1968. No. 4 [C]

FOOD AND DRUGS

Composition and Labelling

Coffee and Coffee Products

REGULATIONS, DATED 10TH JANUARY 1968, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER SECTIONS 4, 7 AND 68 OF THE FOOD AND DRUGS ACT (NORTHERN IRELAND) 1958.

The Ministry of Health and Social Services, in exercise of the powers conferred upon it by sections 4, 7 and 68 of the Food and Drugs Act (Northern Ireland) 1958(a), having consulted with such organisations as appear to it to be representative of interests substantially affected by these regulations, hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Coffee and Coffee Product Regulations (Northern Ireland) 1968 and shall come into operation on 4th January 1971.

Interpretation

2.—(1) In these regulations—

"the Act" means the Food and Drugs Act (Northern Ireland) 1958;

"caffeine" means anhydrous caffeine;

"chicory" means roasted chicory root;

"coffee" means coffee intended for sale for human consumption being the decorticated berries of coffee and including any such berries which have been roasted or ground or roasted and ground;

"coffee product" means any coffee product intended for sale for human consumption being any dried or liquid extract of coffee, any coffee and chicory mixture, any dried or liquid extract of a coffee and chicory mixture, any coffee and fig mixture, or any dried or liquid extract of a coffee and fig mixture, with or without, in any case, the addition of permitted additives;

"container" includes any form of 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;

"fig" means dried fig;

"permitted additive" means any emulsifier, stabiliser, preservative or solvent, as the case may be, inasmuch as its use in a coffee product is permitted by the appropriate regulations mentioned in the Schedule;

"sell" includes offer or expose for sale or have in possession for sale, and "sale" and "sold" shall be construed accordingly.

(2) Except where the context otherwise requires, all percentages mentioned in these regulations are percentages calculated by weight.

(a) 1958. c. 27.

(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.

(4) For the purposes 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 a sale of that food, and references to purchasing and purchaser shall be construed accordingly.

Exemptions

3. The following provisions of these regulations shall not apply in relation to any coffee, decaffeinated coffee or coffee product which is—

(*a*) sold, consigned or delivered for exportation to any place outside the United Kingdom;

(*b*) supplied under Government contracts for consumption by Her Majesty's Forces or supplied for consumption by a visiting force within the meaning of any of the provisions of Part I of the Visiting Forces Act 1952(**b**);

(*c*) sold, consigned or delivered to a manufacturer for the purposes of his manufacturing business.

Composition of coffee, decaffeinated coffee and coffee products

4.—(1) Any food sold, consigned or delivered, which is described directly or by implication as coffee, shall be food which comes within the meaning of the expression "coffee" as defined in regulation 2(1):

Provided that any beverage may be described as coffee if coffee, coffee extract or coffee essence is the ingredient which characterises such beverage.

(2) Any coffee sold, consigned or delivered, which is described directly or by implication as decaffeinated, shall contain not more than 0·1 per cent. of caffeine.

(3) Any coffee product sold, consigned or delivered shall comply with the compositional requirements specified in the appropriate following sub-paragraph in relation to that coffee product.

(*a*) A dried extract of coffee shall contain—

(i) as not less than 95 per cent. thereof, the dried water-soluble solids of coffee, and

(ii) not more than 100 parts per million of matter not derived from coffee.

(*b*) A liquid extract of coffee shall contain—

(i) no extract from any vegetable matter other than coffee, and

(ii) as not less than 0·5 per cent. weight in volume thereof, caffeine derived from coffee:

Provided that it shall be sufficient compliance with the requirements of this sub-paragraph (ii) if every gallon of such liquid extract is prepared from not less than 4 pounds of roasted coffee, or from a proportionate amount of roasted coffee for any quantity of less than 1 gallon.

(*c*) A mixture of coffee and chicory (including French coffee) shall contain—

(i) as not less than 51 per cent. thereof, coffee, and

(ii) no matter other than coffee and chicory.

(**b**) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 67.

(*d*) A dried extract of coffee and chicory shall contain—

(i) as not less than 95 per cent. thereof, a homogeneous mixture of the dried water-soluble solids of coffee and chicory, and

(ii) not more than 100 parts per million of matter other than coffee and chicory.

(*e*) A liquid extract of coffee and chicory shall contain—

(i) no extract from any vegetable matter other than coffee and chicory, and

(ii) as not less than 0·25 per cent. weight in volume thereof, caffeine derived from coffee:

Provided that it shall be sufficient compliance with the requirements of this sub-paragraph (ii) if every gallon of such liquid extract is prepared from not less than 2 pounds of roasted coffee, or from a proportionate amount of roasted coffee for any quantity of less than 1 gallon.

(*f*) Any coffee with fig flavouring or fig seasoning (including Viennese coffee) shall contain—

(i) as not less than 85 per cent. thereof, coffee, and

(ii) no matter other than coffee and fig.

(*g*) A dried extract of coffee and fig shall contain—

(i) as not less than 95 per cent. thereof, a homogeneous mixture of the dried water-soluble solids of coffee and fig, and

(ii) not more than 100 parts per million of matter other than coffee and fig.

(*h*) A liquid extract of coffee and fig shall contain—

(i) no extract from any vegetable matter other than coffee and fig, and

(ii) as not less than 0·4 per cent. weight in volume thereof, caffeine derived from coffee:

Provided that it shall be sufficient compliance with the requirements of this sub-paragraph (ii) if every gallon of such liquid extract is prepared from not less than $3\frac{1}{2}$ pounds of roasted coffee, or from a proportionate amount of roasted coffee for any quantity of less than one gallon.

(*j*) A coffee extract, coffee essence or coffee mixture described directly or by implication as decaffeinated shall not contain caffeine exceeding 0·3 per cent. of the coffee solids contained in such extract, essence or mixture.

(4) No person shall sell, consign or deliver, as the case may be, any coffee, decaffeinated coffee or coffee product in contravention of this regulation.

Designation of decaffeinated coffee and of coffee products

5. No person shall sell, consign or deliver any decaffeinated coffee or any coffee product otherwise than under a designation specified in the appropriate following sub-paragraph in relation to that decaffeinated coffee or coffee product.

(*a*) In relation to any decaffeinated coffee, the designation "decaffeinated coffee" shall be used.

(*b*) In relation to any dried extract of coffee, one of the following designations shall be used, namely "dried extract of coffee", "dried coffee extract" or "instant coffee".