
STATUTORY INSTRUMENTS

1995 No. 3187

The Miscellaneous Food Additives Regulations 1995

Revocations and amendments

10.—(1) The Regulations specified in columns 1 and 2 of Schedule 9 shall be revoked to the extent specified in column 3 of that Schedule.

(2) In the Mineral Hydrocarbons in Food Regulations 1966(1), in regulation 3 (exemptions)—

(a) there shall be substituted for paragraph (1) the following paragraph—

“(1) Regulation 4 of these regulations shall not apply in relation to—

(a) any food containing mineral hydrocarbon by reason not of the inclusion of mineral hydrocarbon as an ingredient in such food but because of the use of mineral hydrocarbon as a lubricant or greasing agent on some surface with which such food has necessarily to come into contact during the course of preparation if such food contains by reason thereof not more than 0.2 part by weight of mineral hydrocarbon per 100 parts by weight of the food;

(b) any chewing compound which—

(i) contains no more than 60 parts by weight of solid mineral hydrocarbon per 100 parts by weight of chewing compound, and

(ii) contains no mineral hydrocarbon other than any mineral hydrocarbon which complies with the specification therefor set forth in paragraph 4 of Part I of the Schedule to these regulations;

(c) the rind of any whole pressed cheese;

(d) any food containing mineral hydrocarbon where the use of that mineral hydrocarbon in or on that food is as a miscellaneous additive, as defined in the Miscellaneous Food Additives Regulations 1995, and complies with the provisions of those Regulations.”;

(b) in the proviso to paragraph (2), for the words “paragraph (1)(e)” there shall be substituted the words “paragraph (1)(b)”;

(c) in paragraph (3), for the words “paragraph (1)(a) to (g)” there shall be substituted the words “paragraph (1)(a) to (c)”.

(3) In the Mineral Hydrocarbons in Food (Scotland) Regulations 1966(2), in regulation 4 (exemptions)—

(a) there shall be substituted for paragraph (1) the following paragraph—

“(1) Regulation 5 of these regulations shall not apply in relation to—

(a) any food containing mineral hydrocarbon by reason not of the inclusion of mineral hydrocarbon as an ingredient in such food but because of the use of mineral hydrocarbon as a lubricant or greasing agent on some surface with which such food has necessarily to come into contact during the course of preparation if

(1) [S.I. 1966/1073](#); the relevant amending instrument is [S.I. 1991/1476](#).

(2) [S.I. 1966/1263](#); the relevant amending instrument is [S.I. 1991/1476](#).

such food contains by reason thereof not more than 0.2 part by weight of mineral hydrocarbon per 100 parts by weight of the food;

- (b) any chewing compound which—
 - (i) contains no more than 60 parts by weight of solid mineral hydrocarbon per 100 parts by weight of chewing compound, and
 - (ii) contains no mineral hydrocarbon other than any mineral hydrocarbon which complies with the specification therefor set forth in paragraph 4 of Part I of the Schedule to these regulations;
- (c) the rind of any whole pressed cheese;
- (d) any food containing mineral hydrocarbon where the use of that mineral hydrocarbon in or on that food is as a miscellaneous additive, as defined in the Miscellaneous Food Additives Regulations 1995, and complies with the provisions of those Regulations.”;

- (b) in the proviso to paragraph (2), for the words “paragraph (1)(e)” there shall be substituted the words “paragraph (1)(b)”;
- (c) in paragraph (3), for the words “paragraph (1)(a) to (g)” there shall be substituted the words “paragraph (1)(a) to (c)”.

(4) In the Specified Sugar Products Regulations 1976(3) and the Specified Sugar Products (Scotland) Regulations 1976(4)—

- (a) in regulation 2(1) (interpretation)—
 - (i) after the definition of “the Act” there shall be inserted the following definition—

““anti-caking agent” has the meaning assigned to it by the Miscellaneous Food Additives Regulations 1995;”;
 - (ii) there shall be substituted for the definition of “anti-foaming agent” the following definition—

““anti-foaming agent” has the meaning assigned to it by the Miscellaneous Food Additives Regulations 1995;”;
 - (iii) there shall be substituted for the definition of “appropriate designation” the following definition—

““appropriate designation”, as respects any colour, anti-caking agent or anti-foaming agent, means a name or description or a name and description sufficiently specific, in each case, to indicate to an intending purchaser the true nature of the colour, anti-caking agent or anti-foaming agent to which it is applied;”;
 - (iv) after the definition of “loaf sugar” there shall be inserted the following definition—

““permitted miscellaneous additive” means any miscellaneous additive in so far as its use in food is permitted by the Miscellaneous Food Additives Regulations 1995;”;

- (b) there shall be substituted for paragraph (3) of regulation 2 the following paragraph—

“(3) Any permitted miscellaneous additive (other than E 220 sulphur dioxide) specified in Part B of Schedule 2 to the Miscellaneous Food Additives Regulations 1995, if calculated as, may be used in place of, E 220 sulphur dioxide, and any reference in these regulations to the permitted miscellaneous additive sulphur dioxide shall be construed accordingly.”;

(3) S.I. 1976/509; the relevant amending instruments are S.I. 1980/1849, 1990/2486, 1995/3124.

(4) S.I. 1976/946; the relevant amending instruments are S.I. 1981/137, 1990/2625, 1995/3124.

- (c) in regulation 5(3) (labelling and description of specified sugar products)—
 - (i) there shall be substituted for sub-paragraph (c) the following sub-paragraph—
 - “(c) for glucose syrup or dried glucose syrup containing more than 20 milligrams per kilogram of the permitted miscellaneous additive sulphur dioxide, a declaration that the product is not for sale by retail;”;
 - (ii) there shall be substituted for sub-paragraph (e) the following sub-paragraph—
 - “(e) for icing sugar or icing dextrose containing any permitted miscellaneous additive used primarily as an anti-caking agent or any starch in accordance with paragraph (a) or (c) of the proviso to regulation 9, the declaration “contains X” or “contains starch” respectively, the declaration in the former case being completed by inserting at X an appropriate designation or the common or usual name of each anti-caking agent present;”;
 - (iii) in sub-paragraph (f) there shall be substituted for the words “any anti-foaming agent in accordance with paragraph (d) of the proviso” the words “any permitted miscellaneous additive used primarily as an anti-foaming agent in accordance with paragraph (a) of the proviso”;
 - (d) in regulation 8 (declarations of sulphur dioxide in glucose syrup and dried glucose syrup) there shall be substituted for the words from “of which the sulphur dioxide” to “20 milligrammes per kilogramme” the words “containing more than 20 milligrams per kilogram of the permitted miscellaneous additive sulphur dioxide”;
 - (e) in the proviso to regulation 9 (permitted additional ingredients in specified sugar products)—
 - (i) there shall be substituted for paragraph (a) the following paragraph—
 - “(a) any specified sugar product may contain any permitted miscellaneous additive;”;
 - (ii) there shall be substituted for paragraph (c) the following paragraph—
 - “(c) any icing sugar or icing dextrose which does not contain any permitted miscellaneous additive used primarily as an anti-caking agent may contain not more than 5 per centum of starch.”;
- (5) In the Cocoa and Chocolate Products Regulations 1976(5) and the Cocoa and Chocolate Products (Scotland) Regulations 1976(6)—
- (a) in regulation 2(1) (interpretation)—
 - (i) in the definition of “edible substance” there shall be substituted for paragraph (c) the following paragraph—
 - “(c) any permitted miscellaneous additive”;
 - (ii) after the definition of “permitted cocoa butter” there shall be inserted the following definition—
 - ““permitted miscellaneous additive” means any miscellaneous additive in so far as its use in food is permitted by the Miscellaneous Food Additives Regulations 1995;”;
 - (b) in the proviso to regulation 15 (permitted additional ingredients in cocoa and chocolate products) there shall be substituted for paragraphs (a) to (c) the following paragraph—

(5) S.I. 1976/541; the relevant amending instrument is S.I. 1982/17.

(6) S.I. 1976/914; the relevant amending instrument is S.I. 1982/108.

“(a) any cocoa product or chocolate product may contain any permitted miscellaneous additive;”.

(6) In the Fruit Juices and Fruit Nectars Regulations 1977(7) and the Fruit Juices and Fruit Nectars (Scotland) Regulations 1977(8)—

(a) in regulation 2(1) (interpretation) after the definition of “human consumption” there shall be inserted the following definition—

““permitted miscellaneous additive” means any miscellaneous additive in so far as its use in food is permitted by the Miscellaneous Food Additives Regulations 1995;”;

(b) in the proviso to regulation 11(1) (permitted additional ingredients in fruit juice, concentrated fruit juice, dried fruit juice and fruit nectar)—

(i) there shall be substituted for sub-paragraphs (a), (e), (g), (j) and (k) the following sub-paragraph—

“(a) any such food may contain any permitted miscellaneous additive, so however that no apple juice, grape juice, pineapple juice or concentrated pineapple juice shall contain both added sugar and added acid;”;

(ii) there shall be substituted for sub-paragraph (f) the following sub-paragraph—

“(f) the fruit nectars referred to in Schedule 4 may contain lemon juice, in total or partial replacement of citric acid, in a proportion not exceeding 5 grams per litre;”;

(c) there shall be substituted for Schedule 4 (fruit juices, concentrated fruit juices and fruit nectars which may contain added permitted acid and the nature and proportion of added permitted acid in each case) the following Schedule—

“SCHEDULE 4

Regulation 11

FRUIT NECTARS WHICH MAY CONTAIN
LEMON JUICE IN PLACE OF CITRIC ACID

1. Apple nectar obtained exclusively from apple purée or concentrated apple purée or an admixture thereof

2. Peach nectar obtained exclusively from peach purée or concentrated peach purée or an admixture thereof

3. Pear nectar obtained exclusively from pear purée or concentrated pear purée or an admixture thereof

4. Any admixture of the fruit nectars referred to in items 1 to 3 above.”

(7) In the Condensed Milk and Dried Milk Regulations 1977(9) and the Condensed Milk and Dried Milk (Scotland) Regulations 1977(10)—

(a) in regulation 2(1) (interpretation) there shall be substituted for the definition of “permitted miscellaneous additive” the following definition—

““permitted miscellaneous additive” means any miscellaneous additive in so far as its use in food is permitted by the Miscellaneous Food Additives Regulations 1995;”;

(7) S.I. 1977/927; the relevant amending instruments are S.I. 1982/1311, 1991/1284.

(8) S.I. 1977/1026; the relevant amending instruments are S.I. 1982/1619, 1991/1284.

(9) S.I. 1977/928; the relevant amending instrument is S.I. 1986/2299.

(10) S.I. 1977/1027; the relevant amending instrument is S.I. 1987/26.

- (b) in regulation 5(1) (labelling and description of condensed milk and dried milk products for retail sale) in sub-paragraph (b) there shall be substituted for the words “paragraph (c)” the words “paragraph (a)”;
 - (c) in the proviso to regulation 9 (permitted additional ingredients in condensed milk and dried milk) there shall be substituted for paragraphs (a) to (d) the following paragraph—
 - “(a) any condensed milk product or dried milk product may contain any permitted miscellaneous additive;”.
- (8) In the Coffee and Coffee Products Regulations 1978(**11**) and the Coffee and Coffee Products (Scotland) Regulations 1979(**12**)—
- (a) in regulation 2(1) (interpretation) after the definition of “human consumption” there shall be inserted the following definition—
 - ““permitted miscellaneous additive” means any miscellaneous additive in so far as its use in food is permitted by the Miscellaneous Food Additives Regulations 1995;”;
 - (b) in the proviso to regulation 8 (permitted additional ingredients in certain designated products)—
 - (i) there shall be substituted for paragraphs (a), (b) and (e) the following paragraph—
 - “(a) any designated product may contain any permitted miscellaneous additive;”; and
 - (ii) in paragraph (d) there shall be inserted after the words “liquid coffee and chicory extract,” the words “chicory and coffee essence,”.
- (9) In the Jam and Similar Products Regulations 1981(**13**) and the Jam and Similar Products (Scotland) Regulations 1981(**14**)—
- (a) in regulation 2(1) (interpretation)—
 - (i) immediately before the definition of “permitted sweetener” there shall be inserted the following definition—
 - ““permitted miscellaneous additive” means any miscellaneous additive in so far as its use in food is permitted by the Miscellaneous Food Additives Regulations 1995;”;
 - (ii) after the definition of “prepacked” there shall be inserted the following definition—
 - ““preservative” has the meaning assigned to it by the Miscellaneous Food Additives Regulations 1995;”;
 - (b) in regulation 8(4) (miscellaneous labelling requirements) there shall be substituted for sub-paragraph (c) the following sub-paragraph—
 - “(c) the food contains a permitted miscellaneous additive used primarily as a preservative.”;
 - (c) in regulation 14(1) (permitted additional ingredients) there shall be inserted at the end the words “or any permitted miscellaneous additive”.
- (10) In the Meat Products and Spreadable Fish Products Regulations 1984(**15**)—
- (a) in regulation 2(1) (interpretation) in the definition of “additive” there shall be substituted for the words from “the Antioxidants in Food Regulations 1978” to “the Miscellaneous

(11) S.I. 1978/1420; the relevant amending instruments are S.I. 1982/254, 1987/1986.

(12) S.I. 1979/383; the relevant amending instruments are S.I. 1982/409, 1987/2014.

(13) S.I. 1981/1063; the relevant amending instruments are S.I. 1990/2085, 1995/3124, 1995/3123.

(14) S.I. 1981/1320; the relevant amending instruments are S.I. 1990/2180, 1995/3124, 1995/3123.

(15) S.I. 1984/1566; the relevant amending instruments are S.I. 1995/3124, 1995/3123.

Additives in Food Regulations 1980” the words “the Miscellaneous Food Additives Regulations 1995”;

- (b) in regulation 5(2) (name of the food for certain meat products) in sub-paragraph (b) there shall be inserted after the words “the conditions” the words “(if any)”;
 - (c) in Schedule 1 (ingredients of cured meat)—
 - (i) in the first division of ingredients in column 1 there shall be inserted after the entry “Water” the following entry—
 - “Additives other than flavourings, smoke and smoke solutions”;
 - (ii) in the third division of ingredients in column 1 there shall be substituted for the entry “Additives” the following entry—
 - “Flavourings, smoke and smoke solutions”.
- (11) In the Meat Products and Spreadable Fish Products (Scotland) Regulations 1984⁽¹⁶⁾—
- (a) in regulation 2(1) (interpretation) in the definition of “additive” there shall be substituted for the words from “the Antioxidants in Food (Scotland) Regulations 1978” to “the Miscellaneous Additives in Food (Scotland) Regulations 1980” the words “the Miscellaneous Food Additives Regulations 1995”;
 - (b) in regulation 5(2) (name of the food for certain meat products) in sub-paragraph (b) there shall be inserted after the words “the conditions” the words “(if any)”;
 - (c) in Schedule 1 (ingredients of cured meat)—
 - (i) in the first division of ingredients in column 1 there shall be inserted after the entry “Water” the following entry—
 - “Additives other than flavourings, smoke and smoke solutions”;
 - (ii) in the third division of ingredients in column 1 there shall be substituted for the entry “Additives” the following entry—
 - “Flavourings, smoke and smoke solutions”.
- (12) In the Food Additives Labelling Regulations 1992⁽¹⁷⁾—
- (a) in regulation 2 (interpretation) after the definition of “food additive” there shall be inserted the following definitions—
 - ““miscellaneous additive” has the same meaning as in the 1995 Regulations;
 - “the 1995 Regulations” means the Miscellaneous Food Additives Regulations 1995.”;
 - (b) in Schedule 1 (categories of food additives) in Part I (list of food additives)—
 - (i) there shall be substituted for item 9 the following item—
 - “**9.** Flavour enhancers.”;
 - (ii) there shall be substituted for item 19 the following item—
 - “**19.** Flour treatment agents.”;
 - (iii) there shall be substituted for item 25 the following item—
 - “**25.** Propellants.”;
 - (iv) there shall be inserted at the end the following item—
 - “**27.** Carriers and carrier solvents.”;

⁽¹⁶⁾ S.I. 1984/1714; the relevant amending instruments are S.I. 1995/3124, 1995/3123.

⁽¹⁷⁾ S.I. 1992/1978; the relevant amending instruments are S.I. 1995/3124, 1995/3123.

- (c) in Schedule 1 in Part II (supplementary)—
- (i) there shall be substituted for sub-paragraphs (b) to (m) the following sub-paragraph—
 - “(b) “antioxidant”, “preservative”, “emulsifier”, “emulsifying salt”, “thickener”, “gelling agent”, “stabiliser”, “flavour enhancer”, “acid”, “acidity regulator”, “anti-caking agent” and “modified starch” mean any miscellaneous additive primarily used as an antioxidant, preservative, emulsifier, emulsifying salt, thickener, gelling agent, stabiliser, flavour enhancer, acid, acidity regulator, anti-caking agent or modified starch, as the case may be, as defined in the 1995 Regulations;”;
 - (ii) there shall be substituted for sub-paragraphs (o) to (q) the following sub-paragraph—
 - “(o) “raising agent”, “anti-foaming agent” and “glazing agent” mean any miscellaneous additive primarily used as a raising agent, anti-foaming agent or glazing agent, as the case may be, as defined in the 1995 Regulations;”;
 - (iii) there shall be substituted for sub-paragraphs (r) and (s) the following sub-paragraphs—
 - “(r) “flour bleaching agent” means any substance primarily used to remove colour from flour;
 - (s) “flour treatment agent” means any substance which is added to flour or dough to improve its baking quality;”;
 - (iv) there shall be substituted for sub-paragraphs (t) and (u) the following sub-paragraph—
 - “(t) “firming agent” and “humectant” mean any miscellaneous additive primarily used as a firming agent or humectant, as the case may be, as defined in the 1995 Regulations;”;
 - (v) there shall be substituted for sub-paragraphs (w) to (z) the following sub-paragraph—
 - “(w) “sequestrant”, “bulking agent”, “propellant”, “packaging gas”, “carrier” and “carrier solvent” mean any miscellaneous additive primarily used as a sequestrant, bulking agent, propellant, packaging gas, carrier or carrier solvent, as the case may be, as defined in the 1995 Regulations;”;
- (d) in Schedule 3 (requirement for sales) in Part I in paragraph 2 and in Part II in paragraph 1 there shall be substituted for the words “EEC number” (wherever they occur) the words “EC number”.