EXPLANATORY NOTE

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

This Order, which should be read with the Food Standards (General Provisions) Order, 1944, as amended, revises the standard for Saccharin Tablets previously prescribed in the Saccharin Order, 1949 (which is now revoked), and applies the standard to all sweetening tablets containing saccharin.

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## 1953 No. 1828

## The Food Standards (Soft Drinks) Order, 1953

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| *Made - - - -* | *11th December,* 1953 |
| *Laid before Parliament* | *14th December,* 1953 |
| *Coming into Operation* | *20th December,* 1953 |

The Minister of Food, in pursuance of the powers conferred upon him by Regulation 2 of the Defence (Sale of Food) Regulations, 1943(**a**), as continued in force by the Emergency Laws (Continuance) Order, 1953(**b**), and of all other powers him enabling in that behalf, hereby orders as follows :—

*Commencement and Citation*

**1.** This Order shall come into operation on the 20th day of December, 1953, may be cited as the Food Standards (Soft Drinks) Order, 1953, and shall be construed as one with the Food Standards (General Provisions) Order, 1944(**c**) as amended(**d**).

*Interpretation*

**2.** In this Order—

" The Minister " means the Minister of Food.

" Catering business " includes the business or undertaking of an inn, public-house, hotel, restaurant, café, tea-shop, buffet, coffee-stall or any place of refreshment open to the public, or of a club, boarding-house, apartment-house, refreshment contractor, school feeding-centre, staff dining-room or canteen ; and the word " caterer " shall be construed accordingly.

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

" Saccharin " means the substance defined as such in the British Pharmacopoeia, 1953.

" Sale " includes an offer for sale and exposure for sale, and the word " sold " shall be construed accordingly.

" Sale by retail " means a sale to a person buying otherwise than for the purpose of re-sale but does not include a sale to a manufacturer for the purposes of his manufacturing business or a sale to a caterer for the purposes of his catering business or a sale by a caterer for consumption

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(**a**) S.R. & O. 1943/1553; 1945/1454: 1943 II, p. 70; 1945 II, p. 95.
(**b**) S.I. 1953/1768, p. 652 above.
(**c**) S.R. & O. 1944/42; 1944 II, p. 505.
(**d**) S.R. & O. 1944/654; 1944 II, p. 508.

on the premises of his catering business or any sale by him if he provides catering services for the consumer or consumers of such soft drinks ; and the word " retailer " shall be construed accordingly.

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

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

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

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

but does not include—

(i) water (except as aforesaid) ;

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

(iii) fruit juice ;

(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 unsweetened drink other than soda-water ;

(vii) any egg product ;

(viii) 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 (xi) hereof ;

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

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

(xi) intoxicating liquor as defined in the Licensing (Consolidation) Act, 1910(**a**), read in conjunction with Section 11 of the Licensing Act, 1921(**b**).

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.

" Sugar " means the product usually known as sugar in commercial usage, consisting principally of sucrose.

" Unsweetened " means containing no added sugar or saccharin.

*Standards*

**3.** Pursuant to Regulation 2 of the Defence (Sale of Food) Regulations, 1943, the Minister hereby prescribes that subject as hereinafter mentioned—

(*a*) the standard for those soft drinks for consumption without dilution which are described in column 1 of Part I of the Schedule to this Order

(**a**) 10 Edw. 7 & 1 Geo. 5. c. 24. (**b**) 11 & 12 Geo. 5. c. 42.

shall, as respects the proportion of fruit juice, added sugar and the proportion of saccharin therein, and as respects other requirements as to composition, be as set forth in relation thereto in the said Part I;

(*b*) the standard for those soft drinks for consumption after dilution which are described in column 1 of Part II of the said Schedule shall, as respects the proportion of fruit juice, added sugar and the proportion of saccharin therein, and as respects other requirements as to composition, be as set forth in relation thereto in the said Part II.

*Limitations and exceptions*

**4.** The standards prescribed by this Order shall apply only as respects—

(*a*) sales by retail;

(*b*) sales to a retailer;

(*c*) sales to a caterer in containers containing not more than one gallon; and shall not apply—

(i) in relation to any soft drink which is sold under a clear and conspicuous description in writing indicating to an intending purchaser that it has tonic, restorative or medicinal properties and which contains one or more medicaments in sufficient quantity to justify the claims made;

(ii) in relation to any soft drink which is sold under a clear and conspicuous description in writing indicating to an intending purchaser that it is a glucose beverage and which contains not less than 23 per cent. weight in volume of liquid glucose or, alternatively, not less than 10 per cent. weight in volume of dextrose monohydrate;

(iii) as respects added sugar or the proportion of saccharin present, in relation to any soft drink sold under a clear and conspicuous description in writing indicating to an intending purchaser that it has been prepared for consumption by persons suffering from diabetes if that soft drink contains no added sugar.

*Proceedings*

**5.** Proceedings in England and Northern Ireland for an infringement of Article 1 of the Food Standards (General Provisions) Order, 1944 as amended, in respect of soft drinks may be brought by a Food and Drugs Authority without the consent of the Minister.

*G. Lloyd-George,*
Minister of Food.

Dated the 11th day of December, 1953.

## THE SCHEDULE

### PART I

*Standard for soft drinks for consumption without dilution*

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|---|---|---|---|---|
| Description of soft drink | Minimum quantity of fruit juice (expressed in terms of juice of natural strength) per 10 gallons | Minimum quantity of added sugar per 10 gallons | Maximum quantity of saccharin per 10 gallons | Other requirements as to composition |
| Any citrus fruit juice and barley drink. | 48 fluid oz. | 18 oz. | 82 grains | — |
| Lime juice and soda | 48 fluid oz. | 18 oz. | 82 grains | — |
| Drinks made from whole fresh oranges. | — | 18 oz. | 82 grains | To be made from not less than 5½ lb. of comminuted fresh oranges per 10 gallons. |
| Any other description of soft drink containing fruit juice. | 80 fluid oz. | 18 oz. | 82 grains | — |
| Indian or quinine tonic-water. | — | 18 oz. | 82 grains | To contain not less than ½ grain of quinine (calculated as quinine sulphate B.P.) per pint. |
| Soda-water ... ... | — | — | — | To contain not less than 5 grains of sodium bicarbonate per pint |
| Ginger beer and herbal and botanical beers and any other description of soft drink (except those mentioned in Part II of this Schedule). | — | 18 oz. | 82 grains | — |

1. Where any soft drink referred to in the above table contains not less than 7½ lb. of sugar per 10 gallons the maximum saccharin content specified in column 4 shall not apply.

2. In the case of any soft drink referred to in the above table which 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 chemical action during such brewing.

PART II

*Standard for soft drinks for consumption after dilution*

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|---|---|---|---|---|
| Description of soft drink | Minimum quantity of fruit juice (expressed in terms of juice of natural strength) per 10 gallons | Minimum quantity of added sugar per 10 gallons | Maximum quantity of saccharin per 10 gallons | Other requirements as to composition |
| Any citrus fruit juice and barley drink. | 1½ gallons | 7½ lb. | $\frac{7}{8}$ oz. | — |
| Drinks made from whole fresh oranges. | — | 7½ lb. | $\frac{7}{8}$ oz. | To be made from not less than 27½ lb. of comminuted fresh oranges per 10 gallons. |
| Any other squash, crush, cordial or concentrate containing citrus fruit juice. | 2½ gallons | 7½ lb. | $\frac{7}{8}$ oz. | — |
| Any squash, crush, cordial or concentrate containing any other fruit juice. | 1 gallon | 7½ lb. | $\frac{7}{8}$ oz. | — |
| Any other description of soft drink (except those mentioned in Part I of this Schedule). | — | 7½ lb. | $\frac{7}{8}$ oz. | — |

## EXPLANATORY NOTE

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

This Order, which should be read with the Food Standards (General Provisions) Order, 1944, as amended, replaces with certain modifications the standards for soft drinks hitherto prescribed by the Soft Drinks Order, 1947, as amended.

The principal changes are—

(*a*) certain medicated and glucose beverages are exempt from the Order;

(*b*) the standards, with certain modifications, apply to soft drinks for consumption by diabetics, and to ginger beer and herbal and botanical beers;

(*c*) the description of drinks made from whole fresh oranges has been modified;

(*d*) references to non-alcoholic wine and non-alcoholic cider and non-alcoholic perry are omitted.