STATUTORY RULES OF NORTHERN IRELAND

2002 No. 39

FOOD

Sweeteners in Food (Amendment) Regulations (Northern Ireland) 2002

Made - - - - 12th February 2002

Coming into operation 8th March 2002

The Department of Health, Social Services and Public Safety(**1**) 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(**2**) and of all other powers enabling it in that behalf, having had regard in accordance with Article 47(3) of the said Order to relevant advice given by the Food Standards Agency and after consultation in accordance with Article 47(3) and (3B) of the said Order, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Sweeteners in Food (Amendment) Regulations (Northern Ireland) 2002 and shall come into operation on 8th March 2002.

(2) In these Regulations "the principal Regulations" means the Sweeteners in Food Regulations (Northern Ireland) 1996(**3**).

Amendment to the principal Regulations

2. The principal Regulations shall be amended in accordance with regulations 3 and 4.

3. In regulation 2 (interpretation)—

(a) in paragraph (1)—

(i) in the definition of "Directive 95/31/EC" there shall be added at the end ", Directive 2000/51/EC(**4**) in so far as it relates to E965(ii) syrup maltitol and Directive 2001/52/EC(**5**)";

(**1**) Formerly the Department of Health and Social Services; *see*S.I.1999/283 (N.I. 1), Article 3
(**2**) S.I. 1991/762 (N.I. 7) as amended by S.I. 1996/1633 (N.I. 12) and paragraphs 26 to 42 of Schedule 5 and Schedule 6 to the Food Standards Act 1999 c. 28
(**3**) S.R. 1996 No. 48; the relevant amending Regulations are S.R. 1997 No. 257 and S.R. 1999 No. 216
(**4**) O.J. No. L198, 4.8.2000, p. 41
(**5**) O.J. No. L190, 12.7.2001, p. 18

(ii) for the definition of "permitted sweetener" there shall be substituted the following definition—

""permitted sweetener" means any sweetener specified in column 2 of Schedule 1 which satisfies the specific purity criteria for that sweetener set out —

(a) in the case of any sweetener other than sucralose, in the Annex to Directive 95/31/EC; and

(b) in the case of sucralose, at pages 119 to 124 of the Food and Agriculture Organisation's Compendium of Food Additives Specifications Addendum 2 (1993) FAO Food and Nutrition Paper 52 Addendum 2;" and

(b) in paragraph (2)(*b*), for "40%" there shall be substituted "30%".

4. In Schedule 1 (permitted sweeteners and the foods in or on which they may be used) there shall be added at the end, in columns 2 to 4, the provisions specified in the Schedule.

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 12th February 2002.

Denis McMahon
A Senior Officer of the
Department of Health, Social Services and
Public Safety

SCHEDULE Regulation 4

Provisions added to columns 2 to 4 of Schedule 1 to the principal Regulations

Sucralose(**6**)	**Non-alcoholic drinks**	
	Water-based flavoured drinks, energy-reduced or with no added sugar	300 mg/l
	Milk- and milk-derivative-based or fruit-juice-based drinks, energy-reduced or with no added sugar	300 mg/l
	Desserts and similar products	
	Water-based flavoured desserts, energy-reduced or with no added sugar	400 mg/kg
	Milk- and milk-derivative-based preparations, energy-reduced or with no added sugar	400 mg/kg
	Fruit- and vegetable-based desserts, energy-reduced or with no added sugar	400 mg/kg
	Egg-based desserts, energy-reduced or with no added sugar	400 mg/kg
	Cereal-based desserts, energy reduced or with no added sugar	400 mg/kg
	Breakfast cereals with a fibre content of more than 15%, and containing at least 20% bran, energy-reduced or with no added sugar	400 mg/kg
	Fat-based desserts, energy-reduced or with no added sugar	400 mg/kg
	Confectionery	
	Confectionery with no added sugar	1000 mg/kg
	Breath-freshening micro-sweets, with no added sugar	2400 mg/kg
	Tablet-form confectionery, energy-reduced	200 mg/kg

(**6**) Authorised until 8th March 2004 in accordance with Article 5 of Directive 89/107/EEC (O.J. No. L40 11.2.89, p. 27) pending consideration for inclusion in Directive 94/35/EC (O.J. No. L237, 10.9.94, p. 3)