STATUTORY INSTRUMENTS

1966 No. 1203

FOOD AND DRUGS

COMPOSITION AND LABELLING

The Colouring Matter in Food Regulations 1966

Made - - - -	*19th September* 1966
Laid before Parliament	*30th September* 1966
Coming into Operation	*26th June* 1967

The Minister of Agriculture, Fisheries and Food and the Minister of Health, acting jointly, in exercise of the powers conferred on them by sections 4, 7 and 123 of the Food and Drugs Act 1955(a) and of all other powers enabling them in that behalf, hereby make the following regulations after consultation with such organisations as appear to them to be representative of interests substantially affected by the regulations and reference to the Food Hygiene Advisory Council under section 82 of the said Act (insofar as the regulations relate to the labelling, marking or description of food):—

Citation and commencement

1. These regulations may be cited as the Colouring Matter in Food Regulations 1966; and shall come into operation on 26th June 1967.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires—

" the Act " means the Food and Drugs Act 1955;

" butter " means the fatty substance intended for sale for human consumption which—

(*a*) is usually known as butter,

(*b*) is derived exclusively from cow's milk, the pH of which may have been adjusted by the addition of an alkali carbonate,

and includes whey butter;

" cheese " means the fresh or matured product intended for sale for human consumption, which is obtained as follows—

(*a*) in the case of any cheese other than whey cheese—

(i) by coagulating any or a combination of any of the following substances, namely milk, cream, skimmed milk, partly skimmed milk, concentrated skimmed milk, reconstituted dried milk and butter milk, and

(ii) partially draining the whey resulting from any such coagulation;

(*b*) in the case of whey cheese—

(i) by concentrating whey with or without the addition of milk and milk fat, and moulding such concentrated whey, or

(ii) by coagulating whey with or without the addition of milk and milk fat;

(a) 4 & 5 Eliz. 2. c. 16.

" cheese spread " means cheese which has been subjected to a process of melting and mixing with milk products other than cheese, with or without the addition of emulsifying salts;

" 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;

" food " means food intended for sale for human consumption and includes drink, chewing gum and other products of a like nature and use, and articles and substances used as ingredients in the preparation of food or drink or of such products, but does not include—

(*a*) water, live animals or birds,

(*b*) fodder or feeding stuffs for animals, birds or fish, or

(*c*) articles or substances used only as drugs;

" food and drugs authority " has the meaning assigned to it in section 83 of the Act;

" hard cheese " means cheese other than soft cheese, whey cheese, processed cheese or cheese spread;

" human consumption " includes use in the preparation of food for human consumption;

" permitted colouring matter " means any colouring matter described in Schedule 1 to these regulations, which complies with the specification specified in that Schedule in relation to such colouring matter, or any combination of two or more such colouring matters;

" processed " in relation to any food, includes curing by smoking and any treatment or process resulting in a substantial change in the natural state of any food but does not include boning, paring, grinding, cutting, cleaning or trimming and " unprocessed " shall be construed accordingly;

" processed cheese " means cheese which has been subjected to a process of melting and mixing with or without the addition of emulsifying salts;

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

" soft cheese " means cheese which is readily deformed by moderate pressure but does not include whey cheese, processed cheese or cheese spread, and any reference to soft cheese includes a reference to cream cheese or curd cheese;

" vegetable " includes pulses;

" whey cheese " means the product obtained by one or other of the processes referred to in paragraph (b) of the foregoing definition of " cheese ";

AND other expressions have the same meaning as in the Act.

(2) The Interpretation Act 1889(a) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament and as if these regulations and the regulations hereby revoked were Acts of Parliament.

(3) All percentages mentioned in these regulations are percentages calculated by weight and, unless a contrary intention is expressed, are calculated on the weight of the product as sold.

(4) Any reference in these regulations to a label borne on a container shall

(a) 1889 c. 63.

be construed as including a reference to any legible marking on the container however effected.

(5) 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.

Exemptions

3. The provisions of these regulations shall not apply in relation to any colouring matter (including any colouring matter which is an ingredient of any colouring compound or of any colouring and flavouring compound), any diluent combined with any colouring matter or any food having any colouring matter in it or on it, which is sold—

(*a*) for exportation to any place outside the United Kingdom; or

(*b*) for the purpose of scientific laboratory testing, if the container of any such colouring matter, diluent or food bears a label stating clearly that such colouring matter, diluent or food, as the case may be, is sold only for such purpose.

Sale, etc. of colouring matter and food containing colouring matter

4.—(1) No colouring matter, whether such colouring matter is an ingredient of any colouring compound or of any colouring and flavouring compound or not, shall be sold, consigned, delivered or imported into England and Wales for use as an ingredient in the preparation of food unless such colouring matter is a permitted colouring matter.

(2) No food sold, consigned, delivered or imported into England and Wales shall have in it or on it any colouring matter other than a permitted colouring matter.

(3) No food sold, consigned, delivered or imported into England and Wales shall have in it or on it any mark, however effected, in any colouring matter other than a permitted colouring matter.

(4) No person shall sell, consign, deliver or import into England and Wales, as the case may be, any food or colouring matter in contravention of this regulation.

Prohibition of the use of added colouring matter

5.—(1) Save as hereinafter provided, no meat, game, poultry, fish, fruit or vegetable, in a raw or unprocessed state, sold, consigned, delivered or imported into England and Wales for human consumption, shall have in it or on it (otherwise than for the purpose of marking) any added colouring matter:

Provided that—

(*a*) the husk containing any nut may have in it or on it added permitted colouring matter;

(*b*) the peel of any orange may have in it or on it added permitted colouring matter if—

(i) the words " colour added " are marked on the peel of such orange in permitted colouring matter, and

(ii) the said words are printed distinctly and legibly and are conspicuously visible.

(2) No tea (whether in leaf or essence form), coffee bean, ground coffee, coffee essence, white bread, soda bread, cream, condensed milk or dried milk,

sold, consigned, delivered or imported into England and Wales for human consumption shall have in it or on it any added colouring matter:

Provided that the provisions of this paragraph shall not apply in relation to any white bread or soda bread sold, consigned, delivered or imported into England and Wales for use by a manufacturer for the purposes of his manufacturing business.

(3) No bread, other than white bread or soda bread, sold, consigned, delivered or imported into England and Wales for human consumption, shall have in it or on it any added colouring matter other than caramel:

Provided that the provisions of this paragraph shall not apply in relation to any bread sold, consigned, delivered or imported into England and Wales for use by a manufacturer for the purposes of his manufacturing business.

(4) No processed cheese or cheese spread, other than sage cheese spread, sold, consigned, delivered or imported into England and Wales shall have in it or on it any added colouring matter other than a permitted colouring matter within items (1) to (4) of Part III of Schedule 1 to these regulations.

(5) No sage cheese or sage cheese spread sold, consigned, delivered or imported into England and Wales shall have in it or on it any added colouring matter other than a green permitted colouring matter within item (3) of Part III of Schedule 1 to these regulations.

(6) No hard cheese, soft cheese or whey cheese sold, consigned, delivered or imported into England and Wales shall have in it or on it any added colouring matter except carotene or annatto or both of these substances:

Provided that the rind of hard cheese may contain any permitted colouring matter.

(7) No butter sold, consigned, delivered or imported into England and Wales shall have in it or on it any added colouring matter except carotene, annatto or turmeric, or two or all of these substances.

(8) No person shall sell, consign, deliver or import into England and Wales, as the case may be, any food in contravention of this regulation.

Arsenic, lead and copper limits for colouring matters and diluents

6.—(1) No colouring matter, whether such colouring matter is an ingredient of any colouring compound or of any colouring and flavouring compound or not, sold, consigned, delivered or imported into England and Wales for use as an ingredient in the preparation of food, and no diluent combined with any such colouring matter, shall contain—

(*a*) in the case of any such colouring matter, any arsenic, lead or copper, as the case may be, in excess of any amount specified therefor in the specification in Schedule 1 to these regulations relating to such colouring matter:

Provided that if two or more colouring matters are combined, the amount of arsenic, lead or copper, as the case may be, permitted to be contained in such combination shall be determined by multiplying the amount of arsenic, lead or copper, as the case may be, laid down in the specification in the said Schedule 1 relating to each colouring matter present in such combination, by the proportion of the total amount of such combination represented by that colouring matter and by adding together the products resulting therefrom:

(*b*) in the case of any such diluent, more than the amount of arsenic, lead or copper, as the case may be, laid down in the specification in the said Schedule 1 relating to the colouring matter which is combined with any such diluent:

Provided that if any such diluent is combined with two or more colouring matters the amount of arsenic, lead or copper, as the case may be, permitted to be contained in such diluent shall be determined by multiplying the amount of arsenic, lead or copper, as the case may be, laid down in the specification in the said Schedule 1 relating to each colouring matter present in such combination, by the proportion of the total amount of colouring matter in such combination represented by that colouring matter and by adding together the products resulting therefrom.

(2) No person shall sell, consign, deliver or import into England and Wales, as the case may be, any colouring matter or any diluent combined with any colouring matter in contravention of this regulation.

Advertisements and Labelling

7.—(1) No person shall advertise for sale any colouring matter (including any colouring matter which is an ingredient of any colouring compound or of any colouring and flavouring compound) for use as an ingredient in the preparation of food unless such colouring matter is a permitted colouring matter.

(2) No person shall sell, consign or deliver any colouring matter (including any colouring matter which is an ingredient of any colouring compound or of any colouring and flavouring compound) for use as an ingredient in the preparation of food unless such colouring matter or such compound is packed in a container bearing a label which complies with the requirements specified in Schedule 2 to these regulations:

Provided that until regulation 7(3) of, and the Second Schedule to, the Colouring Matter in Food Regulations 1957(**a**) are revoked in accordance with regulation 12(2) of these regulations the requirements of this paragraph shall not have effect in relation to any sale, consignment or delivery in compliance with the provisions of the said regulation 7(3) of, and Second Schedule to, the regulations of 1957; and the provisions of such regulation 7(3) and Second Schedule shall not have effect (pending their revocation in accordance with regulation 12(2) hereof) in relation to any sale, consignment or delivery in compliance with the requirements of this paragraph or in relation to any sale to which an exemption in regulation 3 hereof applies.

Condemnation of food

8. Where any food is certified by a public analyst as being food which it is an offence against regulation 4 or 5 of these regulations to sell, consign, deliver or import into England and Wales, that food may be treated for the purposes of section 9 of the Act (under which food may be seized and destroyed on the order of a justice of the peace) as being unfit for human consumption.

Penalties and enforcement

9.—(1) If any person contravenes or fails to comply with any of the foregoing provisions of these regulations he shall be guilty of an offence and shall be liable to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months, or to both, and, in the case of a continuing

(**a**) S.I. 1957/1066 (1957 I, p. 996).

offence, to a further fine not exceeding five pounds for each day during which the offence continues after conviction.

(2) Each food and drugs authority shall enforce and execute such provisions in their area:

Provided that each port health authority shall enforce and execute in their district the provisions of regulations 4, 5 and 6 of these regulations insofar as they relate to importation.

(3) The requirement of section 109(3) of the Act (which requires notice to be given to the Minister of Agriculture, Fisheries and Food of intention to institute proceedings for an offence against any provisions of these regulations relating to the labelling, advertising or description of food) shall not apply as respects any proceedings instituted by a council for an offence against any such provisions of these regulations.

Defences

10.—(1) In any proceedings for an offence against these regulations in relation to the publication of an advertisement, it shall be a defence for the defendant to prove that, being a person whose business it is to publish or arrange for the publication of advertisements, he received the advertisement for publication in the ordinary course of business.

(2) In any proceedings against the manufacturer or importer of any colouring matter for use as an ingredient in the preparation of food, or of any food having colouring matter in or on it, for an offence against these regulations in relation to the publication of an advertisement, it shall rest on the defendant to prove that he did not publish, and was not a party to the publication of, the advertisement.

Applications of various sections of the Act

11.—(1) Sections 108(3) and (4) (which relate to prosecutions), 110(1), (2) and (3) (which relate to evidence of analysis), 112 (which relates to the power of a court to require analysis by the Government Chemist), 113 (which relates to a contravention due to some person other than the person charged), 115(2) (which relates to the conditions under which a warranty may be pleaded as a defence) and 116 (which relates to offences in relation to warranties and certificates of analysis) of the Act shall apply for the purposes of these regulations as if references therein to proceedings, or a prosecution, under or taken or brought under the Act included references to proceedings, or a prosecution as the case may be, taken or brought for an offence under these regulations and as if the reference in the said section 112 to subsection (4) of section 108 included a reference to that subsection as applied by these regulations.

(2) Paragraph (*b*) of the proviso to section 108(1) of the Act shall apply for the purposes of these regulations as if the reference therein to section 116 of the Act included a reference to that section as applied by these regulations.

Revocation of the Colouring Matter in Food Regulations

12.—(1) The Colouring Matter in Food Regulations 1957(**a**), except regulation 7(3) thereof and Schedule 2 thereto, are hereby revoked.

(2) Regulation 7(3) of, and Schedule 2 to, the Colouring Matter in Food Regulations 1957 shall be revoked on 1st January 1968.

(3) The Food and Drugs (Legal Proceedings) Regulations 1962 (**b**) shall be

(**a**) S.I. 1957/1066 (1957 I, p. 996). (**b**) S.I. 1962/1287 (1962 II, p. 1378).

amended by deleting from Part I of the Schedule thereto the item relating to the Colouring Matter in Food Regulations 1957.

Amendment of the Arsenic in Food Regulations 1959

13. The Arsenic in Food Regulations 1959(a), as amended (b), shall be further amended by adding after sub-paragraph (*c*) of regulation 3(2) of those regulations (which sets forth certain exemptions from the arsenic limits imposed by the regulations) the following sub-paragraph:—

" (*d*) to any colouring matter for use as an ingredient in the preparation of food, or to any diluent combined with any such colouring matter, which complies with the specification or compositional requirements, as the case may be, for such colouring matter or for such diluent prescribed by the Colouring Matter in Food Regulations 1966."

Amendment of the Lead in Food Regulations 1961

14. The Lead in Food Regulations 1961(c) shall be amended by adding after paragraph (3) of regulation 3 of those regulations (which specifies limits for any lead content of food) the following paragraph:—

"(4) The foregoing provisions of this regulation shall not apply in relation to any colouring matter for use as an ingredient in the preparation of food, or to any diluent combined with any such colouring matter, which complies with the specification or compositional requirements, as the case may be, for such colouring matter or for such diluent prescribed by the Colouring Matter in Food Regulations 1966."

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 16th September 1966.

(L.S.) *Frederick Peart,*

Minister of Agriculture, Fisheries and Food.

Given under the Official Seal of the Minister of Health on 19th September 1966.

(L.S.) *Kenneth Robinson,*

Minister of Health.

(a) S.I. 1959/831 (1959 I, p. 1293). (b) S.I. 1960/2261 (1960 II, p. 1477).
(c) S.I. 1961/1931 (1961 III, p. 3631).

SCHEDULE 1

PERMITTED COLOURING MATTER

Part I—Coal Tar Colours

Regulations 2(1) and 6

Column 1	Column 2	Column 3	Column 4		
			Specification		
			a	b	c
Common Name of Colour	Scientific Name	Colour Index (1956) Number	British Standard	Specifications for Identity and Purity of Food Additives. Vol. II. Food Colors, Rome, Food and Agriculture Organisation of the United Nations, 1963	Other specification or compositional requirement
Amaranth	trisodium salt of 1-(4-sulpho-1-naphthylazo)-2-naphthol-3 : 6-disulphonic acid.	16185	3341 : 1961	—	—
Black PN ... ... (Brilliant Black BN)	tetrasodium salt of 8-acetamido-2-(7-sulpho-4-*p*-sulphophenylazo-1-naphthylazo)-1-naphthol-3 : 5-disulphonic acid.	28440	—	Number 41	—
Black 7984	tetrasodium salt of [4 (4-sulpho-1-phenylazo)-7-sulpho-1-naphthylazo]-1-hydroxy-7-amino-naphthalene-3 : 6-disulphonic acid.	—	—	—	Compliance with compositional requirements contained in Part II of this Schedule.
Brown FK	a mixture consisting essentially of the disodium salt of 1 : 3-diamino-4 : 6-di-(*p*-sulphophenylazo) benzene and the sodium salt of 2 : 4-diamino-5-(*p*-sulphophenylazo) toluene.	—	—	—	A standard of purity consistent with good manufacturing practice.
Carmoisine	disodium salt of 2-(4-sulpho-1-naphthylazo)-1-naphthol-4-sulphonic acid.	14720	3343 : 1961	—	—

Chocolate Brown FB	the product of coupling diazotised naphthionic acid with a mixture (Colour Index Number 1232) of morin and maclurin.	—	—	—	A standard of purity consistent with good manufacturing practice.
Chocolate Brown HT	disodium salt of 2 : 4-dihydroxy-3 : 5-di-(4-sulpho-1-naphthylazo) benzyl alcohol.	20285	—	—	A standard of purity consistent with good manufacturing practice.
Erythrosine BS ...	disodium or dipotassium salt of 2 : 4 : 5 : 7-tetraiodofluorescein.	45430	—	Number 25	—
Fast Red E	disodium salt of 1-(4-sulpho-1-naphthylazo)-2-hydroxynaphthalene-6-sulphonic acid.	16045	—	Number 20	—
Green S	sodium salt of di-(*p*-dimethylaminophenyl)-2-hydroxy-3 : 6-disulphonaphthylmethanol anhydride.	44090	—	—	A standard of purity consistent with good manufacturing practice.
Indigo Carmine ... (Indigotine)	disodium salt of indigotin-5 : 5′-disulphonic acid.	73015	—	Number 38	—
Oil Yellow GG ...	a mixture of 4-phenylazoresorcinol and 4 : 6-di (phenylazo) resorcinol.	11920	—	—	A standard of purity consistent with good manufacturing practice.
Oil Yellow XP ...	3-methyl-1-phenyl-4-(2 : 4-xylylazo)-5-pyrazolone.	12740	—	—	A standard of purity consistent with good manufacturing practice.
Orange G	disodium salt of 1-phenylazo-2-naphthol-6 : 8-disulphonic acid.	16230	3612 : 1963	—	—
Orange RN	sodium salt of 1-phenylazo-2-naphthol-6-sulphonic acid.	15970	—	—	A standard of purity consistent with good manufacturing practice.
Ponceau MX ...	disodium salt of 1-(2 : 4- or mixed-xylylazo)-2-naphthol-3 : 6-disulphonic acid.	16150	3671 : 1963	—	—
Ponceau 4R	trisodium salt of 1-(4-sulpho-1-naphthylazo)-2-naphthol-6 : 8-disulphonic acid.	16255	3342 : 1961	—	—

Column 1	Column 2	Column 3	Column 4		
			Specification		
			a	b	c
Common Name of Colour	Scientific Name	Colour Index (1956) Number	British Standard	Specifications for Identity and Purity of Food Additives. Vol. II. Food Colors, Rome, Food and Agriculture Organisation of the United Nations, 1963	Other specification or compositional requirement
Red 2G	disodium salt of 8-acetamido-2-phenylazo-1-naphthol-3 : 6-disulphonic acid.	18050	3611 : 1963	—	—
Red 6B	disodium salt of 8-acetamido-2-*p*-acetamido-phenylazo-1-naphthol-3 : 6-disulphonic acid.	18055	3780 : 1964	—	—
Red 10B	disodium salt of 8-amino-2-phenylazo-1-naphthol-3 : 6-disulphonic acid.	17200	3610 : 1963	—	—
Red FB	disodium salt of 2-[4-(1-hydroxy-4-sulpho-2-naphthylazo)-3-sulphophenyl]-6-methyl-benzothiazole.	14780	—	—	A standard of purity consistent with good manufacturing practice.
Sunset Yellow FCF...	disodium salt of 1-*p*-sulphophenylazo-2-naphthol-6-sulphonic acid.	15985	3340 : 1961	—	—
Tartrazine	trisodium salt of 5-hydroxy-1-*p*-sulphophenyl-4-*p*-sulphophenylazopyrazole-3-carboxylic acid.	19140	3211 : 1960	—	—
Violet BNP	sodium salt of 4 : 4′-di(dimethylamino)-4″-di-(*p*-sulphobenzylamino) triphenylmethanol anhydride.	—	—	—	A standard of purity consistent with good manufacturing practice.
Yellow 2G	disodium salt of 1-(2 : 5-dichloro-4-sulpho-phenyl)-5-hydroxy-3-methyl-4-*p*-sulpho-phenylazopyrazole.	18965	3614 : 1963	—	—

Part II—Compositional Requirements for the Colouring Matter commonly known as Black 7984

The colouring matter commonly known as Black 7984 shall comply with the following requirements:—

Inorganic impurities

1. The colouring matter shall not contain, for every kilogram of pure colouring matter—
   (*a*) more than 1 milligram of arsenic;
   (*b*) more than 10 milligrams of lead;
   (*c*) more than 100 milligrams of any of the following substances, namely antimony, copper, chrome, zinc, or barium sulphate, or more than 200 milligrams of any combination of these substances.

2. The colouring matter shall not contain any detectable quantity of cadmium, mercury, selenium, tellurium, thallium or uranium, any chromate, or any soluble barium compound.

Organic impurities

3. The colouring matter shall not contain—
   (*a*) any 2-naphthylamine, benzidine or 4-amino-diphenyl (or xenylamine), or any derivative of any of these substances;
   (*b*) any aromatic polycyclic hydrocarbon;
   (*c*) more than 0·01 per cent. of the pure colouring matter present, of free aromatic amines;
   (*d*) more than 0·5 per cent. of the pure colouring matter present, of synthetic intermediates other than free aromatic amines;
   (*e*) more than 4 per cent. of the pure colouring matter present, of subsidiary colours such as isomers or homologues;
   (*f*) more than 0·2 per cent. of the pure colouring matter present, of any substance extractable by diethyl ether.

4. The colouring matter shall not contain more than 0·2 per cent. of the pure colouring matter present, of matter insoluble in water.

Part III—Other Colours

Column 1	Column 2		
	Specification		
	a	b	c
Common Name or Description of Colour	British Standard	Specifications for Identity and Purity of Food Additives. Vol. II. Food Colors, Rome, Food and Agriculture Organisation of the United Nations, 1963	Other specification or compositional requirement
(1) Caramel	3874 : 1965	—	—
(2) Carmine (The colouring matter prepared from cochineal)	3916 : 1965	—	—
(3) The following colouring matters of vegetable origin:— (*a*) any colouring matter natural to edible fruit or vegetables ...	—	—	A standard of purity consistent with good manufacturing practice.
(*b*) Alkanet	—	Number 5	—
(*c*) Annatto	—	—	A standard of purity consistent with good manufacturing practice.
(*d*) Carotene	—	—	A standard of purity consistent with good manufacturing practice.
(*e*) Chlorophyll	—	—	A standard of purity consistent with good manufacturing practice.
(*f*) Flavine	—	—	A standard of purity consistent with good manufacturing practice.
(*g*) Indigo	—	—	A standard of purity consistent with good manufacturing practice.

(*h*) Orchil	—	Number 17	—
(*i*) Osage orange	—	—	A standard of purity consistent with good manufacturing practice.
(*j*) Persian berry	—	—	A standard of purity consistent with good manufacturing practice.
(*k*) Safflower	—	—	A standard of purity consistent with good manufacturing practice.
(*l*) Saffron	—	—	A standard of purity consistent with good manufacturing practice.
(*m*) Sandalwood	—	—	A standard of purity consistent with good manufacturing practice.
(*n*) Turmeric	—	Number 14	—
(*o*) The pure colouring principle of any of the colouring matters mentioned in the preceding paragraphs (*a*) to (*n*) inclusive, whether isolated from such colouring matters or produced synthetically.	—	—	A standard of purity consistent with good manufacturing practice.
(4) β-apo-8′-Carotenal and the ethyl ester of β-apo-8′-Carotenoic acid ...	—	—	A standard of purity consistent with good manufacturing practice.
(5) Canthaxanthin	—	—	A standard of purity consistent with good manufacturing practice.
(6) Bole or iron oxide	—	Number 2	—
(7) Carbon black	—	—	A standard of purity consistent with good manufacturing practice.
(8) Charcoal	—	—	A standard of purity consistent with good manufacturing practice.
(9) Titanium dioxide	—	—	A standard of purity consistent with good manufacturing practice.

Column 1	Column 2		
	Specification		
	a	b	c
Common Name or Description of Colour	British Standard	Specifications for Identity and Purity of Food Additives. Vol. II. Food Colors, Rome, Food and Agriculture Organisation of the United Nations, 1963	Other specification or compositional requirement
(10) Ultramarine	—	Number 4	—
(11) Silver, gold or aluminium in leaf or powder form, for use solely for the external colouring of dragees and the decoration of sugar-coated flour confectionery.	—	—	A standard of purity consistent with good manufacturing practice.
(12) The aluminium and calcium salts (lakes) of any water-soluble colour mentioned in this Schedule.	—	—	A standard of purity consistent with good manufacturing practice.

SCHEDULE 2 Regulation 7

Labelling of Colouring Matter and Colouring and Flavouring Compounds

1. Each container to which regulation 7 of these regulations relates shall bear a label on which is printed a true statement in the form of one of the following declarations:—

(*a*) in the case of any colouring matter alone—

FOOD COLOUR CONTAINS (X) (Y)

(*b*) in the case of any compound substance containing colouring matter or a combination of colouring and flavouring matter—

COMPOUND CONTAINING FOOD COLOUR (X) (Y)

and the declaration shall in each case be completed by inserting at (X) the common name of the colouring matter present, solely or as an ingredient of any compound substance, in the container and at (Y) a correct description of any other substance present in the preparation in the container.

2. Two or more substances declared at (Y), pursuant to paragraph 1 of this Schedule, shall appear in the order of the proportion by weight which such substances bear respectively to the total contents of the container at the time of sale by the manufacturer, the substance present in the greatest proportion by weight being specified first.

3. Any declaration required by paragraph 1 of this Schedule shall be printed distinctly and legibly in dark type upon a light-coloured ground or in light type upon a dark-coloured ground. The type used for labels on containers of quantities of not less than 4 ounces or 4 fluid ounces, as the case may be, shall be not less than one-eighth of an inch in height, and the type used for labels on containers of quantities of less than 4 ounces or 4 fluid ounces, as the case may be, shall be not less than one-sixteenth of an inch in height. The declaration shall be printed within a surrounding line and no other matter shall be printed within such surrounding line. Every letter of every word shall be of uniform size and colour and the ground within the said surrounding line shall be of uniform colour, provided that the initial letter in any word may be larger than the other letters in that word.

4. Any label required by paragraph 1 of this Schedule shall be securely affixed to or be part of the wrapper or container and in any case shall be so placed as to be clearly visible and shall be either part of any main label or a separate label placed in close proximity thereto.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations, which apply to England and Wales only, come into operation on 26th June 1967, and supersede the Colouring Matter in Food Regulations 1957, except that the labelling provisions of those regulations continue in force for a transitional period ending on 31st December 1967, During that period, the labelling provisions of these regulations will not have effect in relation to any colouring matter sold in compliance with the comparable provisions of those regulations and vice versa (regulation 7).

These regulations—

(*a*) prescribe the colouring matters which may be added to food sold for human consumption (regulation 4);

(*b*) limit the use of such colouring matters in or on certain named foods (regulation 5);

(*c*) regulate the amounts of arsenic, lead and copper contained in permitted colouring matters and in diluents combined with such colouring matters (regulation 6 and Schedule 1);

(*d*) make consequential amendments to the Arsenic in Food Regulations 1959 and the Lead in Food Regulations 1961 (regulations 13 and 14); and

(*e*) revise the advertising and labelling requirements for colouring matters (regulation 7 and Schedule 2).

The regulations do not apply to any colouring matter, to any diluent combined with any colouring matter, or to any food having colouring matter in it or on it which is sold for export, or for the purpose of scientific laboratory testing (regulation 3).