| First Column | Second Column |
|---|---|
| *Item* | Fee |
| CORRESPONDENCE IN THE DISTRICT REGISTRY | £ s. d. |
| 28. For receiving an application for a grant (including cases under section 33 of the Customs and Inland Revenue Act 1881, as extended by section 16 of the Finance Act 1894) through the post in the district registry and for correspondence with reference to the same . . . . . | Ten per cent. of the fee payable on application for the grant. Minimum fee, 5s. Maximum fee, £2. |
| 29. For correspondence on any other matter in respect of which any fee in this Schedule (except Fees Nos. 9 to 16 for searches and copies) is payable . . . | 3 6 |

## EXPLANATORY NOTE

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

This Order replaces the Supreme Court (Non-Contentious Probate) Fees Order (Northern Ireland) 1954. It increases certain fees; it reduces certain others; and by abolishing obsolete items and amalgamating others, it simplifies the fees structure.

**1963. No. 136** **[C]**

# FOOD AND DRUGS

## Composition and Labelling

## Soft Drinks

REGULATIONS, DATED 11TH JULY, 1963, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTIONS 4, 7 AND 68 OF THE FOOD AND DRUGS ACT (NORTHERN IRELAND) 1958.

The Ministry of Health and Local Government, in exercise of the powers conferred upon it by sections 4, 7 and 68 of the Food and Drugs Act (Northern Ireland) 1958(a), having consulted with such organisations as appear to it to be representative of interests substantially affected by these regulations, hereby makes the following regulations:—

(a) 1958. c. 27.

## PART I

### GENERAL

*Citation and commencement*

**1.** These regulations may be cited as the Soft Drinks Regulations (Northern Ireland) 1963 and shall come into operation on 20th July, 1964.

*Interpretation*

**2.**—(1) In these regulations—

"the Act" means the Food and Drugs Act (Northern Ireland) 1958;

"carbohydrate" means a substance containing carbon, hydrogen and oxygen only in which the hydrogen and oxygen occur in the same proportion as in water;

"comminuted citrus drink" means a soft drink produced by a process involving the comminution of the entire citrus fruit;

"container" means any vessel, can, box or carton capable of containing a soft drink which is, has been or is capable of being, closed and includes any kind of bottle, but does not include any unclosed cup, mug, glass or other unclosed drinking vessel;

"crush" means a soft drink containing fruit juice, not being a comminuted citrus drink, intended for consumption without dilution and includes any cordial intended for consumption without dilution;

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

"potable fruit content" means the total of the fruit constituents of a soft drink derived from the juice, pith and peel;

"printing" includes the processes of embossing and firing on, and "printed" shall be construed accordingly;

"registered trade mark" and "trade mark" have the meaning respectively assigned to each by section 68(1) of the Trade Marks Act 1938(a);

"retail sale" means any sale to a person buying otherwise than for the purpose of resale, but does not include a sale to a caterer for the purposes of his catering business, or a sale to a manufacturer for the purposes of his manufacturing business;

"saccharin" means the substance defined as such in the edition of the British Pharmacopoeia current for the time being;

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

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

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

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

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

but does not include—

(i) water (except as aforesaid);

(a) 1 & 2 Geo. 6, c. 22.

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

(iii) fruit juice, sweetened or unsweetened, whether concentrated (or frozen) or not;

(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 egg product;

(vii) 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 (x);

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

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

(x) intoxicating liquor as defined in the Intoxicating Liquor Act (Northern Ireland) 1923(**a**);

(xi) any other unsweetened drink except soda-water and kali-water;

and 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;

"squash" means a soft drink containing fruit juice, not being a comminuted citrus drink, intended for consumption after dilution and includes any cordial intended for consumption after dilution;

"sugar" means any soluble carbohydrate sweetening matter;

"sweetened" means containing any added sugar or added polyhydric alcohol or any saccharin; and "unsweetened" shall be construed accordingly.

(2) 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.

(3) For the purposes of these regulations, the supply of any drink, otherwise than by sale, at, in or from any place where drink is supplied in the course of a business shall be deemed to be a sale of that drink, and any reference to a purchaser shall be construed accordingly.

(4) For the purposes of the Labelling of Food Regulations (Northern Ireland) 1961(**b**), these regulations, insofar as they prescribe requirements as to composition for a soft drink, shall be taken to prescribe a standard for a soft drink.

*Exemptions*

**3.**—(1) The following provisions of these regulations shall not apply—

(*a*) in relation to any soft drink intended at the time of sale for exportation to any place outside the United Kingdom or for use as ship's stores;

(*b*) in relation to any soft drink intended at the time of sale for consumption

(a) 13 & 14 Geo. 5. c. 12. (b) S.R. & O. 1961, No. 160.

by Her Majesty's forces or by a visiting force within the meaning of any of the provisions of Part I of the Visiting Forces Act 1952(a);

(*c*) in relation to any sale, consignment or delivery of a soft drink to a manufacturer for the purposes of his manufacturing business;

(*d*) in relation to any sale of a soft drink otherwise than in a container;

(*e*) as respects added sugar or the quantity of saccharin present, in relation to any soft drink sold in a container bearing a label on which there appears clearly and conspicuously in letters of not less than one-eighth of an inch in height a description indicating to an intending purchaser that the soft drink has been prepared for consumption by persons suffering from diabetes if that soft drink contains no added sugar.

(2) The provisions of regulations 6 to 10 and of the Second Schedule shall not apply in relation to any sale, other than a retail sale, of any soft drink in a container containing more than one gallon.

## PART II

### COMPOSITION

*Requirements as to composition for soft drinks*

**4.**—(1) Subject to the provisions of this regulation, any soft drink intended for consumption without dilution which is of a description specified in column 1 of Part I of the First Schedule shall conform to the requirements as to composition set out in relation thereto in the said Part I as respects the fruit juice or potable fruit content, as the case may be, the quantities of added sugar and saccharin therein and as respects other requirements there specified:

Provided that—

(*a*) any soft drink (other than soda-water and kali-water) intended for consumption without dilution may contain up to 280 grains of saccharin per 10 gallons if that soft drink also contains not less than 22½ pounds of sugar per 10 gallons;

(*b*) if any soft drink to which this paragraph applies 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 fermentation during such brewing.

(2) Any soft drink intended for consumption after dilution which is of a description specified in column 1 of Part II of the First Schedule shall conform to the requirements as to composition set out in relation thereto in Part II as respects the fruit juice or potable fruit content, as the case may be, and the quantities of added sugar and saccharin therein.

(3) Any soft drink, whether intended for consumption without or after dilution, which comprises two or more of the descriptions of soft drink specified in column 1 of Part I, or of Part II, of the First Schedule shall, as respects the fruit juice or potable fruit content, as the case may be, conform to the requirements as to composition specified in the appropriate Part of that Schedule in relation to each of the descriptions of soft drink comprised in that soft drink and, as respects the quantities of added sugar and saccharin therein, shall conform to the requirements as to composition specified as aforesaid in relation to any one of the descriptions of soft drink comprised in that soft drink.

(a) 15 & 16 Geo. 6 & 1 Eliz. 2, c. 67.

(4) No person shall sell any drink under such a description as to lead an intending purchaser to believe that he is purchasing a soft drink to which paragraph (1), (2) or (3) applies unless the drink complies with the appropriate requirements as to composition set out as provided in paragraph (1) or (2) in relation to that soft drink or with the provisions of paragraph (3), as the case may be.

(5) Where a person sells any drink to a purchaser in response to a request for a soft drink to which paragraph (1), (2) or (3) applies, he shall be deemed to sell that soft drink and under such a description as is specified in the last foregoing paragraph unless he clearly notifies the purchaser at the time of sale that the drink is not that soft drink.

*Addition of acids to soft drinks*

**5.**—(1) Save as hereinafter provided, no soft drink shall contain any added acid:

Provided that—

(*a*) any soft drink may contain ascorbic acid, citric acid, lactic acid, malic acid, nicotinic acid, tartaric acid and any acid inasmuch as the use of that acid in that soft drink is permitted by the Preservatives in Food Regulations (Northern Ireland) 1962(**a**) or the Colouring matter in Food Regulations (Northern Ireland) 1961(**b**);

(*b*) any soft drink other than a fruit squash, a fruit crush or a comminuted citrus drink may contain acetic acid and phosphoric acid.

(2) No person shall sell, consign or deliver any soft drink which does not comply with this regulation.

## PART III

## LABELLING OF SOFT DRINKS

*Citrus squash, crush and drinks*

**6.**—(1) Subject to the provisions of these regulations, no person shall sell, consign or deliver any citrus squash (whether or not it contains a bitter principle) in a container unless that container bears a label on which there appears as the description of that citrus squash the word "squash" immediately preceded by the name of the appropriate citrus fruit or fruits:

Provided that—

(*a*) in the case of any clear citrus squash, the word "cordial" may be substituted for the word "squash" on the label;

(*b*) in the case of any squash prepared from citrus juice and barley water and from no other fruit juice, there may be substituted for the aforementioned description the words "and barley water" immediately preceded by the name of the appropriate citrus fruit or fruits.

(2) Subject to the provisions of these regulations, no person shall sell, consign or deliver any citrus crush (whether or not it contains a bitter principle) in a container unless that container bears a label on which there appears as the description of that citrus crush the word "crush" immediately preceded by the name of the appropriate citrus fruit or fruits:

(**a**) S.R. & O. 1962, No. 173. (**b**) S.R. & O. 1961, No. 99.

Provided that—

(*a*) in the case of any clear citrus crush, the word "cordial" may be substituted for the word "crush" on the label;

(*b*) in the case of any crush prepared from citrus juice and barley water and from no other fruit juice, there may be substituted for the aforementioned description the words "and barley water" immediately preceded by the name of the appropriate citrus fruit or fruits.

(3) Subject to the provisions of these regulations, no person shall sell, consign or deliver any comminuted citrus drink (whether or not it contains a bitter principle) in a container unless that container bears a label on which there appears as the description of that comminuted citrus drink the word "drink" immediately preceded by the name of the appropriate citrus fruit or fruits:

Provided that in the case of any comminuted citrus drink prepared from comminuted citrus fruit and barley water and from no other fruit, there may be substituted for the aforementioned description the words "drink and barley water" immediately preceded by the name of the appropriate citrus fruit or fruits.

*Carbonated Drinks*

**7.**—(1) No person shall sell, consign or deliver any soft drink, being a flavoured carbonated drink, in a container bearing a label on which there appears—

(*a*) any pictorial device suggestive of any fruit or fruits;

(*b*) any word suggestive of any fruit or fruits not represented in the flavouring of that drink.

(2) Subject to the provisions of these regulations, no person shall sell, consign or deliver any soft drink, being a flavoured carbonated drink, in a container bearing a label on which any word suggestive of any fruit is used in relation to that drink unless that label also bears, equally conspicuously and legibly, either—

(*a*) a word comprising the name of the fruit so suggested followed by the suffix "ade"; or

(*b*) where appropriate, a phrase consisting of the names of the fruits so suggested with the suffix "ade" added to the end of the last of such names; or

(*c*) the word "flavour" immediately preceded by the name or names of the fruit or fruits so suggested.

*Drinks to which saccharin has been added*

**8.** Subject to the provisions of these regulations, no person shall sell, consign or deliver in any container any soft drink to which saccharin has been added unless that container bears a label on which there appear the words "saccharin added" or the words "contains saccharin" or, where appropriate, any one of the following expressions:—

(*a*) "saccharin and sugar added";

(*b*) "sugar and saccharin added";

(*c*) "contains saccharin and sugar";

(*d*) "contains sugar and saccharin".

*Requirements regarding printing, etc.*

**9.** All letters and words required by virtue of regulation 6, 7(2) or 8 to appear on a label on a container shall conform to the requirements set out in the Second Schedule.

*Use of registered trade mark*

**10.** Nothing in regulation 6 shall prohibit the use on a label on a container of any registered trade mark registered and in use before 11th July, 1963.

## PART IV

## MISCELLANEOUS

*Penalties*

**11.**—(1) If any person contravenes or fails to comply with any of the provisions of these regulations he shall be guilty of an offence and shall be liable on summary conviction—

(*a*) to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment; and

(*b*) 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) The requirements of section 47(3) of the Act (which requires notice to be given to the Ministry of Health and Local Government of intention to begin a prosecution for an offence against any provisions of these regulations relating to labelling or marking) shall not apply as respects any proceedings instituted by a health authority for an offence against any such provisions of these regulations.

*Revocation*

**12.** The Food Standards (Soft Drinks) Regulations (Northern Ireland) 1961(a) are hereby revoked.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this 11th day of July, nineteen hundred and sixty-three.

(L.S.)

*Wm. J. Morgan,*
Minister of Health and Local Government.

(a) S.R. & O. 1961, No. 192.

## SCHEDULES

Regulation 4

## FIRST SCHEDULE

### PART I

**Requirements as to composition for soft drinks intended for consumption without dilution**

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|---|---|---|---|---|
| Description of soft drink | Minimum fruit juice (expressed in terms of juice of natural strength) or potable fruit content, as the case may be | Minimum quantity of added sugar per 10 gallons | Maximum quantity of saccharin per 10 gallons | Other requirements as to composition |
| Citrus juice and barley water | 3% citrus fruit juice by volume | 4½ lb. | 56 grains | — |
| Lime crushes, lime juice and soda | 3% lime juice by volume | 4½ lb. | 56 grains | — |
| Citrus crushes (including citrus crushes containing a bitter principle) not otherwise specified in this Part | 5% citrus fruit juice by volume | 4½ lb. | 56 grains | — |
| Comminuted citrus fruit and barley drinks | 1½ lb. potable fruit content per 10 gallons | 4½ lb. | 56 grains | — |
| Comminuted citrus drinks (including comminuted citrus drinks containing a bitter principle) not otherwise specified in this Part | 2 lb. potable fruit content per 10 gallons | 4½ lb. | 56 grains | — |

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|---|---|---|---|---|
| Description of soft drink | Minimum fruit juice (expressed in terms of juice of natural strength) or potable fruit content, as the case may be | Minimum quantity of added sugar per 10 gallons | Maximum quantity of saccharin per 10 gallons | Other requirements as to composition |
| Any description of soft drink containing fruit juice (except those specified in Part II) not otherwise specified in this Part | 5% non-citrus fruit juice by volume | 4½ lb. | 56 grains | — |
| Indian or quinine tonic water | — | 4½ lb. | 56 grains | To contain not less than ½ grain of quinine (calculated as quinine sulphate B.P.) per pint |
| Kali-water | — | — | — | To contain not less than 5 grains of potassium bicarbonate per pint |
| Soda-water | — | — | — | To contain not less than 5 grains of sodium bicarbonate per pint |
| Dry ginger ale | — | 3 lb. | 56 grains | — |
| Brewed ginger beer, herbal or botanical beverages | — | 2 lb. | 80 grains | — |
| Any description of soft drink (except those specified in Part II) not otherwise specified in this Part | — | 4½ lb. | 56 grains | — |

PART II

**Requirements as to composition for soft drinks intended for consumption after dilution**

| Column 1 | Column 2 | Column 3 | Column 4 |
|---|---|---|---|
| Description of soft drink | Minimum fruit juice (expressed in terms of juice of natural strength) or potable fruit content, as the case may be | Minimum quantity of added sugar per 10 gallons | Maximum quantity of saccharin per 10 gallons |
| Citrus juice and barley water | 15% citrus fruit juice by volume | 22½ lb. | 280 grains |
| Citrus squashes (including citrus squashes containing a bitter principle) not otherwise specified in this Part | 25% citrus fruit juice by volume | 22½ lb. | 280 grains |
| Comminuted citrus fruit and barley drinks | 7 lb. potable fruit content per 10 gallons | 22½ lb. | 280 grains |
| Comminuted citrus drinks (including comminuted citrus drinks containing a bitter principle) not otherwise specified in this Part | 10 lb. potable fruit content per 10 gallons | 22½ lb. | 280 grains |
| Non-citrus fruit squashes | 10% non-citrus fruit juice by volume | 22½ lb. | 280 grains |
| Any description of soft drink (except those specified in Part I) not otherwise specified in this Part | — | 22½ lb. | 280 grains |

## SECOND SCHEDULE

Regulation 9

**Labelling of containers**

1. Every letter and word appearing on a label on a container which is required so to appear by virtue of regulation 6, 7(2) or 8 shall be printed in dark block type upon a light coloured ground or in light block type upon a dark coloured ground and shall be of uniform colour and size:

Provided that the initial letter in any such word may be larger than the other letters in that word.

2.—(1) Subject to the provisions of this paragraph, every letter in any such word shall be either—

(*a*) not less than one-eighth of an inch in height, or

(*b*) of such a size that the area of the smallest rectangle capable of enclosing that letter is not less than one-sixteenth of the area of the smallest rectangle capable of enclosing the largest letter in any word of more than one letter appearing on any label on that container,

whichever is the larger:

Provided that where—

(i) no words appear on the said container save on the cork, stopper or cap closing that container, or

(ii) no words appear on the said container save for such words as are embossed or fired on and signify solely any or all of the following:—

(*aa*) the name and address of the manufacturer of the soft drink contained in the said container;

(*ab*) the name and address of the bottler or packer of that soft drink;

(*ac*) the name of that soft drink;

any word required by virtue of regulation 6, 7(2) or 8 to appear on a label on a container may be printed on the exposed surface of the cork, stopper or cap closing that container in letters of not less than one-sixteenth of an inch in height and in dark block type upon a light coloured ground or in light block type upon a dark coloured ground.

(2) In the case of a container having a capacity of not more than 45 fluid ounces, every word appearing on a label on that container which is required so to appear by virtue of regulation 8 shall be printed in letters of not less than one-twelfth of an inch in height.

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## EXPLANATORY NOTE

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

These regulations re-enact with amendments the Food Standards (Soft Drinks) Regulations (Northern Ireland) 1961. The principal changes are:—

(*a*) the standards of composition for soft drinks made from citrus fruit or the juice of citrus fruit have been revised and in the case of comminuted drinks, the regulations have been extended to cover all citrus fruits (regulation 4 and the First Schedule);

(*b*) a standard of composition has been laid down for kali-water (regulation 4 and the First Schedule);

(*c*) specific descriptions are prescribed for the labelling of soft drinks made from citrus fruits or the juice of citrus fruits (regulation 6);

(*d*) pictorial devices, suggestive of fruit, on the labels of flavoured carbonated drinks are prohibited and where such labels contain any word suggestive of any fruit, specific labelling provisions apply (regulation 7);

(*e*) the minimum sugar requirements for soft drinks have been increased and the maximum permitted quantity of saccharin has been reduced (regulation 4 and the First Schedule);

(*f*) the regulations require that where soft drinks contain saccharin the label must carry one of a number of specified declarations (regulation 8);

(*g*) the acids permitted for use in soft drinks are specified (regulation 5);

(*h*) the regulations do not apply to any soft drink intended for export or for consumption by Her Majesty's forces or a visiting force nor to any soft drink sold in an unclosed drinking vessel (regulation 3(i));

(*i*) all letters and words required by these regulations to appear on labels must conform to specified requirements as to size and colour (regulation 9 and the Second Schedule);

(*j*) the regulations will come into operation on 20th July, 1964.

**1963. No. 137** **[C]**

## ROYAL ULSTER CONSTABULARY

### Pay

ORDER, DATED 2ND JULY, 1963, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTION FOUR OF THE CONSTABULARY AND POLICE (IRELAND) ACT 1919(a) AND SECTION TWO OF THE CONSTABULARY ACT (NORTHERN IRELAND) 1922(b).

I, the Right Honourable William Craig, Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred on me by section four of the Constabulary and Police (Ireland) Act 1919 and section two of the Constabulary Act (Northern Ireland) 1922 and of all other powers enabling me in that behalf, do hereby order as follows:—

*Citation*

**1.** This Order may be cited as the Royal Ulster Constabulary Pay Order 1963.

*Definitions*

**2.** In this Order the following expressions have the meanings hereby respectively assigned to them:—

"The Force" means the Royal Ulster Constabulary.

"Member" means a member of the Force.

"Ministry" means the Ministry of Home Affairs.

"Inspector General" means the Inspector General of the Royal Ulster Constabulary.

(a) 9 & 10 Geo. 5. c. 68. (b) 12 & 13 Geo. 5. c. 8 (N.I.).