

SCHEDULE 1

Regulation 2

GENERAL PURITY CRITERIA APPLICABLE TO PERMITTED FLAVOURINGS

1. No relevant flavouring shall have in it or on it any specified substance which has been added as such.
2. No relevant flavouring shall contain any element or substance in a toxicologically dangerous quantity.
3. No relevant flavouring shall contain—
 - (a) more than 3 milligrams per kilogram of arsenic;
 - (b) more than 10 milligrams per kilogram of lead;
 - (c) more than 1 milligram per kilogram of cadmium;
 - (d) more than 1 milligram per kilogram of mercury.

SCHEDULE 2

Regulation 3

SPECIFIED SUBSTANCES

Column 1	Column 2	Column 3
Specified substance	Standard permitted proportion	Permitted proportion in the case of particular descriptions of food
Agaric acid.	20 mg/kg.	(a) (a) Alcoholic drinks: 100 mg/kg. (b) Food (other than drinks) containing mushrooms: 100 mg/kg.
Aloin.	0.1 mg/kg.	Alcoholic drinks: 50 mg/kg.
Beta asarone.	0.1 mg/kg.	(a) (a) Alcoholic drinks: 1 mg/kg. (b) Seasonings used in snack foods: 1 mg/kg.
Berberine.	0.1 mg/kg.	Alcoholic drinks: 10 mg/kg.
Coumarin.	2 mg/kg.	(a) (a) Chewing gum: 50 mg/kg. (b) Alcoholic drinks: 10 mg/kg. (c) Caramel confectionery: 10 mg/kg.
Hydrocyanic acid.	1 mg/kg.	(a) (a) Nougat, marzipan, a nougat or

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Column 1	Column 2	Column 3
		marzipan substitute or a similar product: 50 mg/kg.
		(b) Tinned stone fruit: 5 mg/kg.
		(c) Alcoholic drinks: 1 mg/kg for each percentage of alcohol by volume therein.
Hypericine.	0.1 mg/kg.	(a) (a) Alcoholic drinks: 10 mg/kg.
		(b) Confectionery: 1 mg/kg.
Pulegone.	25 mg/kg.	(a) (a) Mint confectionery: 350 mg/kg.
		(b) Mint or peppermint flavoured drinks: 250 mg/kg.
		(c) Other drinks: 100 mg/kg.
Quassine.	5 mg/kg.	(a) (a) Alcoholic drinks: 50 mg/kg.
		(b) Confectionery in pastille form: 10 mg/kg.
Safrole, isosafrole or any combination of safrole and isosafrole.	1 mg/kg.	(a) (a) Food containing mace, nutmeg or both: 15 mg/kg.
		(b) Alcoholic drinks containing more than 25% of alcohol by volume: 5 mg/kg.
		(c) Other alcoholic drinks: 2 mg/kg.
Santonin.	0.1 mg/kg.	Alcoholic drinks containing more than 25% of alcohol by volume: 1 mg/kg.
Thuyone (alpha), thuyone (beta) or any combination of thuyone (alpha) and thuyone (beta)	0.5 mg/kg.	(a) (a) Bitters: 35 mg/kg.
		(b) Food (other than drinks) containing preparations based on sage: 25 mg/kg.

Column 1	Column 2	Column 3
		(c) Alcoholic drinks containing more than 25% of alcohol by volume: 10 mg/kg.
		(d) Other alcoholic drinks: 5 mg/kg.

SCHEDULE 3

Regulation 4

REQUIREMENTS FOR SALES

PART I

1. The requirements for a business sale of any relevant flavourings are observed in relation to that sale where—

- (a) the container in which those flavourings are held bears in correct form the information required by Part II of this Schedule, or
- (b) that container bears in correct form the information required by paragraph 1 of Part II of this Schedule and, in a conspicuous part thereof, the words “intended for the manufacture of foodstuffs and not for retail” and trade documents relating to the consignment which comprises or includes the relevant flavourings are supplied to the purchaser with or in advance of the consignment and contain the information required by paragraphs 2 and 3 of Part II of this Schedule.

2. The requirements for a consumer sale of any relevant flavourings are observed in relation to that sale where the container in which those flavourings are held bears—

- (a) in correct form, and subject to sub-paragraph (e) below, the information required by paragraph 1 of Part II of this Schedule;
- (b) insofar as regulation 21 of the Food Labelling Regulations 1984 or, as appropriate, regulation 21 of the Food Labelling (Scotland) Regulations 1984 does not apply to the product, the indication of minimum durability of the product which would be required by that regulation if the product had been a food to which that regulation applied;
- (c) any special storage conditions or conditions of use;
- (d) instructions for use if omission thereof would prevent appropriate use of the flavouring; and
- (e) where the relevant flavourings include substances or materials other than components specified in paragraph 2(a) of Part II of this Schedule, a list setting out in descending order of weight—
 - (i) in respect of the components so specified, the information required by paragraph 1(b) of Part II of this Schedule, and
 - (ii) in respect of each other substance or material its name or, where appropriate, its “E” number.

3. Material (whether information or words) is borne in correct form for the purposes of paragraphs 1 and 2 above where, subject to paragraph 4 below, it is—

- (a) easily visible,

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- (b) clearly legible,
 - (c) indelible, and
 - (d) in any case where more than one means of expression may be used, expressed in terms (in relation to a business sale) or in a language (in relation to a consumer sale) capable of being easily understood by the purchaser.
4. Paragraph 3 above shall not be taken—
- (a) to require expressions in terms (in relation to a business sale) or in a language (in relation to a consumer sale) capable of being easily understood by the purchaser where other measures have been taken to enable him easily to understand the particulars included pursuant to the requirements of this regulation, or
 - (b) to prohibit any of those particulars from being included in more than one language,
- on the container or, where applicable, trade documents.

PART II

1. The information required by this paragraph is—
- (a) the name (or business name) and address of one of the following:
 - (i) the manufacturer of the relevant flavourings;
 - (ii) the packer of the relevant flavourings;
 - (iii) a seller of the relevant flavourings established in the European Economic Community;
 - (b) the word “flavouring” or more specific names or descriptions of the relevant flavourings;
 - (c) either the words “for foodstuffs” or a more specific reference to the food for which the relevant flavourings are intended.
2. The information required by this paragraph is a list, in descending order of weight, of components of the relevant flavourings—
- (a) using, in the case of the following components, the following classifications—
 - (i) in the case of flavouring substances which come within regulation 2(1)(c)(i), “natural flavouring substances”;
 - (ii) in the case of flavouring substances which come within regulation 2(1)(c)(ii), “flavouring substances identical to natural substances”;
 - (iii) in the case of flavouring substances which come within regulation 2(1)(c)(iii), “artificial flavouring substances”;
 - (iv) in the case of flavouring preparations, “flavouring preparations”;
 - (v) in the case of process flavourings, “process flavourings”; and
 - (vi) in the case of smoke flavourings, “smoke flavourings”; and
 - (b) using, in the case of each other substance or material (if any), its name or, where appropriate, its “E” number.
3. The information required by this paragraph is—
- (a) the quantity of each description of material in or on the relevant flavourings the sale of any description of food containing which is, if that description of food contains more than a specified quantity or proportion of that description of material, prohibited by any provision of the Act or of regulations under it, or

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- (b) such information as is necessary to enable the purchaser to ascertain whether, and if so to what extent, he could use such relevant flavourings in food sold by him without contravening any such provision.