STATUTORY INSTRUMENTS

1967 No. 1864

FOOD AND DRUGS

The Labelling of Food Regulations 1967

Made - - -	14*th December* 1967
Laid before Parliament	21*st December* 1967
Coming into Operation—	
to the extent provided in regulation 1(*a*)	1*st January* 1968
in all other respects	4*th January* 1971

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The Minister of Agriculture, Fisheries and Food and the Minister of Health, acting jointly, in exercise of the powers conferred upon them by sections 7, 123 and 136(2) of, and paragraph 2(2) of Schedule 12 to, 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:—

PART I

PRELIMINARY

Citation and commencement

1. These regulations may be cited as the Labelling of Food Regulations 1967, and shall come into operation—

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

(*a*) insofar as they apply to any food (other than a soft drink) containing calcium cyclamate, sodium cyclamate or cyclamic acid or any mixture of two or all of those substances, on 1st January 1968; and

(*b*) in all other respects, on 4th January, 1971.

Interpretation

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

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

" appropriate designation " has the meaning assigned to it by regulation 3;

" biscuits " includes wafers, rusks, crispbreads, oatcakes, matzos and chocolate-coated, chocolate-filled or chocolate-flavoured biscuits;

" calcium cyclamate ", " sodium cyclamate " and " cyclamic acid " have the meanings assigned to them respectively by the Artificial Sweeteners in Food Regulations 1967(a);

" chocolate confectionery " means any solid or semi-solid product complete in itself and suitable for consumption without further preparation or processing, of which the characteristic ingredient is chocolate or cocoa, with or without the addition of nuts or fruit; and includes any kind of chocolate and products made by enrobing, coating or embedding sugar confectionery or other ingredients in chocolate, but does not include chocolate-coated, chocolate-filled or chocolate-flavoured biscuits, flour confectionery, any kind of ice-cream including chocolate ice-cream, or pharmaceutical products;

" 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, but does not include any crimp case used to support the base or the base and sides of flour confectionery, sugar confectionery or chocolate confectionery or any similar product partly or wholly encased in pastry if such a product has been subject to a baking or cooking process;

" fish " includes edible molluscs and crustacea;

" flavouring " includes flavouring essence and flavouring extract and means any product consisting of a flavouring agent and such other substances, if any, the use of which in food is not forbidden and which are reasonably necessary to produce a solid, a solution or an emulsion, but no other ingredient or ingredients;

" flavouring agent " means any sapid or odorous substance capable of imparting and primarily intended to impart a specific and distinctive taste or odour to food, but does not include herbs, spices, onions, garlic, salt, fruit juices, soft drinks, fruit acids, acetic acid, any carbohydrate material, any purine derivative, any preparation of yeast, coffee or chicory or any substances prepared by the hydrolysis of protein-containing materials;

" flour confectionery " means any solid or semi-solid product complete in itself and suitable for consumption without further preparation or processing other than heating, of which the characteristic ingredient, apart from any filling, is ground cereal, whether or not flavoured, coated with or containing any carbohydrate sweetening matter, chocolate or cocoa; and includes shortbread, sponges, pastry, pastry cases, crumpets, muffins, macaroons, ratafias, meringues and petit fours, but does not include pharmaceutical products, bread, biscuits or any product containing a filling which has as an ingredient any meat or fish;

(a) S.I. 1967/1119 (1967 II, p. 3274).

"food" means food intended for sale for human consumption and includes—

(*a*) cream and any food containing milk, and

(*b*) 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—

(i) water, live animals or birds, or

(ii) articles or substances used only as drugs;

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

" greatest dimension of container ", in relation to a rectilinear or approximately rectilinear container, means the height, length or breadth thereof, whichever is the greatest, and in relation to a container with a curvilinear or approximately curvilinear cross-section, the height or maximum diameter thereof, whichever is the greater;

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

" intoxicating liquor " means spirits, wine, beer, cider, perry and sweets and any fermented, distilled or spirituous liquor which cannot lawfully be sold without an excise licence;

" main ingredient " means an ingredient which comprises not less than 90 per cent. by weight of the food of which it is an ingredient;

" meal " means any collection of two or more foods of distinctly different kinds which is suitable for consumption as a complete meal and is packed as a meal in a container bearing a label on which there appears in a conspicuous position a clear and legible statement to the effect that it is a complete meal and which at the time of sale is ready for consumption without cooking, heating or other preparation; but does not include any meat product or canned meat product of a kind referred to in regulation 5(2)(*c*) of the Sausage and Other Meat Product Regulations 1967(**a**) or regulation 6(8)(*c*) of the Canned Meat Product Regulations 1967(**b**), as the case may be;

" meat " means the flesh including fat, rind, skin, gristle and sinew of any animal or bird intended for human consumption and includes cured meat and offal, but does not include fish, sausage, sausage meat, meat pie, pie filling, luncheon meat, meat roll or other meat products;

" mineral hydrocarbon " means any mineral hydrocarbon of a kind referred to in regulation 3(2) of the Mineral Hydrocarbons in Food Regulations 1966(**c**);

" permitted antioxidant " means any antioxidant inasmuch as its use in food is permitted by the Antioxidant in Food Regulations 1966(**d**);

" permitted artificial sweetener " means any artificial sweetener inasmuch as its use in food is permitted by the Artificial Sweeteners in Food Regulations 1967;

" permitted bleaching agent " means any bleaching agent inasmuch as its use in food is permitted by the Bread and Flour Regulations 1963(**e**);

" permitted colouring matter " means any colouring matter inasmuch as its use in food is permitted by the Colouring Matter in Food Regulations 1966(**f**);

(**a**) S.I. 1967/862 (1967 II, p. 2583).
(**b**) S.I. 1967/861 (1967 II, p. 2569).
(**c**) S.I. 1966/1073 (1966 II, p. 2644).
(**d**) S.I. 1966/1500 (1966 III, p. 4140).
(**e**) S.I. 1963/1435 (1963 II, p. 2464).
(**f**) S.I. 1966/1203 (1966 III, p. 3203).

" permitted emulsifier " means any emulsifier inasmuch as its use in food is permitted by the Emulsifiers and Stabilisers in Food Regulations 1962(**a**);

" permitted improving agent " means any improving agent inasmuch as its use in food is permitted by the Bread and Flour Regulations 1963;

" permitted preservative " means any preservative inasmuch as its use in food is permitted by the Preservatives in Food Regulations 1962(**b**);

" permitted solvent " means any solvent inasmuch as its use in food is permitted by the Solvents in Food Regulations 1967(**c**);

" permitted stabiliser " means any stabiliser inasmuch as its use in food is permitted by the Emulsifiers and Stabilisers in Food Regulations 1962;

" pharmaceutical product " means any product which is intended for use for a specific therapeutic purpose;

" pre-packed " means made up in advance in or on a container ready for sale by retail, save that in relation to any food with one main ingredient, this expression means so made up in or on a container other than a wholly transparent container; and where any food made up in or on a container is found on any premises where such food is so made up or is kept or stored for sale, that food shall be deemed to be pre-packed unless the contrary is proved, and it shall not be sufficient proof of the contrary to show that the food had not been labelled in accordance with the provisions of these regulations;

" registered trade mark " has the meaning assigned to it by section 68(1) of the Trade Marks Act 1938(**d**);

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

" sell by retail " means sell to a person buying otherwise than for the purpose of re-sale, but does not include selling to a caterer for the purposes of his catering business or to a manufacturer for the purposes of his manufacturing business; and " sale by retail " and " sold by retail " shall be construed accordingly;

" soft drink " has the meaning assigned to it by the Soft Drinks Regulations 1964(**e**);

" sugar confectionery " means any solid or semi-solid product complete in itself and suitable for consumption without further preparation or processing, of which the characteristic ingredient is carbohydrate sweetening matter with or without the addition of any edible fat, dairy product, gelatin, edible gums, nuts or preserved fruit; and includes sweetened liquorice and chewing gum but does not include sugar, chocolate confectionery, sugared flour confectionery, any kind of ice-cream, ice lollies, table jellies, table jelly preparations, soft drink crystals, soft drink preparations, slab marzipan, meringues or pharmaceutical products;

" wholly transparent container " means, in relation to any food, a container through which no portion of that part of the surface of the food which is naturally adjacent to the inner surface of the container is obscured from view; and includes any net or mesh bag or other similar bag through which the food can be clearly seen but does not include any container on which there is any written matter other than such as is necessary to indicate the price of the food, whether or not that written matter is transparent:

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

(**a**) S.I. 1962/720 (1962 I, p. 729).
(**b**) S.I. 1962/1532 (1962 II, p. 1655).
(**c**) S.I. 1967/1582 (1967 III, p. 4385).
(**d**) 1938 c. 22.
(**e**) S.I. 1964/760 (1964 II, p. 1605).

(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 orders and regulations hereby revoked or partially revoked, as the case may be, were Acts of Parliament.

(3) Any reference in these regulations to a label borne on a container shall be construed as including a reference to any legible marking on the container however effected.

(4) 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, and references to purchasing and purchasers shall be construed accordingly.

(5) Unless the context otherwise requires, any reference in these regulations to any order or other regulations shall be construed as a reference to such order or regulations as amended by any subsequent order or regulations, including these regulations.

(6) Any reference in these regulations to a numbered regulation or schedule shall, unless the reference is to a regulation or schedule of specified regulations, be construed as a reference to the regulation or schedule bearing that number in these regulations.

"*Appropriate designation*"

3.—(1) In these regulations " appropriate designation " means, as respects any food, a name or description or a name and description sufficiently specific, in each case, to indicate to a prospective purchaser the true nature of the food to which it is applied and, as respects any ingredient or any constituent, a specific (and not generic) name or description which will indicate to a prospective purchaser the true nature of the ingredient or constituent, as the case may be, to which it is applied.

(2) Where any regulation made, or having effect as if made, under the Act or any order having effect as if contained in regulations so made—

(*a*) provides for a compositional standard for any specified food, or

(*b*) specifies (without providing for any compositional standard) any name or description for any specified food,

the name or description applied to, or specified for, that food by such regulation or order shall be deemed to be the appropriate designation for that food for the purposes of these regulations, so however that nothing in this paragraph shall prevent the use as an appropriate designation of a more specific name or description than that so applied or specified, except where the relevant regulation or order requires the specified name or description to be used.

(3) Where an appropriate designation of any food contains the names of two or more ingredients of that food, used otherwise than adjectivally, those names shall be used in the order of the proportion by weight in which the ingredients were used in the manufacturing process (greatest first) unless these regulations or any other regulations made, or having effect as if made, under the Act or any order having effect as if contained in regulations so made provide otherwise:

Provided that where any food is sold in vinegar, brine, syrup or other carrying liquor, the name of the food may precede the name of the liquor.

(a) 1889 c. 63.

(4) Where a name has been used throughout a period of not less than 30 years before 4th January 1971 to describe any food, that name shall be deemed to be an appropriate designation of that food.

(5) The appropriate designation of any species of fish specified in column 2 of Schedule 1 shall be as specified in relation thereto in column 1 or 3 of that Schedule, and for the purposes of these regulations any of the said designations, whether modified or not, shall not be an appropriate designation of any species of fish other than that in column 2 of that Schedule in relation to which it is specified:

Provided that nothing in this paragraph shall prevent the use of a traditional name for any fish which has been subjected to smoking or any similar process.

(6) The appropriate designation of hydrolised starch in liquid form shall be " glucose syrup ".

Exemptions

4.—(1) The following provisions of these regulations, except insofar as they relate to advertisements, shall not apply to—

(*a*) any food intended at the time of sale for exportation to any place outside the United Kingdom;

(*b*) any food supplied under Government contracts for consumption by Her Majesty's forces or for consumption by a visiting force within the meaning of any of the provisions of Part I of the Visiting Forces Act 1952(a).

(2) Until 3rd January 1983, the following provisions of these regulations shall not apply as respects any bottle containing a drink and bearing a fired-on or embossed, but no other, label if—

(*a*) the first use of that bottle for the sale of such a drink occurred before 4th January 1971, and

(*b*) the label complies with any regulations made, or having effect as if made, under the Act and in force on 1st January 1968 or the day when the bottle is first used, whichever is the later, being regulations which then applied to the kind of drink for the time being in the bottle.

PART II

GENERAL REQUIREMENTS

Labelling of pre-packed food for sale by retail

5.—(1) Subject to the provisions of regulation 6, no person shall sell by retail any pre-packed food, other than intoxicating liquor, unless there appears on a label marked on, or securely attached to, the container a true statement as respects that food in compliance with this regulation.

(2) The said statement shall specify—

(*a*) in the case of a food consisting of one ingredient, an appropriate designation of the ingredient;

(*b*) in the case of a food consisting of two or more ingredients—

(i) an appropriate designation of the food or, except in the case of any food to which the provisions of paragraph (2), (5) or (6) of regulation 3 apply, the common or usual name thereof; and

(ii) an appropriate designation of each ingredient thereof:

(a) 1952 c. 67.

Provided that—

(*a*) it shall not be necessary to state that the food contains water;

(*b*) where a food contains an ingredient which is made from two or more constituents, appropriate designations of those constituents shall be so specified and it shall not be necessary to specify an appropriate designation of that ingredient, though appropriate designations of the ingredient and the constituents may be specified in accordance with paragraph (6) of this regulation.

(3) The said statement shall also specify the name of either the packer or the labeller of the food and an address at which such person carries on business:

Provided that where the food is packed or labelled on behalf of, or on the instructions of, another person and such other person carries on business at an address in the United Kingdom, the statement may specify the name and address of that other person instead of the name and address of the packer or labeller, as the case may be.

(4) Where, in accordance with paragraph (2) of this regulation, appropriate designations of ingredients or constituents are required to be listed they shall, unless the quantity or proportion of each ingredient or constituent is specified, be listed in order of the proportion by weight in which the ingredients or constituents, as the case may be, were used in the manufacturing process (the appropriate designation of the ingredient or constituent used in the greatest proportion by weight being listed first) except that—

(*a*) the appropriate designation of any ingredient or constituent so used in a dried, dehydrated or concentrated state may be listed as if it had first been reconstituted by the addition of an appropriate quantity of water;

(*b*) in the case of any food sold by retail in a dried, dehydrated or concentrated state for reconstitution before consumption by the addition of water, appropriate designations of the ingredients or constituents may, as an alternative, be listed in order of the proportion by weight (greatest first) of the ingredients or constituents as reconstituted by the addition of the appropriate quantity of water;

(*c*) in the case of food consisting of, or containing, mixed fruit or mixed vegetables where no particular fruit or vegetable, as the case may be, significantly predominates (in proportion by weight), the appropriate designations of the mixed fruit or vegetables may be listed in alphabetical order, so however that where such appropriate designations are listed with those of other ingredients they shall be listed in such a way as not to mislead a prospective purchaser as to the quantity of fruit or vegetable, as the case may be, used in the manufacture of the food.

(5) Where in accordance with the foregoing provisions of this regulation appropriate designations of ingredients or constituents are required to be listed, each such list shall be headed or preceded by the word " Ingredients " or the words " Ingredients in order of quantity ", save that in each case where the appropriate designations of ingredients or constituents are listed in accordance with—

(*a*) paragraph 4(*b*) of this regulation, each such list shall be headed or preceded by the words " Ingredients in order, by weight when reconstituted " or the words " Ingedients when reconstituted ";

(*b*) paragraph 4(*c*) of this regulation, each such list shall be headed or preceded by the words " Ingredients in alphabetical order ".

(6) Where a food contains an ingredient which is made from two or more constituents, an appropriate designation of the ingredient may be specified in the said statement if the appropriate designations of the constituents follow immediately in, or in close proximity to, the list of all the ingredients in such a way as to make it clear that the constituents are the constituents of that ingredient, so however that if an ingredient or constituent contains any permitted preservative, permitted antioxidant, permitted colouring matter, permitted emulsifier, permitted stabiliser, permitted artificial sweetener, permitted bleaching agent, permitted improving agent, permitted solvent or flavouring and the total quantity of that substance present in the food is insufficient to produce a preservative, antioxidant, colouring, emulsifying, stabilising, sweetening, bleaching, improving, solvent or flavouring effect, as the case may be, or if an ingredient or constituent contains any mineral hydrocarbon and the total quantity of that substance present in the food is insufficient to produce a significant effect on the food, the appropriate designation of the ingredient or constituent may be signified by the expression " X with permitted preservative ", " X with permitted antioxidant ", " X with permitted colour ", " X with permitted emulsifier ", " X with permitted stabiliser ", " X with permitted artificial sweetener ", " X with permitted bleaching agent ", " X with permitted improving agent ", " X with permitted solvent ", " X with flavouring " or " X with mineral hydrocarbon ", as appropropriate, the designation being completed by inserting at " X " an appropriate designation of the remainder of the ingredient or constituent, as the case may be:

Provided that—

(*a*) the word " permitted " may be omitted from any of the aforesaid expressions;

(*b*) in any of the aforesaid expressions there may appear in place of the word or words following " with " or " permitted ", as the case may be, an appropriate designation of the substance to which the first mentioned word or words refer;

(*c*) where any permitted preservative or permitted antioxidant is present in an ingredient in a proportion of less than 5 per cent. (calculated on the weight of the ingredient) of the amount permitted in that ingredient by the Preservatives in Food Regulations 1962 or the Antioxidant in Food Regulations 1966, as the case may be, the presence of that preservative or antioxidant need not be stated.

Exemptions from regulation 5

6.—(1) Subject to the provisions of paragraph (4) of this regulation, any food of a description specified in column 1 of Parts I and II of Schedule 2 shall be exempt from the provisions of regulation 5(2) to the extent specified in relation thereto in column 2 of that Schedule and any food of a description specified in column 1 of Part III of that Schedule shall be exempt from the provisions of regulation 5(2) and (6) to the extent specified in relation thereto in column 2 of that Schedule.

(2) Regulation 5(2)(*a*) shall not apply to any food consisting of one ingredient sold by a retailer on the premises where it was pre-packed by him or sold from a delivery van used by him:

Provided that this exemption shall not apply if the container or any label given with the food bears any words referring in any way to the food other than such as are necessary to indicate the price and quantity thereof.

(3) Regulation 5(3) shall not apply—

(*a*) to any food sold by a retailer on the premises where it was pre-packed by him or sold from a delivery van used by him;

(*b*) to any flour confectionery or bread sold on premises by the producer thereof if there is displayed on those premises as the name or style under which the producer's business is carried on a name or style which is the same as, or substantially similar to, that displayed on the premises on which the flour confectionery or bread was produced.

(4) Where any food is pre-packed in or on a container the greatest dimension of which does not exceed 5 centimetres and appropriate designations of ingredients or constituents of the food are required by virtue of the provisions of these regulations to be listed on a label on that container, but owing to insufficiency of space on the container it is not reasonably practicable for the particulars specified in paragraph (3) of regulation 5 and the list of the said ingredients or constituents to appear on the label, it shall only be necessary to specify on that label an appropriate designation or, if permitted by paragraph (2)(*b*)(i) of regulation 5, the common or usual name of the food and, if it is reasonably practicable, the list of the said ingredients or constituents, so however that if it is not reasonably practicable so to specify all the said ingredients or constituents, none of them shall be so specified.

(5) Where any food consisting of one ingredient or, if consisting of two or more ingredients, being food the ingredients or constituents of which are not required by virtue of the provisions of these regulations to appear on a label on the container, is pre-packed in or on a container the greatest dimension of which does not exceed 5 centimetres, but owing to insufficiency of space on the container it is not reasonably practicable for the particulars specified in paragraph (3) of regulation 5 and an appropriate designation or the common or usual name of that food to appear on the label on that container, it shall only be necessary to specify on that label an appropriate designation or, if permitted by paragraph (2)(*b*)(i) of regulation 5, the common or usual name of the food.

(6) If a container of any pre-packed food to which paragraph (1) of this regulation applies bears a label on which there appears a statement specifying any ingredient or ingredients of that food, not being an appropriate designation or the common or usual name of that food or a brand or trade name nor being a statement required by any other provisions of these regulations, of any other regulations made, or having effect as if made, under the Act or of any order having effect as if contained in regulations so made, a true statement specifying every ingredient of that food shall appear on a label on that container in accordance with the provisions of these regulations.

(7) Until 5th January 1976, the provisions of regulation 5 shall not apply to any soft drink if there appear on a label marked on, or securely attached to, the container the common or usual name of the soft drink, if any, and either—

(*a*) the particulars specified in regulation 5(3) relating to that soft drink, or

(*b*) a trade mark, other than a certification trade mark, of which there is in the register of trade marks kept under the Trade Marks Act 1938 a subsisting entry in respect of that soft drink, and associated therewith on the label the words " Registered Trade Mark ".

(8) The matter required to appear on a label by virtue of the last preceding paragraph shall be conspicuous and in a prominent position on the label and clearly legible.

Labelling of exempted pre-packed food for sale by retail

7.—(1) Subject to the provisions of paragraph (3) of this regulation, no person shall sell by retail any pre-packed food to which this regulation applies unless there appears on a label marked on, or securely attached to, the container the following statement, or as much thereof as is appropriate:—

" contains permitted preservative
permitted antioxidant
permitted colour
permitted artificial sweetener ":

Provided that in the said statement—

(*a*) the word " permitted " may be omitted; or

(*b*) an appropriate designation of the permitted preservative, permitted antioxidant, permitted colouring matter or permitted artificial sweetener in that food may be substituted for the word or words " permitted preservative ", " permitted antioxidant ", " permitted colour " or " permitted artificial sweetener " respectively;

(*c*) where the food consists of artificial sweetening tablets, the said statement need not include the words " permitted artificial sweetener ";

(*d*) where any permitted preservative or permitted antioxidant is present in any food only by virtue of its presence in an ingredient of that food, in a quantity insufficient to produce a preservative or, as the case may be, antioxidant effect on the food and in a proportion of less than 5 per cent. (calculated on the weight of the ingredient) of the amount permitted in that ingredient by the Preservatives in Food Regulations 1962 or the Antioxidant in Food Regulations 1966, as the case may be, the presence of that preservative or antioxidant in the food need not be stated.

(2) The said statement may include a true statement of the quantity (calculated by weight) of permitted preservative, permitted antioxidant, permitted colouring matter or permitted artificial sweetener present in the food.

(3) Where any food to which this regulation applies is pre-packed in or on a container the greatest dimension of which does not exceed 5 centimetres and owing to insufficiency of space on the container it is not reasonably practicable for all the particulars required by paragraph (1) of this regulation to appear on the label in addition to an appropriate designation or the common or usual name of the food, none of the said particulars shall appear on the label.

(4) The food to which this regulation applies is pre-packed food—

(*a*) which is exempt, by virtue of regulation 6(1) and Part I of Schedule 2, from the requirement to specify ingredients or constituents thereof in accordance with regulation 5(2);

(*b*) the container of which does not bear on a label a statement specifying ingredients or constituents thereof in accordance with regulation 5 and Schedule 4; and

(*c*) which contains permitted preservative, permitted antioxidant, permitted colouring matter or permitted artificial sweetener, none of the said substances being naturally present in the food.

Labelling of pre-packed food for sale otherwise than by retail

8. No person shall deliver any pre-packed food pursuant to a sale otherwise than by retail unless he either—

(*a*) delivers the food labelled in the manner prescribed in regulation 5, 6 or 7 in relation to a retail sale of such food; or

(*b*) delivers the food unlabelled and furnishes to the purchaser not later than 14 days after the delivery an invoice or other document containing a statement of such particulars as may be necessary to enable a retail trader

to comply with the provisions of regulation 5, 6 or 7, as the case may require.

For the purposes of this regulation, pre-packed food shall be regarded as unlabelled only if no words or marking referring in any way to the food appear on the container or on any label borne thereon or attached thereto, save that the food shall not be regarded as labelled merely because the container has been marked at the time of packing with such words or other marking as are reasonably necessary to identify the food.

Advertisement of food, other than pre-packed, for sale by retail

9.—(1) No person shall sell by retail any food of a description specified in column 1 of Part I of Schedule 3 which is not pre-packed unless a true statement of the particulars specified in relation thereto in column 2 of that Part of that Schedule appears on a ticket displayed on or in immediate proximity to that food and so as to be clearly visible to an intending purchaser.

(2) No person shall sell by retail any food, other than food of a description specified in Part II of Schedule 3, which is not pre-packed but which contains permitted preservative, permitted antioxidant, permitted colouring matter or permitted artificial sweetener, none of the said substances being naturally present in the food, unless there appears on a ticket displayed on or in immediate proximity to that food and so as to be clearly visible to an intending purchaser the statement referred to in paragraphs (1) and (2) of regulation 7.

(3) Where food is sold for immediate consumption on or near the place of sale—

(*a*) insofar as it is food to which paragraph (1) of this regulation applies, there shall be deemed to be sufficient compliance with this regulation if the purchaser is notified at or before the delivery of the food to him of the particulars referred to in paragraph (1) of this regulation relating to the food;

(*b*) paragraph (2) of this regulation shall not apply as respects any such food.

(4) Where any food to which paragraph (1) or (2) of this regulation applies is sold without having been previously exposed for sale, there shall be deemed to be sufficient compliance with this regulation if the purchaser is notified at or before the delivery of the food to him of the particulars referred to in the said paragraph (1) and the contents of the statement referred to in the said paragraph (2) relating to such of that food as is food to which either of those paragraphs respectively applies.

Advertisement of food for sale from vending machines

10.—(1) Save as hereinafter provided, no person shall sell in or from any vending machine any food, whether in a container or not, unless an appropriate designation or the common or usual name of that food appears in clear lettering in a prominent position on the front of that vending machine.

(2) This regulation shall not apply—

(*a*) where an appropriate designation or the common or usual name of that food appears, in the case of pre-packed food, on a label on the container of that food or a facsimile thereof or, in the case of food which is not pre-packed, on a ticket, being a label or a ticket, as the case may be, which complies with the requirements of these regulations as respects that food and, to the extent that it indicates an appropriate designation or the common or usual name of the food, is conspicuous and legible to

an intending purchaser on or through the outside of the vending machine;

(*b*) as respects the sale of any soft drink where the requirements of regulation 12 of the Soft Drinks Regulations 1964 are complied with.

PART III

SPECIAL REQUIREMENTS AS TO LABELLING AND ADVERTISEMENT OF CERTAIN FOODS

Intoxicating liquor

11.—(1) No person shall sell by retail for human consumption any intoxicating liquor, pre-packed for sale as such, unless there appears on a label marked on, or securely attached to, the container a true statement in compliance with this regulation.

(2) The said statement shall specify as respects any such intoxicating liquor—

(*a*) the particulars referred to in regulation 5(3);

(*b*) an appropriate designation, which shall include, or be accompanied in the statement by, a reference to the name of the country or countries of origin of the liquor expressed as a noun or an adjective.

(3) In the said statement, no description or geographical name which implies or suggests that an intoxicating liquor has originated in a particular country or locality shall be applied to any intoxicating liquor produced elsewhere than in that country or locality unless—

(*a*) that description or name has never had a geographical significance when applied to the liquor to which it is applied; or

(*b*) that description or name no longer has a geographical significance when applied to the liquor to which it is applied and is the description or name of a distinctive type of intoxicating liquor; and

(*c*) that description or name is immediately preceded by an adjective in identical lettering indicating the true country or locality of origin of the liquor.

(4) Subject to the provisions of the next following paragraph, in the case of all intoxicating liquor pre-packed for sale as such for human consumption, (except beer, cider, perry and wine obtained by the fermentation of the juice of grapes but of no other fruit, which wine has not been subject to any process so as to alter its character), the said statement shall also include such one of the following declarations as may be applicable, that is to say:—

(*a*) in the case of undistilled fermented liquor, not made from grapes, which insofar as it is derived from fruit is derived exclusively from one variety of fruit—

FRUIT BASIS EXCLUSIVELY (x) NOT LESS THAN (y)

(*b*) in the case of undistilled fermented liquor derived from more than one variety of fruit—

FRUIT BASIS (x) AND (x) NOT LESS THAN (y)

(*c*) in the case of undistilled fermented liquor which is not derived wholly or in part from fruit—

NOT MADE FROM FRUIT NOT LESS THAN (y)

(*d*) in the case of brandy, gin, rum, vodka and whisky, the alcohol content of which is less than 65 per cent. proof spirit either—

DILUTED WITH WATER TO NOT LESS THAN (y)

or—

UNDERSTRENGTH. NOT LESS THAN (y)

Provided that this requirement shall not apply to brandy the alcohol content of which has fallen below 65 per cent. proof spirit only through maturing in cask;

(*e*) in the case of any other intoxicating liquor to which the requirements of this paragraph as to declaration apply—

NOT LESS THAN (y)

The declaration shall be completed by inserting at (x) in sub-paragraphs (*a*) and (*b*) above a word or words accurately specifying the description of fruit or fruit products as used by the manufacturer in the process of fermentation and at (y) in sub-paragraphs (*a*), (*b*), (*c*) and (*e*), except as respects brandy the alcohol content of which has fallen below 65 per cent. proof spirit only through maturing in cask, the minimum alcohol content expressed in figures either as a percentage by volume or as a percentage of proof spirit and followed by the words "PER CENT. ALCOHOL BY VOLUME" or "PER CENT. PROOF SPIRIT", as the case may be.

In sub-paragraph (*d*) and in sub-paragraph (*e*) as respects brandy the alcohol content of which has fallen below 65 per cent. proof spirit only through maturing in cask the declaration shall be completed by inserting at (y) the minimum alcohol content expressed in figures either as a percentage of proof spirit followed by the words "PER CENT. PROOF SPIRIT" or as degrees proof followed by "°PROOF".

In sub-paragraph (*b*) the fruit or fruit products used shall be specified in the declaration in the order of the proportion in which they were used, that used in the greatest proportion by weight being specified first.

(5) Notwithstanding the provisions of the last preceding paragraph, in the case of brandy, gin, rum, vodka and whisky the alcohol content of which is not less than 65 per cent. proof spirit and of any other intoxicating liquor the alcohol

content of which is not less than 40 per cent. proof spirit, it shall be sufficient for the declaration to be in the following form—

(z) ° PROOF

inserting at (z) the figure which represents the percentage of proof spirit.

(6) For the purposes of this regulation—

(*a*) " fruit " includes rhubarb;

(*b*) intoxicating liquor shall be deemed not to be derived from any fruit which is present therein only in insignificant quantities.

12. No person shall—

(*a*) give with any liquor sold by him for human consumption any label, whether attached to or borne on the container or not, or display with any liquor offered or exposed by him for sale for human consumption any ticket or notice,

(*b*) publish, or be a party to the publication of, an advertisement for liquor for sale for human consumption,

which—

(i) includes any statement, name or words indicating either directly or by ambiguity, omission or inference that the liquor is, or resembles, wine obtained by the fermentation of the juice of grapes, or is a substitute for or has the flavour of such wine, unless it is derived from grapes and from no other fruit;

(ii) in the case of intoxicating liquor which is not derived from fruit or which is wholly or partly derived from fruit other than grapes, includes the word " wine ", unless that word is immediately preceded in identical lettering by a word or words accurately specifying the description of fruit or fruit product or vegetable or plant or other saccharine material used:

Provided that nothing in this sub-paragraph shall prevent the use of the description "Ginger Wine" or "Orange Wine" for products customarily so described which are wholly or partly derived from fruit other than grapes;

(iii) includes any statement, name or words indicating either directly or by ambiguity, omission or inference that the liquor is, or resembles, a sweetened liqueur, or is a substitute for or has the flavour of a sweetened liqueur, unless it is a suitably flavoured compounded spirit which has been rendered sweet and viscous only by the addition of sucrose, dextrose or invert sugar and not by the use of any other ingredient:

Provided that nothing in this sub-paragraph shall prevent the use of the expression " vin de liqueur " in relation to any wine with a natural sugar content remaining after fermentation of grape juice to a minimum alcohol content of 14 per cent. by volume;

(iv) in the case of cider and perry which has not been subject to a process of secondary fermentation, includes any statement, name or words indicating either directly or by ambiguity, omission or inference that the liquor resembles, or is a substitute for or has the character of or is in any way connected with, champagne;

(v) in the case of spirits the alcohol content of which is less than 65 per cent. proof spirit, includes the name brandy, gin, rum, vodka or whisky, unless such name is immediately preceded in identical lettering by the word " diluted " or " understrength " or by any

qualifying adjective which customarily has been used to indicate a spirit the alcohol content of which is less than 65 per cent. proof spirit:

Provided that this requirement shall not apply to brandy the alcohol content of which has fallen below 65 per cent. proof spirit only through maturing in cask;

(vi) in the case of liquor, not being wine obtained by the fermentation in the district of its origin of the juice of freshly gathered grapes and not being brandy, includes the word " vintage " or any word of which " vintage " forms a part or any word derived from " vintage ":

Provided that in the case of cider, the word " vintage " may be used in or in conjunction with the expression " made from vintage apples ";

(vii) in the case of liquor, not being intoxicating liquor, includes the expression " non-alcoholic " when qualifying or referring to any name or word commonly associated with an intoxicating liquor:

Provided that the word " wine " may be used in association with the expression " non-alcoholic " to describe a product which is derived from unfermented grape juice and is intended exclusively for communion or sacramental use and is described clearly and legibly on the label, ticket, notice or advertisement, as the case may be, as being exclusively for such use.

Processed peas

13. No person shall—

(*a*) give with any canned or frozen peas sold by him for human consumption, which have been dried or soaked prior to canning or freezing, any label, whether attached to or borne on the container or not, or display with any such food offered or exposed by him for sale any ticket or notice,

(*b*) publish, or be a party to the publication of, any advertisement for canned or frozen peas for sale for human consumption which have been so treated,

which describes those canned or frozen peas—

(i) as " peas " unless the word " peas " wherever it appears on the label, ticket, notice or advertisement, as the case may be, is immediately preceded in identical lettering by the word " processed ", save that in any list of ingredients required by the provisions of regulation 5(2) the expression " dried peas " or " soaked peas " may be substituted for the expression " processed peas ";

(ii) as being " fresh ", " garden " or " green " or by the use of any word indicating either directly or by ambiguity, omission or inference that the peas are other than peas which have been dried or soaked prior to canning or freezing.

Acetic acid

14. No person, other than a pharmacist or an authorised seller of poisons, shall sell for human consumption any pre-packed concentrated acetic acid or solution of acetic acid, whether coloured or not, containing more than 150 grams per litre of acetic acid unless—

(*a*) it is described as " Concentrated solution of acetic acid (x) per cent.", the description being completed by inserting at (x) the appropriate figure, and

(*b*) there appears on a label marked on, or securely attached to, the container, in red characters not less than 3 millimetres in height upon a white ground, the words " Dangerous—not to be used unless diluted ".

Tenderised meat

15.—(1) No person shall sell by retail, pre-packed, any meat which has been treated with proteolytic enzymes or meat derived from live animals which have been so treated unless the word " tenderised " appears as part of the appropriate designation or common or usual name, as the case may be, of that meat.

(2) No person shall sell by retail any meat which has been treated or derived as aforesaid and is not pre-packed unless the word " tenderised " (whether or not forming part of the appropriate designation or common or usual name of that meat) appears conspicuously and legibly on a ticket displayed on or in immediate proximity to that meat and so as to be clearly visible to an intending purchaser save that, in the case of any such meat which is sold for immediate consumption on or near the premises where it is sold, there shall be deemed to be sufficient compliance with the provisions of this paragraph if the purchaser is notified at or before the delivery of the meat to him that the meat has been tenderised.

(3) No person shall deliver pursuant to a sale otherwise than by retail any meat which has been treated with proteolytic enzymes or any meat which has been derived from live animals which have been so treated unless he notifies the purchaser at or before delivery that the meat has been so treated or derived, as the case may be.

Use of the word " milk "

16. No person shall—

(*a*) give with any food sold by him any label, whether attached to or borne on the container or not, or display with any food offered or exposed by him for sale any ticket or notice,

(*b*) publish, or be a party to the publication of, any advertisement for food,

which bears or includes as part of an appropriate designation or the common or usual name of the food or as an appropriate designation of any ingredient or constituent thereof the word " milk " or any derivation thereof or any word substantially similar thereto unless that food contains cow's milk with all the normal constituents thereof, or unless the word—

(i) is qualified by the name of the animal, other than the cow, from which the milk has been obtained; or

(ii) is qualified by the word " skimmed " or any other word or words giving a true description of any process or treatment to which the milk has been subjected; or

(iii) is used in such a context as to indicate clearly that it does not refer to the presence of milk, or any constituent thereof, in that food; or

(iv) is used in accordance with the provisions of any regulations made, or having effect as if made, under the Act or any order having effect as if contained in regulations so made.

PART IV

MISCELLANEOUS

Manner of marking and labelling

17.—(1) The provisions of Schedule 4 shall apply to any label bearing or including any appropriate designation or common or usual name of a food required by regulation 5(2)(*a*) or (2)(*b*)(i) or 11(2)(*b*), any particulars required by regulation 5(3) or 11(2)(*a*), any list of appropriate designations of ingredients or constituents required by regulation 5(2) and the word or words heading or preceding it in accordance with regulation 5(5), any statement required by regulation 7, any declaration required or permitted by regulation 11(4) or (5), any indication of the country or locality of origin of intoxicating liquor, not included in the appropriate designation of such liquor, in accordance with regulation 11(2)(*b*) or (3)(*c*) and to any ticket to which regulation 9(1) or (2) or 15(2) relates.

(2) If any food is pre-packed in more than one container, the label bearing or including the matter required by regulation 5 or 11 shall either be marked on or attached to the outermost container or shall be clearly legible through, or notwithstanding, that outermost container.

Use of trade marks

18. Nothing in these regulations shall prohibit the use on any label on a container or on any ticket or notice of any registered trade mark registered and used in relation to the food in the container, or to which the ticket or notice applies, before 1st January 1968.

PART V

ADMINISTRATIVE PROVISIONS

Penalties and enforcement

19.—(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 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.

Defences

20.—(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 food 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.

Application of various sections of the Act

21.—(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.

PART VI

AMENDMENTS AND REVOCATIONS

Amendment of the Meat Pie and Sausage Roll Regulations 1967

22. The Meat Pie and Sausage Roll Regulations 1967(a) shall be amended by substituting for regulation 10 thereof the following regulation:—

" **10.** Every description or name required by virtue of regulation 6, 7 or 8 of these regulations to appear on a label on a container or on a ticket shall so appear as or as part of, or in close proximity to, the name of the product, and the provisions of paragraphs 1 and 2 of Schedule 4 to the Labelling of Food Regulations 1967 shall apply in relation to any description or name so required to appear on a label on a container as they apply in relation to an appropriate designation or common or usual name for the purposes of those regulations and the provisions of paragraph 6 of the said Schedule 4 shall apply in relation to any description or name so required to appear on a ticket as they apply in relation to a statement required by regulation 9(1) or (2) of those regulations.".

Amendment of the Canned Meat Product Regulations 1967

23. The Canned Meat Product Regulations 1967 shall be amended by substituting for regulation 11 thereof the following regulation:—

" **11.** Every description or name required by virtue of regulation 6, 7, 8 or 9 of these regulations to appear on a label on a container shall so appear as or as part of, or in immediate proximity to, the name of the canned meat product, and the provisions of paragraphs 1 and 2 of Schedule 4 to the Labelling of Food Regulations 1967 shall apply in relation to any such description or name as they apply in relation to an appropriate designation or common or usual name for the purposes of those regulations.".

Amendment of the Sausage and Other Meat Product Regulations 1967

24. The Sausage and Other Meat Product Regulations 1967 shall be amended by substituting for regulation 9 thereof the following regulation:—

(a) S.I. 1967/860 (1967 II, p. 2557).

"**9.** Every description or name required by virtue of regulation 4, 5 or 6 of these regulations to be borne on any meat product shall appear, when the said meat product is sold, consigned or delivered—

(*a*) in a container, on a label borne on the container of the said meat product; or

(*b*) otherwise than in a container, on a ticket placed on or in immediate proximity to the said meat product so as to be clearly visible to an intending purchaser;

and such description or name shall appear as or as part of, or in close proximity to, the name of the meat product, and the provisions of paragraphs 1 and 2 of Schedule 4 to the Labelling of Food Regulations 1967 shall apply in relation to any description or name required by virtue of this regulation to appear on a label on the container as they apply in relation to an appropriate designation or common or usual name for the purposes of those regulations and the provisions of paragraph 6 of the said Schedule 4 shall apply in relation to any description or name required by virtue of this regulation to appear on a ticket as they apply in relation to a statement required by regulation 9(1) or (2) of those regulations.".

Revocations

25.—(1) Parts II and III, paragraphs (1) and (2) of article 7 and sub-paragraphs (*a*) to (*c*), (*e*) and (*f*) of article 8 of, and Schedules 1 and 4 to, the Labelling of Food Order 1953(**a**), as amended(**b**), and regulation 5 of, and paragraphs 1 to 3 of Schedule 3 to, the Preservatives in Food Regulations 1962 shall cease to have effect in relation to any food (other than a soft drink) containing calcium cyclamate, sodium cyclamate or cyclamic acid or any mixture of two or all of those substances on 1st January 1968 and shall cease to have effect in relation to all other food on 4th January 1971.

(2) The order and regulations specified in column 1 of Schedule 5 shall be revoked on 4th January 1971 to the extent respectively specified in relation thereto in column 3 of that Schedule.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 8th December 1967.

(L.S.)

Frederick Peart,
Minister of Agriculture, Fisheries and Food.

Given under the official seal of the Minister of Health on 14th December 1967.

(L.S.)

Kenneth Robinson,
Minister of Health.

(**a**) S.I. 1953/536 (1953 I, p. 665).
(**b**) S.I. 1953/1889, 1955/1900, 1958/717, 1959/471, 1961/ 440, 1965/2199, 1967/861 (1953 I, p. 685; 1955 I, p. 930; 1958 I, p. 1173; 1959 I, p. 1326; 1961 I, p. 1079; 1965 III, p. 6422; 1967 II, p. 2569).

SCHEDULE 1 Regulation 3(5)

APPROPRIATE DESIGNATIONS OF FISH

Column 1 Appropriate designation	Column 2 Species
SEA FISH	
Anchovy	All species of *Engraulis.*
Angel-fish or Monk-fish	*Squatina squatina* (L).
Angler	*Lophius piscatorius* L.
Argentine	All species of *Argentina.*
Atherine	All species of *Atherina.*
Bass	All species of *Roccus.* All species of *Morone.* All species of *Dicentrarchus.*
Beluga	*Huso huso* (L).
Bonito	All species of *Sarda.*
Brill	*Scophthalmus rhombus* (L).
Brisling or Sprat	*Sprattus sprattus* (L).
Cod or Codling	*Gadus morhua* L.
Conger or Conger Eel	All species of *Conger.*
Dab	*Limanda limanda* (L).
Dory or John Dory	*Zeus faber* L.
Eel	All species of *Anguilla*
Flake or Huss or Rigg or Dogfish	All species of *Eugaleus.* All species of *Mustelus.* All species of *Scyliorhinus.* *Pristiurus melastomus* (Rafin.). *Squalus acanthias* L.
Flounder or Fluke	*Platichthys flesus* (L).
Forkbeard	All species of *Phycis.* All species of *Urophycis.* *Raniceps raninus* (L).
Garfish	All species of *Belone.*
Greenland Halibut	*Reinhardtius hippoglossoides* (Walbaum).
Grey Mullet	All species of *Mugil.*

Column 1 Appropriate designation	Column 2 Species
Gurnard	All species of *Trigla*. *Peristedion cataphractum* (L).
Haddock	*Melanogrammus aeglefinus* (L).
Hake	All species of *Merluccius*.
Halibut	*Hippoglossus hippoglossus* (L).
Herring	*Clupea harengus* L and sub-species.
Kingfish	All species of *Scomberomorus*.
Lance	All species of *Ammodytes*. All species of *Gymnammodytes*.
Lascar	*Pegusa lascaris* (Risso).
Lemon Sole	*Microstomus kitt* (Walbaum).
Ling...	All species of *Molva*.
Mackerel	All species of *Scomber*.
Megrim	All species of *Lepidorhombus*.
Pilchard	*Sardina pilchardus* (Walbaum).
South African Pilchard	*Sardinops sagax ocellata* (Poppe).
Californian Pilchard	*Sardinops sagax caerulea* (Girard).
Chilean Pilchard	*Sardinops sagax sagax* (Jenyns).
Japanese Pilchard	*Sardinops sagax melanosticta* (Schlegel).
Plaice	*Pleuronectes platessa* L.
Pollack or Lythe	*Pollachius pollachius* (L).
Pouting or Pout	*Trisopterus luscus* (L).
Redfish	All species of *Sebastes*. *Scorpaena dactyloptera* De la Roche.
Red Mullet...	All species of *Mullus*.
Rockfish	All species of *Anarhichas*.
Rough-back	*Hippoglossoides platessoides* (Fabr.).
Saithe or Coley or Coal Fish ...	*Pollachius virens* (L).
Sardine	Small *Sardina pilchardus* (Walbaum).
Scad	All species of *Trachurus*.

Column 1	Column 2
Appropriate designation	Species
Sea-Bream	All species of *Dentex*. All species of *Pagellus*. All species of *Sparus*. All species of *Spondyliosoma*. All species of *Boops*. All species of *Pagrus*. All species of *Chrysoblephus*.
Sild	Small *Clupea harengus* L.
Skate or Ray or Roker	All species of *Raja*.
Smelt or Sparling	All species of *Osmerus*.
Sole or Dover Sole	*Solea solea* (Linn).
Skipjack	All species of *Euthynnus*. *Katsowonus pelamis* (L).
Sprat or Brisling	*Sprattus sprattus* (L).
Sturgeon	All species of *Acipenser*.
Thickback	*Microchirus variegatus* (Don.).
Tuna or Tunny	All species of *Thunnus*. All species of *Neothunnus*.
Turbot	*Psetta maxima* (L).
New Zealand Turbot	*Colisteum nudipinnis* (Waite).
Tusk	*Brosme brosme* (Ascanius).
Wahoo	*Acanthocybium solanderi* (Cuvier).
Whitebait	Young of *Clupea harengus* L. Young of *Sprattus sprattus* (L).
Whiting	*Merlangius merlangus* (L).
Witch	*Glyptocephalus cynoglossus* (L).
Winter Flounder	*Pseudopleuronectes americanus* (Walbaum).
Wrasse	All species of *Labrus*. All species of *Centrolabrus*. All species of *Crenilabrus*. All species of *Acantholabrus*. *Coris julis* (L). *Symphodus melops* (L).
Yellowtail	All species of *Seriola*.

Column 1 Appropriate designation	Column 2 Species
SALMON AND FRESHWATER FISH	
Salmon	*Salmo salar* L.
Red Salmon or Sockeye Salmon	*Oncorhynchus nerka* (Walbaum).
Medium Red Salmon or Coho Salmon or Silver Salmon	*Oncorhynchus kisutch* (Walbaum).
Spring Salmon or King Salmon or Chinook Salmon.	*Oncorhynchus tschawytscha* (Walbaum).
Pink Salmon	*Oncorhynchus gorbuscha* (Walbaum).
Chum Salmon or Keta Salmon ...	*Oncorhynchus keta* (Walbaum).
Sea Trout or Salmon-Trout ...	*Salmo trutta* L which has spent all except the first year of its life in sea water.
Brown Trout	*Salmo trutta* L which has spent all its life in fresh water.
Char	All species of *Salvelinus.*
Cut-throat Trout	*Salmo clarkii* Richardson.
Rainbow Trout or Steelhead Trout	*Salmo gairdneri* Richardson.
Bream	All species of *Abramis.*
Carp	*Cyprinus carpio* L.
Perch	*Perca fluviatilis* L.
Pike	*Esox lucius* L.
Pikeperch	*Lucioperca lucioperca* (L).

SHELL-FISH

Column 1 Appropriate designation	Column 2 Species	Column 3 Appropriate designation
Oyster	All species of *Ostrea* except *Ostrea edulis* L. All species of *Crassostrea* except *Crassostrea angulata* (Lmk.).	
Native Oyster ...	*Ostrea edulis* L.	
Portuguese Oyster	*Crassostrea angulata* (Lmk.).	
Mussel	All species of *Mytilus.*	

Column 1	Column 2	Column 3
Appropriate designation	Species	Appropriate designation
Cockle	All species of *Cardium* (≡ *Cerastoderma* or *Parvicardium*).	
Clam	All species of *Venerupis* (≡ *Paphis*).	
	Mya arenaria L.	Soft shell clam.
	Venus (*Mercenaria*) *mercenaria* L and *Venus verrucosa* L.	Hard shell clam.
	All species of *Ensis* and *Solen*.	Razor clam.
Abalone or Ormer	All species of *Haliotis*.	
Whelk	All species of *Buccinum*.	
	All species of *Neptunea*.	
Winkle	All species of *Littorina*.	
Scallop or Escallop	All species of *Pectinidae*.	
Queen Scallop or Queen Escallop	*Chlamys* (≡ *Acquipecton*) *opercularis* (L).	
Shrimp	*Pandalus montagui* Leach.	Pink Shrimp.
	All species of *Crangon*.	Brown Shrimp.
	Small fish of:—	
	All species of *Palaemonidae*.	
	All species of *Penaeidae*.	
	All species of *Pandalidae*.	
Prawn	Large *Pandalus borealis* Krøyer.	Deepwater Prawn.
	Large fish of:—	
	All species of *Palaemonidae*.	
	All species of *Penaeidae*.	
	All species of *Pandalidae*.	
Crab	All species of *Cancer*.	
	All species of *Lithodes*.	
	All species of *Paralithodes*.	
	All species of *Callinectes*.	
	Maia squinado (Herbst).	
	Chionoecetes opilio (Fabricius).	
	Erimacrus isenbeckii (Brandt).	
Lobster	All species of *Homarus*.	
Crawfish or Spiny Lobster ...	All species of *Palinurus*.	
	All species of *Panulirus*.	
	All species of *Jasus*.	
Crayfish	All species of *Astacus*.	
	All species of *Cambarus*.	
Norway Lobster or Dublin Bay Prawn or Scampi	*Nephrops norvegicus* (L).	
Squat Lobster ...	All species of *Cervimunida*.	

Regulations 6(1) and 7(4) SCHEDULE 2

FOODS PARTLY EXEMPT FROM REGULATION 5

Column 1 Description of food	Column 2 Extent of exemption from regulation 5(2)
PART I	
1. Any food of a description specified below in this item.	Exempt to the extent that it may be designated by the word or words specified in this column in relation to its description without further specification as to its appropriate designation or common or usual name or as to its composition.
Any deodorised fatty oil, whether hydrogenated or not, when forming an ingredient of some other food.	Edible oil, or oil or shortening, or edible fat, or fat or shortening.
Emulsifying salts (sodium citrate, sodium phosphates and sodium tartrate) when forming an ingredient of some other food.	Emulsifying salts.
Prepared purified starch when forming an ingredient of some other food.	Edible starch, or food starch or starch.
Imitation cream when forming an ingredient of some other food.	Imitation cream.
Fish when forming an ingredient of any fish product.	Fish.
Cheese when forming an ingredient of cheese spread, processed cheese, except when the appropriate designation or common or usual name, as the case may be, of such processed cheese includes the name of a particular variety of cheese, and other food containing cheese.	Cheese.
Fruit acids (citric acid, tartaric acid and malic acid) when forming an ingredient of some other food.	Fruit acids.
Vine fruits (muscatels, raisins, sultanas and currants) when forming an ingredient of some other food, not being a beverage.	Vine fruits.
Vinegar when forming an ingredient of some other food.	Vinegar.
Spices, when forming an ingredient of some other food but not exceeding one per cent. by weight of such food.	Spices or mixed spices.
Herbs, when forming an ingredient of some other food but not exceeding one per cent. by weight of such food.	Herbs or mixed herbs.
Edible gums (acacia, carob, ghatti, guar, karaya and tragacanth) when forming an ingredient of some other food.	Edible gums.
Any kind of meat when forming an ingredient of a sausage, meat pie, meat pudding, sausage roll, vol-au-vent, faggot, hamburger, rissole, croquette or meat ball, except when the appropriate	Meat.

Column 1	Column 2
Description of food	Extent of exemption from regulation 5(2)
1. (contd.) designation or common or usual name, as the case may be, of any of the said products includes the name of a kind of meat and the meat content of such product does not consist wholly of that kind of meat.	
Any kind of meat when forming an ingredient of a sausage, meat pie, meat pudding, sausage roll, vol-au-vent, faggot, hamburger, rissole, croquette or meat ball, other than a meat named in the appropriate designation or common or usual name, as the case may be, of such product, when that appropriate designation or common or usual name includes the name of a kind of meat.	Other meat.
Cereal binders (flour, and starch derived therefrom, of all non-leguminous starchy grains, roots or tubers or physical modifications thereof and soya flour and soya starch and groundnut flour and groundnut lipoprotein) when forming an ingredient of any meat product or fish product.	Cereal binder.
2. Flavourings—	
(*a*) when pre-packed for sale as such, other than flavourings consisting of a single ingredient;	Exempt to the extent that the ingredients or constituents need not be specified.
(*b*) when forming an ingredient of some other food.	Exempt to the extent that they may be designated as " flavourings " or by their appropriate designation without, in either case, further specification as to composition.
Permitted preservatives when pre-packed for sale as such.	Wholly exempt if labelled in accordance with Schedule 3 to the Preservatives in Food Regulations 1962.
Permitted antioxidants when pre-packed for sale as such.	Wholly exempt if labelled in accordance with Schedule 3 to the Antioxidant in Food Regulations 1966.
Permitted colouring matters when pre-packed for sale as such.	Wholly exempt if labelled in accordance with Schedule 2 to the Colouring Matter in Food Regulations 1966.
Permitted emulsifiers or permitted stabilisers when pre-packed for sale as such.	Wholly exempt if labelled in accordance with Schedule 2 to the Emulsifiers and Stabilisers in Food Regulations 1962.
Permitted bleaching agents or permitted improving agents when pre-packed for sale as such.	Wholly exempt if labelled in accordance with Schedule 2 to the Bread and Flour Regulations 1963.
Permitted solvents when pre-packed for sale as such.	Wholly exempt if labelled in accordance with Schedule 2 to the Solvents in Food Regulations 1967.

Column 1	Column 2
Description of food	Extent of exemption from regulation 5(2)
3. Permitted preservative, permitted antioxidant, permitted colouring matter, permitted artificial sweetener, permitted emulsifier, permitted stabiliser or permitted solvent when forming an ingredient of some other food.	Exempt to the extent that it may be designated " permitted preservative ", " permitted antioxidant ", " permitted colour ", " permitted artificial sweetener ", " permitted emulsifier ", " permitted stabiliser " or " permitted solvent ", as the case may be, or by its appropriate designation without, in either case, further specification as to composition, so however that the word " permitted " may be omitted from any of the aforesaid expressions.
4. Any of the following when pre-packed for sale as such:— Artificial sweetening tablets Condensed milk Coffee and chicory mixtures including French coffee Coffee with fig flavour or fig seasoning, including Viennese coffee Cream Curry powder Dried milk Edible gelatine Natural spa waters Any preparation which is the subject of, and conforms with the requirements of, a monograph in the 1963 edition of the British Pharmacopoeia or the addendum thereto of 1964 or 1966 or in the formulary section of the 1963 edition of the British Pharmaceutical Codex or the supplement thereto of 1966, if the letters " B.P." or " B.P.C.", as the case may be, appear as part of the appropriate designation or common or usual name of the preparation.	Exempt to the extent that the ingredients or constituents need not be specified.
PART II	
5. Any of the following when pre-packed for sale as such:— Any meal Biscuits Bread (not including bread-crumbs) Butter Cheese (not including processed cheese and cheese spread) Chocolate confectionery Flour, including self-raising flour Flour confectionery Fresh fruit and vegetables Ice-cream, including dairy ice-cream and milk ice Parev or Kosher ice Sugar confectionery	Exempt to the extent that the ingredients or constituents need not be specified.

Column 1 Description of food	Column 2 Extent of exemption from regulation 5(2) and (6)
PART III	
6. Any of the following when forming an ingredient of some other food:— Any food specified in items 4 and 5 of this Schedule Liquid cow's milk other than condensed milk Baking powder Bread-crumbs and rusks Compound cooking fat Golden raising powder Macaroni and other forms of pasta Margarine Mustard Pickles and sauce for which the appropriate designation clearly indicates the kind of pickles or sauce or the major ingredient or ingredients thereof Sausage, sausage meat, hamburger, faggot, rissole, croquette or meat ball Tomato ketchup, catsup, sauce or relish	Exempt to the extent that it may be designated by its appropriate designation without specifying the appropriate designations of its constituents.

SCHEDULE 3

Regulation 9

PART I

FOODS REQUIRED TO BE LABELLED WHEN FOR SALE BY RETAIL OTHERWISE THAN PRE-PACKED

Column 1 Description of food	Column 2 Particulars
All food containing two or more ingredients, other than bread, flour confectionery, sugar confectionery, chocolate confectionery or any drink or wholly liquid product.	An appropriate designation or the common or usual name.
Fish.	In the case of any fish of a species specified in column 2 of Schedule 1, the appropriate designation. In the case of any other fish, an appropriate designation or the common or usual name.

PART II

FOODS EXEMPT FROM A LABELLING REQUIREMENT AS TO PERMITTED ADDITIVES WHEN FOR SALE BY RETAIL OTHERWISE THAN PRE-PACKED

Any drink or wholly liquid product.
Biscuits.
Bread, not including bread-crumbs.
Butter.
Cheese, other than processed cheese or cheese spread.
Chocolate confectionery.
Raw fish.
Flour, including self-raising flour.
Flour confectionery.
Fresh fruit and vegetables.
Ice-cream, including dairy ice-cream and milk ice.
Parev or Kosher ice.
Sugar confectionery.

Regulation 17

SCHEDULE 4

MANNER OF MARKING OR LABELLING

1. Any appropriate designation or common or usual name of a food required by regulation 5(2)(*a*) or (2)(*b*)(i) or 11(2)(*b*), any particulars required by regulation 5(3) or 11(2)(*a*), any list of appropriate designations of ingredients or constituents required by regulation 5(2) and the word or words heading or preceding it in accordance with regulation 5(5), any statement required by regulation 7, any declaration required or permitted by regulation 11(4) or (5) and any indication of the country or locality of origin of intoxicating liquor, not included in the appropriate designation of such liquor, in accordance with regulation 11(2)(*b*) or (3)(*c*) shall be clear and legible and the whole of each shall be in a conspicuous position on a label marked on, or securely attached to, the container in such a manner that it will be readily discernible and easily read by an intending purchaser or consumer under normal conditions of purchase or use and shall not be interrupted by other written or pictorial matter where such interruption might mislead the purchaser or consumer as to the nature of the food and shall not be in any way hidden or obscured or reduced in conspicuousness by any other matter, whether pictorial or not, appearing on such label.

2. Any appropriate designation or common or usual name of a food required by regulation 5(2)(*a*) or (2)(*b*)(i) or 11(2)(*b*) shall appear in characters of such size that the height of the shortest letter in any word, other than a preposition, conjunction or participle, in that designation or name—

(*a*) shall, having regard to the greatest dimension of the container of that food, be not less than the height specified in the second column of the table in paragraph 9 of this Schedule in relation to the appropriate greatest dimension specified in the first column of that table, and

(*b*) shall be not less than one quarter of the height of the tallest letter, other than an initial letter, in any word of more than one letter appearing on any label on the container.

The height of the tallest letter, other than an initial letter, in that designation or name shall be not more than twice the height of the shortest letter in any word, other than a preposition, conjunction or participle, in that designation or name and the height of the letters in any word in that designation or name describing a minor ingredient shall not be such as to give undue prominence to that ingredient when the designation or name is taken as a whole. The letters in each word in that designation or name shall be of uniform height, save that the initial letter in any word may be taller than any other letter in that word.

The letters in that designation or name shall appear on a contrasting ground, and where by reason of the transparency of the container the contents thereof are visible, those contents shall be taken to be the ground for the purposes of this paragraph.

3. Any particulars required by regulation 5(3) or 11(2)(*a*) and any indication of the country or locality of origin of intoxicating liquor, not included in the appropriate designation of such liquor, in accordance with regulation 11(2)(*b*) or (3)(*c*) shall appear on a ground which contrasts with the characters of the particulars or indication and where by reason of the transparency of the container the contents thereof are visible, those contents shall be taken to be the ground for the purposes of this paragraph.

4.—(1) Any list of appropriate designations of ingredients or constituents required by regulation 5(2) and the word or words heading or preceding it in accordance with regulation 5(5) and any statement required by regulation 7 shall appear in dark coloured characters upon a light coloured ground or in light coloured characters upon a dark coloured ground and where by reason of the transparency of the container the contents thereof are visible, those contents shall be taken to be the ground for the purposes of this paragraph. The height of the shortest letter in any word, other than a preposition, conjunction or participle, in that list, those words or that statement, as the case may be, shall, having regard to the greatest dimension of the container of the food to which it or they relate, be not less than the height specified in the third column of the table in paragraph 9 of this Schedule in relation to the appropriate greatest dimension specified in the first column of that table.

(2) Any list of appropriate designations of ingredients or constituents required by regulation 5(2) and the word or words heading or preceding it in accordance with regulation 5(5) shall appear in characters of uniform size, save that—

(*a*) the initial letter in any word may be taller than any other letter in that word and the letters in any preposition, conjunction or participle may be shorter than the letters in any other word, and

(*b*) the word or words heading or preceding that list may be taller than the other words in the list.

Any such list and the word or words heading or preceding it shall be—

(i) in immediate proximity to the appropriate designation or common or usual name of the food to which it relates, or

(ii) so situated as to be simultaneously visible together with that appropriate designation or common or usual name to an intending purchaser under normal conditions of purchase, or

(iii) within a surrounding line or on a panel which is clearly distinguished in colour from the adjacent parts of the label and no other written or pictorial matter, save such as may be required by virtue of the provisions of any enactment or any order or regulations made thereunder to appear on a label marked on or attached to the container, shall appear within that surrounding line or on that panel, as the case may be.

5. Notwithstanding the provisions of regulation 5(2) and paragraphs 2 and 4 of this Schedule, in the case of any soft drink where no words appear on any label on the container save such as appear on a cork, stopper or cap closing that container or are embossed or fired on the container, being words which do not contravene any provisions of these regulations, the appropriate designation or common or usual name of the soft drink, the list of appropriate designations of ingredients or constituents required by regulation 5(2) and the word or words heading or preceding it in accordance with regulation 5(5) may appear not on a label on the container but on the exposed surface of the cork, stopper or cap closing that container and the said list and word or words need not be in immediate proximity to, or simultaneously visible with, the appropriate designation or common or usual name of the soft drink or within a surrounding line or on a panel if the height of the shortest letter in any word, other than a preposition, conjunction or participle, in the appropriate designation or common or usual name or in the said list, word or words is not less than 1 millimetre.

6. Any statement required by regulation 9(1) or (2) shall appear conspicuously and legibly on the ticket in characters such that all the letters in each word are of uniform height and colour on a contrasting ground, save that—

(*a*) the initial letter in any word may be taller than any other letter in that word;

(*b*) in any statement required by regulation 9(1) the height of the tallest letter, other than an initial letter in any word in the said statement, shall be not more than twice the height of the shortest letter in any word, other than a preposition, conjunction or participle, in that statement.

7.—(1) Any declaration required or permitted by regulation 11(4) or (5) shall appear in dark coloured characters upon a light coloured ground or light coloured characters upon a dark coloured ground and where by reason of the transparency of the container the contents thereof are visible, those contents shall be taken to be the ground for the purposes of this paragraph. The characters shall be of uniform colour and size, save that the initial letter in any word may be taller than any other letter in that word and the letters in any preposition, conjunction or participle may be shorter than the letters in any other word.

(2) Any declaration required by regulation 11(4) shall appear within a surrounding line and no matter other than that required by the appropriate sub-paragraph of that paragraph shall appear within that surrounding line. The height of the shortest letter or numeral in any declaration required or permitted by regulation 11(4) or (5) shall be not less than 3 millimetres, save that in the case of any liquor pre-packed in a bottle smaller in size than the normal half bottle the height of any such letter or numeral shall be not less than 2 millimetres.

8.—(1) The provisions of paragraph 6 of this Schedule shall apply to any appropriate designation or common or usual name of meat on a ticket to which regulation 15(2) relates as they apply to a statement required by regulation 9(1).

(2) The letters of the word " tenderised " on any ticket to which regulation 15(2) relates shall be of uniform height and not shorter than the tallest letter, other than an initial letter, of any word in any appropriate designation or common or usual name of meat on that ticket.

9. TABLE

Greatest dimension of container	Minimum height of letters referred to in paragraph 2	Minimum height of letters referred to in paragraph 4
Not exceeding 12 centimetres	2 millimetres	1 millimetre
Exceeding 12 centimetres, but not exceeding 25 centimetres	3 millimetres	1·5 millimetres
Exceeding 25 centimetres, but not exceeding 45 centimetres	6 millimetres	3 millimetres
Exceeding 45 centimetres	8 millimetres	4 millimetres

10.—(1) For the purposes of this Schedule, the height of any lower case letter shall be taken to be the x-height thereof, disregarding any ascender and descender thereof.

(2) In this Schedule any requirement that letters or characters shall be of uniform height, colour or size shall be construed as being subject to the saving that any inconsiderable variation in height, colour or size, as the case may be, may be disregarded.

SCHEDULE 5 Regulation 25

Column 1 Order and regulations revoked	Column 2 References	Column 3 Extent of revocation
The Labelling of Food (Amendment) Order 1953	S.I. 1953/1889 (1953 I, p. 685).	The whole order.
The Labelling of Food (Amendment) Regulations 1955	S.I. 1955/1900 (1955 I, p. 930).	Regulation 2(*c*).
The Labelling of Food (Amendment) Regulations 1959	S.I. 1959/471 (1959 I, p. 1326).	The whole regulations.
The Labelling of Food (Amendment) Regulations 1961	S.I. 1961/440 (1961 I, p. 1079).	The whole regulations.
The Cheese Regulations 1965	S.I. 1965/2199 (1965 III, p. 6422).	Regulation 4.
The Canned Meat Product Regulations 1967	S.I. 1967/861 (1967 II, p. 2569).	Regulation 4.

EXPLANATORY NOTE

(This Note is not part of the regulations.)

These regulations, which apply to England and Wales only, supersede certain provisions of the Labelling of Food Order 1953, as amended, relating to the labelling and description of food. To the extent that they apply to any food (other than a soft drink) containing cyclamate, the regulations come into operation on 1st January 1968: in all other respects, they come into operation on 4th January 1971.

The principal changes are that the regulations—

(*a*) amend the provisions relating to the labelling of pre-packed food for sale by retail and the list of foods to which they apply (regulations 5 to 7 and 17, Schedules 1, 2 and 4);

(*b*) similarly amend the provisions relating to the labelling of pre-packed food sold otherwise than by retail and the list of foods to which they apply (regulation 8);

(*c*) impose requirements as to the advertisement of certain foods for sale by retail which are not pre-packed (regulations 9 and 17, Schedules 3 and 4);

(*d*) impose requirements as to the advertisement of food for sale from vending machines (regulation 10);

(*e*) provide for the labelling and advertisement of tenderised meat (regulations 15 and 17, Schedule 4);

(*f*) impose restrictions on the use of the word "milk" on labels or advertisements (regulation 16);

(*g*) amend the Meat Pie and Sausage Roll Regulations 1967, the Canned Meat Product Regulations 1967 and the Sausage and Other Meat Product Regulations 1967 so that certain of the provisions of these regulations relating to the manner of marking or labelling apply to descriptions or names used in accordance with those regulations (regulations 22 to 24, Schedule 4).

The regulations also contain provisions as to the labelling and advertisement of intoxicating liquor (regulations 11 and 12), processed peas (regulation 13) and acetic acid (regulation 14).

The regulations, except insofar as they relate to advertisements, do not apply—

(*a*) to any food intended for export or supplied for consumption by Her Majesty's forces or a visiting force; or

(*b*) until 3rd January 1983, to any bottles containing a drink which were first used before 4th January 1971 and which bear a fired-on or embossed, but no other, label (regulation 4).