°C, a total quantity of saccharin free and combined calculated as $C^7OH^5NO^3S$, which shall be not less than 5.5 milligrams and not more than 7 milligrams.