

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE
No. 2,554 of 31st MAY, 1990.**

LEGAL NOTICE NO. 62 OF 1990.

FOOD AND DRUGS ACT.

**THE COFFEE AND COFFEE PRODUCTS (AMENDMENT)
REGULATIONS, 1990.**

In exercise of the powers conferred upon him by Sections 6, 8 and 58 of the Food and Drugs Act, and of all other enabling powers, the Governor has made the following regulations

Title and commencement.

1. (1) These regulations may be cited as the Coffee and Coffee Products (Amendment) Regulations, 1990.

(2) These regulations shall come into operation on the 1st day of July, 1990.
Interpretation.

2. In these regulations the expression "the principal regulations" means the Coffee and Coffee Products Regulations 1987 and, unless the context otherwise requires, any reference herein to a numbered regulation or Schedule shall be construed as a reference to the regulation or Schedule so numbered in the principal regulations.

Amendment to Regulation 2.

3. Regulation 2 of the principal regulations is amended by inserting after subregulation (7) the following

"(8) Where a designated product contains the ingredients coffee and chicory, or extracts of those-ingredients, or extracts of coffee and fig, the reserved description of the product shall be such that in it the name of the ingredient of which the higher proportion was used in the manufacturing. g process shall precede the name of the other ingredient."

Amendment to Regulations 5 and 6.

4. Regulations 5 and 6 of the principal regulations are omitted and the following new regulations are substituted therefor

"Labelling and description of designated products for retail sale.

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5. (1) Without prejudice to the provisions of the Food Labelling Regulations 1987 and subject to regulation 6, no person shall sell by retail, or consign or deliver pursuant to a sale by retail any designated product in a container unless that container is correctly marked or labelled with the following particulars

- (a) subject to paragraph (2) below, a reserved description of the product, which shall be the name prescribed by law for that product for the purposes of regulation 7(1) of the Food Labelling Regulations 1987;
- (b) the word decaffeinated in the case of:
 - (i) a designated product specified in Part I of Schedule 1 produced from coffee which has been subjected to a decaffeination process and in which the residual anhydrous caffeine content determined according to the method of analysis referred to in item (1) of Schedule 2 does not exceed 0.10% of its coffee-based dry matter content; or
 - (ii) a designated product specified in Part II or Part N of Schedule 1 produced from coffee which has been subjected to a decaffeination process and in which the residual anhydrous caffeine content determined according to the method of analysis referred to in item (1) of Schedule 2 does not exceed 0.30% of its coffee-based dry matter content;
- (c) in the case of any of the following designated products, namely, liquid coffee extract, liquid chicory extract, liquid coffee and chicory extract, chicory and coffee essence and liquid coffee and fig extract
 - (i) the declaration 'roasted with sugar', if the product is obtained from, the raw material roasted with sugar;
 - (ii) the declaration 'with sugar', 'preserved with sugar', or 'with added sugar', if the sugar has been added to the raw material after roasting, the word 'sugar' being replaced in that declaration by the name of any sugar product used instead of sucrose, which name shall be

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the reserved description of that product as specified in relation thereto in the Specified Sugar Product Regulations 1987 Or, if the sugar product has no such reserved description, the name of the product which, if the sugar product were itself being said as a food, would be used, pursuant to the Food Labelling Regulations 1987, as the sale of the food;

- (d) in the case of the following designated products
 - (i) coffee extract paste and liquid coffee extract of mixtures containing these products, a declaration of the minimum coffee-based dry matter content expressed as a percentage;
 - (ii) chicory extract paste and liquid chicory extract or mixtures containing these products, a declaration of the minimum chicory-based dry matter content expressed as a percentage.

(2) In the case of the designated product liquid coffee extract containing more than 25% coffee-based dry matter and of the designated product liquid chicory extract containing more than 45% chicory-based dry matter, the word 'concentrated' may be added to the reserved description.

Labelling and description of designated products for non-retail sale:.

5A. Subject to regulation 6, no person shall sell otherwise than by retail, or consign or deliver pursuant to a sale otherwise than by retail, any designated product in a container unless that container is correctly marked or labelled with the following particulars

- (a) a reserved description of the-product;
- (b) the name or business name and address of the manufacturer, or packer or of a seller established within the Community;
- (c) a marking by which the batch can be identified;
- (d) in the case of a designated' poduct containing any added permitted anti-caking agent in accordance with paragraph (a) of the proviso to regulation 8, the declaration 'for use in vending machines only'.

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Manner of marking or labelling.

6. (1) Regulations 32(1) and 34(1) and (2) of the Food Labelling Regulations 1987 (which relate to the manner of marking or labelling of food) shall apply to the particulars with which a designated product is required to be marked or labelled by regulation 5 as if they were particulars with which food is required to be marked or labelled by the Food Labelling Regulations 1987.

(2) Any indication of minimum durability required by regulation 21 of the Food Labelling Regulations 1987 shall appear in the labelling of the designated product sold by retail or consigned or delivered pursuant to a sale by retail in the same field of vision as the particulars required by regulation 5(1)(a), (b) and (c).

(3) The particulars with which any designated product is required to be marked or labelled by Regulation 5A shall appear on the container, on a label attached to the container or in an accompanying document."

Amendment to regulation 8.

5. Regulation 8 of the principal regulations is amended by omitting from paragraph (e) the words and ellipsis "with added...".

Amendment to Schedule 1.

6. Schedule I to the principal regulations is omitted and the following new Schedule is substituted therefor

**"SCHEDULE 1
DESIGNATED PRODUCTS
PART I.**

**COFFEE AND COFFEE MIXTURES AND THEIR RESERVED
DESCRIPTIONS**

Column 1	Column 2
<i>Reserved descriptions</i>	<i>Coffee and Coffee Mixtures</i>
Coffee	The dried seed of the coffee plant whether or not such seed has been roasted or ground or both roasted and ground.
Coffee and chicory mixture or Mixture of coffee and chicory or	A mixture of roasted coffee and chicory which contains no substance other than

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Either of the two foregoing descriptions but with the words "coffee" and "chicory" transposed. roasted coffee and chicory.

NOTE: The reserved description shall be such that it accords with regulation 2(8)

French coffee-coffee and chicory mixture or Coffee and chicory-French coffee or French coffee-mixture of coffee and chicory or Mixture of coffee and chicory-French coffee	A mixture of roasted coffee and chicory of which not less than 51% is coffee and which contains no substance other than roasted coffee and chicory.
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Coffee with fig flavouring or Coffee with fig seasoning or Viennese coffee-coffee with fig flavouring or	A mixture of roasted coffee and fig of which not less than 85% is coffee and which contains no substance other than roasted coffee and fig.
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Coffee with fig flavouring-Viennese coffee or

Viennese coffee-coffee with fig seasoning or

Coffee with fig seasoning-Viennese coffee.

PART II.

COFFEE EXTRACT PRODUCTS AND THEIR RESERVED DESCRIPTIONS.

Column 1	Column 2
<i>Reserved descriptions</i>	<i>Coffee Extract Products</i>
Dried coffee extract or Dried extract of coffee or Instant coffee or Soluble coffee	Coffee extract in powder. granular, flake. cube or other solid form, of which the coffee-based dry matter content, determined according to the method of analysis referred to in item (2) of Schedule 2, is not less than 95%

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Coffee extract paste	Coffee extract in paste form, of which the coffee-based dry matter content, determined according to the method of analysis referred to in item (3) of Schedule 2, is not more than 85% and not less than 70%.
Liquid coffee extract	Coffee extract in liquid form, of which %be coffee-based dry matter content, determined according to the method of analysis referred to in item (3) of Schedule 2 is not more than 55% but greater than 15%. NOTE: The product may contain added sugar products, whether or not roasted, in a proportion not exceeding 12%

PART III.

CHICORY EXTRACT PRODUCTS AND THEIR RESERVED DESCRIPTIONS

Column 1	Column 2
<i>Reserved descriptions</i>	<i>Coffee Extract Products</i>
Dried chicory extract or Instant chicory or Soluble chicory	Chicory extract in powder, granular, flake, cube or other solid form, of which the chicory-based dry matter content, determined according to the method of analysis
Chicory extract paste	Chicory extract in paste form, of which the chicory-based dry Matter content, determined according to the method at analysis referred to in item (3) of Schedule 2, is not more than 85% and not less than 70%

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Liquid chicory extract	Chicory extract in liquid form, of which the chicory-based dry matter content, determined according to the method of analysis referred to in item (3) of Schedule 2 is less than 55% but greater than 25%. NOTE: This product may contain added sugar products, whether or not roasted, in a proportion not exceeding 35%.
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PART IV.

BLENDS OF EXTRACT AND EXTRACTS OF BLENDS AND THEIR RESERVED DESCRIPTIONS.

Column 1	Column 2
<i>Reserved descriptions</i>	<i>Blends of extracts and extracts of blends</i>
Dried coffee and chicory extract or Dried extract of coffee and chicory or Instant coffee and chicory or Soluble coffee and chicory or Any of the four foregoing descriptions but with the words "coffee" and "chicory" transposed. NOTE: The reserved description shall be such that it accords with regulation 2(8).	An intimate mixture of coffee extract and chicory extract in powder, granular, flake, cube or other solid form, of which the coffee and chicory-based dry matter content in the finished product is not less than 95%.
Coffee and chicory paste or Chicory and coffee paste NOTE: The reserved description shall be such that it accords with regulation 2(8).	An intimate mixture of coffee extract paste and chicory extract paste in paste form, of which the coffee and chicory-based dry matter content in the finished product is not more than 85% and not less than 70%.
Liquid coffee and chicory extract or Liquid chicory and coffee extract	A homogenous mixture of liquid coffee extract and liquid chicory extract in liquid form, of which the coffee and chicory-based dry matter content in the finished product is not more than 55% but greater than 15%.

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NOTE: The reserved description shall be such that it accords with regulation 2(8).

Chicory and coffee essence

NOTE: This product may contain added sugar products, whether or not roasted in a proportion not exceeding 25%.

A homogenous mixture of liquid form, of which the chicory-based dry matter content is not less than 20% and the coffee-based dry matter content is not less than 5% in the finished product.

NOTE: This product may contain added sugar products.

Dried extract of coffee and fig or
Dried coffee and fig extract or
Instant coffee and fig or
Soluble coffee and fig or
Any of the four foregoing descriptions but with the words "coffee" and "fig" transposed.

An intimate mixture of coffee extract and fig extract in powder, granular, flake, cube or other solid form, of which the coffee and fig-based dry matter content in the finished product is not less than 95%.

NOTE: The reserved description shall be such that it accords with regulation 2(8).

Coffee and fig paste or
Fig and coffee paste
NOTE: The reserved description shall be such that it accords with regulation 2(8).

An intimate mixture of coffee extract paste and fig extract paste in paste form, of which the coffee and fig-based dry matter content in the finished product is not more than 85% and not less than 70%.

Liquid coffee and fig extract or
Liquid fig and coffee extract

A homogenous mixture of liquid coffee extract and liquid fig extract in liquid form, of which the coffee and fig-based dry matter content in the finished product is not more than 55% but greater than 15%.

NOTE: The reserved description shall be such that it accords with regulation 2(8).

NOTE: This product may contain added sugar products, whether or not roasted, in a proportion not exceeding 25%.

Dated this 31st day of May, 1990.

By Command,

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E. MONTADO,

Acting Deputy Governor.