First Column	Second Column
Item	Fee
CORRESPONDENCE IN THE DISTRICT REGISTRY	£ s. d.
28. For receiving an application for a grant (including cases under section 33 of the Customs and Inland Revenue Act 1881, as extended by section 16 of the Finance Act 1894) through the post in the district registry and for correspondence with reference to the same	Ten per cent. of the fee payable on application for the grant. Minimum fee, 5s. Maximum fee, £2.
29. For correspondence on any other matter in respect of which any fee in this Schedule (except Fees Nos. 9 to 16 for searches and copies) is payable . . .	3 6

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order replaces the Supreme Court (Non-Contentious Probate) Fees Order (Northern Ireland) 1954. It increases certain fees; it reduces certain others; and by abolishing obsolete items and amalgamating others, it simplifies the fees structure.

1963. No. 136 **[C]**

FOOD AND DRUGS

Composition and Labelling

Soft Drinks

REGULATIONS, DATED 11TH JULY, 1963, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTIONS 4, 7 AND 68 OF THE FOOD AND DRUGS ACT (NORTHERN IRELAND) 1958.

The Ministry of Health and Local Government, 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:—

(a) 1958. c. 27.

PART I

GENERAL

Citation and commencement

1. These regulations may be cited as the Soft Drinks Regulations (Northern Ireland) 1963 and shall come into operation on 20th July, 1964.

Interpretation

2.—(1) In these regulations—

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

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

"comminuted citrus drink" means a soft drink produced by a process involving the comminution of the entire citrus fruit;

"container" means any vessel, can, box or carton capable of containing a soft drink which is, has been or is capable of being, closed and includes any kind of bottle, but does not include any unclosed cup, mug, glass or other unclosed drinking vessel;

"crush" means a soft drink containing fruit juice, not being a comminuted citrus drink, intended for consumption without dilution and includes any cordial intended for consumption without dilution;

"fruit juice" means the clean, sound, undiluted juice of the fruit or fruits from which it is obtained;

"potable fruit content" means the total of the fruit constituents of a soft drink derived from the juice, pith and peel;

"printing" includes the processes of embossing and firing on, and "printed" shall be construed accordingly;

"registered trade mark" and "trade mark" have the meaning respectively assigned to each by section 68(1) of the Trade Marks Act 1938(a);

"retail sale" means any sale to a person buying otherwise than for the purpose of resale, but does not include a sale to a caterer for the purposes of his catering business, or a sale to a manufacturer for the purposes of his manufacturing business;

"saccharin" means the substance defined as such in the edition of the British Pharmacopoeia current for the time being;

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

"soft drink" means any liquid intended for sale as drink for human consumption, either without or after dilution; and includes—

(*a*) any fruit drink, and any fruit juice squash, crush or cordial;

(*b*) soda-water, kali-water, Indian or quinine tonic water, and any sweetened artificially carbonated water whether flavoured or unflavoured;

(*c*) ginger beer and any herbal or botanical beverage;

but does not include—

(i) water (except as aforesaid);

(a) 1 & 2 Geo. 6, c. 22.

(ii) water from natural springs, either in its natural state or with added mineral substances;

(iii) fruit juice, sweetened or unsweetened, whether concentrated (or frozen) or not;

(iv) milk or any preparation of milk;

(v) tea, coffee, dandelion coffee, cocoa or chocolate, or any preparation of tea, coffee, dandelion coffee, cocoa or chocolate;

(vi) any egg product;

(vii) any cereal product, except—

(*aa*) flavoured barley water and liquid products used in the preparation of barley water, and

(*ab*) cereal products containing alcohol that are not intoxicating liquor as defined in accordance with sub-paragraph (x);

(viii) meat, yeast or vegetable extracts, soup or soup mixtures, or any similar product;

(ix) tomato juice, vegetable juice, or any preparation of any such juice or juices;

(x) intoxicating liquor as defined in the Intoxicating Liquor Act (Northern Ireland) 1923(**a**);

(xi) any other unsweetened drink except soda-water and kali-water;

and for the purposes of this definition a product shall not be deemed not to be a soft drink by reason only of the fact that it is capable of being used as a medicine;

"squash" means a soft drink containing fruit juice, not being a comminuted citrus drink, intended for consumption after dilution and includes any cordial intended for consumption after dilution;

"sugar" means any soluble carbohydrate sweetening matter;

"sweetened" means containing any added sugar or added polyhydric alcohol or any saccharin; and "unsweetened" shall be construed accordingly.

(2) 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.

(3) For the purposes of these regulations, the supply of any drink, otherwise than by sale, at, in or from any place where drink is supplied in the course of a business shall be deemed to be a sale of that drink, and any reference to a purchaser shall be construed accordingly.

(4) For the purposes of the Labelling of Food Regulations (Northern Ireland) 1961(**b**), these regulations, insofar as they prescribe requirements as to composition for a soft drink, shall be taken to prescribe a standard for a soft drink.

Exemptions

3.—(1) The following provisions of these regulations shall not apply—

(*a*) in relation to any soft drink intended at the time of sale for exportation to any place outside the United Kingdom or for use as ship's stores;

(*b*) in relation to any soft drink intended at the time of sale for consumption

(a) 13 & 14 Geo. 5. c. 12. (b) S.R. & O. 1961, No. 160.

by Her Majesty's forces or by a visiting force within the meaning of any of the provisions of Part I of the Visiting Forces Act 1952(a);

(*c*) in relation to any sale, consignment or delivery of a soft drink to a manufacturer for the purposes of his manufacturing business;

(*d*) in relation to any sale of a soft drink otherwise than in a container;

(*e*) as respects added sugar or the quantity of saccharin present, in relation to any soft drink sold in a container bearing a label on which there appears clearly and conspicuously in letters of not less than one-eighth of an inch in height a description indicating to an intending purchaser that the soft drink has been prepared for consumption by persons suffering from diabetes if that soft drink contains no added sugar.

(2) The provisions of regulations 6 to 10 and of the Second Schedule shall not apply in relation to any sale, other than a retail sale, of any soft drink in a container containing more than one gallon.

PART II

COMPOSITION

Requirements as to composition for soft drinks

4.—(1) Subject to the provisions of this regulation, any soft drink intended for consumption without dilution which is of a description specified in column 1 of Part I of the First Schedule shall conform to the requirements as to composition set out in relation thereto in the said Part I as respects the fruit juice or potable fruit content, as the case may be, the quantities of added sugar and saccharin therein and as respects other requirements there specified:

Provided that—

(*a*) any soft drink (other than soda-water and kali-water) intended for consumption without dilution may contain up to 280 grains of saccharin per 10 gallons if that soft drink also contains not less than 22½ pounds of sugar per 10 gallons;

(*b*) if any soft drink to which this paragraph applies is subjected to brewing in the course of its manufacture, allowance shall be made, in assessing the minimum quantity of added sugar therein, for any change in sugar content due to fermentation during such brewing.

(2) Any soft drink intended for consumption after dilution which is of a description specified in column 1 of Part II of the First Schedule shall conform to the requirements as to composition set out in relation thereto in Part II as respects the fruit juice or potable fruit content, as the case may be, and the quantities of added sugar and saccharin therein.

(3) Any soft drink, whether intended for consumption without or after dilution, which comprises two or more of the descriptions of soft drink specified in column 1 of Part I, or of Part II, of the First Schedule shall, as respects the fruit juice or potable fruit content, as the case may be, conform to the requirements as to composition specified in the appropriate Part of that Schedule in relation to each of the descriptions of soft drink comprised in that soft drink and, as respects the quantities of added sugar and saccharin therein, shall conform to the requirements as to composition specified as aforesaid in relation to any one of the descriptions of soft drink comprised in that soft drink.

(a) 15 & 16 Geo. 6 & 1 Eliz. 2, c. 67.

(4) No person shall sell any drink under such a description as to lead an intending purchaser to believe that he is purchasing a soft drink to which paragraph (1), (2) or (3) applies unless the drink complies with the appropriate requirements as to composition set out as provided in paragraph (1) or (2) in relation to that soft drink or with the provisions of paragraph (3), as the case may be.

(5) Where a person sells any drink to a purchaser in response to a request for a soft drink to which paragraph (1), (2) or (3) applies, he shall be deemed to sell that soft drink and under such a description as is specified in the last foregoing paragraph unless he clearly notifies the purchaser at the time of sale that the drink is not that soft drink.

Addition of acids to soft drinks

5.—(1) Save as hereinafter provided, no soft drink shall contain any added acid:

Provided that—

(*a*) any soft drink may contain ascorbic acid, citric acid, lactic acid, malic acid, nicotinic acid, tartaric acid and any acid inasmuch as the use of that acid in that soft drink is permitted by the Preservatives in Food Regulations (Northern Ireland) 1962(**a**) or the Colouring matter in Food Regulations (Northern Ireland) 1961(**b**);

(*b*) any soft drink other than a fruit squash, a fruit crush or a comminuted citrus drink may contain acetic acid and phosphoric acid.

(2) No person shall sell, consign or deliver any soft drink which does not comply with this regulation.

PART III

LABELLING OF SOFT DRINKS

Citrus squash, crush and drinks

6.—(1) Subject to the provisions of these regulations, no person shall sell, consign or deliver any citrus squash (whether or not it contains a bitter principle) in a container unless that container bears a label on which there appears as the description of that citrus squash the word "squash" immediately preceded by the name of the appropriate citrus fruit or fruits:

Provided that—

(*a*) in the case of any clear citrus squash, the word "cordial" may be substituted for the word "squash" on the label;

(*b*) in the case of any squash prepared from citrus juice and barley water and from no other fruit juice, there may be substituted for the aforementioned description the words "and barley water" immediately preceded by the name of the appropriate citrus fruit or fruits.

(2) Subject to the provisions of these regulations, no person shall sell, consign or deliver any citrus crush (whether or not it contains a bitter principle) in a container unless that container bears a label on which there appears as the description of that citrus crush the word "crush" immediately preceded by the name of the appropriate citrus fruit or fruits:

(**a**) S.R. & O. 1962, No. 173. (**b**) S.R. & O. 1961, No. 99.