

**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<sup>(a)</sup> 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<sup>(b)</sup> 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<sup>(c)</sup>.

*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<sup>(d)</sup> in so far as it relates to E965(ii) syrup maltitol and Directive 2001/52/EC<sup>(e)</sup>”;

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

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(a) Formerly the Department of Health and Social Services; *see* S.I. 1999/283 (N.I. 1), Article 3  
(b) 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  
(c) S.R. 1996 No. 48; the relevant amending Regulations are S.R. 1997 No. 257 and S.R. 1999 No. 216  
(d) O.J. No. L198, 4.8.2000, p. 41  
(e) O.J. No. L190, 12.7.2001, p. 18

“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.

(L.S.)

*Denis McMahon*

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

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

Sucralose(a)	<b>Non-alcoholic drinks</b>	
	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
	<b>Desserts and similar products</b>	
	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
	<b>Confectionery</b>	
	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
Cocoa- or dried-fruit-based confectionery, energy-reduced or with no added sugar	800 mg/kg	
Starch-based confectionery, energy-reduced or with no added sugar	1000 mg/kg	
Chewing gum with no added sugar	3000 mg/kg	
Strongly flavoured freshening throat pastilles with no added sugar	1000 mg/kg	

(a) 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)

**Miscellaneous**

'Snacks': certain flavours of ready to eat, prepacked, dry, savoury starch products and coated nuts	400 mg/kg
Cornets and wafers, for ice-cream, with no added sugar	800 mg/kg
<i>Essoblaten</i>	800 mg/kg
Cocoa-, milk-, dried-fruit- or fat-based sandwich spreads, energy-reduced or with no added sugar	400 mg/kg
Drinks consisting of a mixture of a non-alcoholic drink and beer, cider, perry, spirits or wine	250 mg/l
Cider and perry	250 mg/l
Alcohol-free beer or with an alcohol content not exceeding 1.2% vol	250 mg/l
'Bière de table/Tafelbier/Table beer' (original wort content less than 6%) except for "Obergäriges Einfachbier"	250 mg/l
Beers with a minimum acidity of 30 milli-equivalents expressed as NaOH	250 mg/l
Brown beers of the "oud bruin" type	250 mg/l
Energy-reduced beer	10 mg/l
Spirit drinks containing less than 15% alcohol by volume	250 mg/l
Edible ices, energy-reduced or with no added sugar	320 mg/kg
Canned or bottled fruit, energy-reduced or with no added sugar	400 mg/kg
Energy-reduced jams, jellies and marmalades	400 mg/kg
Energy-reduced fruit and vegetable preparations	400 mg/kg
<i>Feinkostsalat</i>	140 mg/kg
Sweet-sour preserves of fruit and vegetables	180 mg/kg
Sweet-sour preserves and semi-preserves of fish and marinades of fish, crustaceans and molluscs	120 mg/kg
Sauces	450 mg/kg
Energy-reduced soups	45 mg/l
Mustard	140 mg/kg
Fine bakery products: energy-reduced or with no added sugar	700 mg/kg
Complete formulae for weight control intended to replace total daily food intake or an individual meal	320 mg/kg

Complete formulae and nutritional supplements for use under medical supervision	400 mg/kg
Liquid food supplements/dietary integrators	240 mg/l
Solid food supplements/dietary integrators	800 mg/kg
Food supplements/diet integrators based on vitamins and/or mineral elements, syrup-type or chewable	2400 mg/kg

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## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations further amend the Sweeteners in Food Regulations (Northern Ireland) 1996 (S.R. 1996 No. 48 as already amended) by—

- (a) bringing up to date the definition of “Directive 95/31/EC” (which relates to specific purity criteria) so as to cover its amendment by Directive 2000/51/EC (O.J. No. L198, 4.8.2000, p. 41) in so far as that Directive substituted new specifications for maltitol syrup and by Directive 2001/52/EC (O.J. No. 1190, 12.7.2001, p. 18) to substitute new purity criteria for mannitol and acesulfame K (regulation 3(a)(i));
- (b) granting provisional authorisation for the marketing and use as a sweetener of sucralose, as permitted by Article 5 of Directive 89/107/EEC on the approximation of the laws of member States concerning food additives authorised for use in foodstuffs intended for human consumption (O.J. No. L140, 11.2.1989, p. 27) (regulations 3(a)(ii) and 4); and
- (c) correcting a typographical error (regulation 3(b)).

Copies of the document referred to in regulation 3(a)(ii) may be obtained from:

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