1964 No. 767 (S. 46)

FOOD AND DRUGS

COMPOSITION AND LABELLING—SCOTLAND

The Soft Drinks (Scotland) Regulations 1964

Made - - - -	*26th May* 1964
Laid before Parliament	*2nd June* 1964
Coming into Operation	
Regulation 19(1) -	*3rd June* 1964
Remainder - -	*2nd June* 1965

In exercise of the powers conferred on me by sections 4, 7, 56 and 60(3) of the Food and Drugs (Scotland) Act 1956(a), and of all other powers enabling me in that behalf, and after consultation with such organisations as appear to me to be representative of interests substantially affected by these regulations and after reference to the Scottish Food Hygiene Council under section 25 of the said Act (insofar as the regulations relate to the labelling, marking or description of food), I hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Soft Drinks (Scotland) Regulations 1964 and shall come into operation as follows:—

(*a*) regulation 19(1) shall come into operation on 3rd June 1964;

(*b*) in all other respects, these regulations shall come into operation on 2nd June 1965.

Interpretation

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

"the Act" means the Food and Drugs (Scotland) Act 1956;

"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 counter dispenser or vending machine or 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;

(a) 4 & 5 Eliz. 2. c. 30.

" cyclamic acid " means cyclohexylsulphamic acid, being the substance defined as such in Schedule 1 to these regulations and includes calcium cyclamate and sodium cyclamate as so defined;

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

" intoxicating liquor " means any exciseable liquor as defined in the Licensing (Scotland) Act 1959(a);

" permitted artificial sweetener " means saccharin or cyclamic acid;

" 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(b);

" 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 Schedule 1 to these regulations and includes saccharin calcium and saccharin sodium as so defined;

" 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, 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);

(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, which are not intoxicating liquor

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

(a) 7 & 8 Eliz. 2. c. 51. (b) 1 & 2 Geo. 6. c. 22.

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

(x) intoxicating liquor;

(xi) any other unsweetened drink except soda 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 permitted artificial sweetener; and "unsweetened" shall be construed accordingly.

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

(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 Order 1953(**a**), as amended(**b**), these regulations in so far as they prescribe requirements as to composition for a soft drink, shall be taken to prescribe a standard for a soft drink.

(5) 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, and if any order or regulations referred to in these regulations is or are replaced by any subsequent order or regulations, the reference shall be construed as a reference to such subsequent order or regulations, as the case may be.

(6) The Interpretation Act 1889(**c**) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

3. The Food Standards (General Provisions) Order 1944(**d**), as amended (**e**) and the Artificial Sweeteners in Food Order 1953(**f**) shall not apply as respects any soft drink for which requirements respectively as to composition or as to the use of permitted artificial sweeteners are specified in these regulations.

Enforcement

4.—(1) The local authority of any area shall, subject to the provisions of the next following paragraph, enforce and execute the provisions of these regulations within their area.

(2) Where any part of the area of a local authority lies within the area of a port local authority such of the functions of the local authority under these regulations in relation to any food imported into that part shall, in so

(**a**) S.I. 1953/536 (1953 I, p. 665).
(**b**) The relevant amending instrument is S.I. 1959/571 (1959 I, p. 1328).
(**c**) 52 & 53 Vict. c. 63.
(**d**) S.R. & O. 1944/42 (1944 II, p. 505).
(**e**) S.R. & O. 1944/654 (1944 II, p. 508).
(**f**) S.I. 1953/1311 (1953 I, p. 662).

far as these functions fall to be exercised by the port local authority by virtue of any order made under section 172 of the Public Health (Scotland) Act 1897(a), be exercised by that port local authority.

(3) In this regulation "local authority" means the council of a county or of a large burgh within the meaning of the Local Government (Scotland) Act 1947(b) and any small burgh within the meaning of that Act shall, for the purposes of these regulations, be included in the county in which it is situated; and "port local authority" includes a joint port local authority.

Exemptions

5.—(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 supplied under Government Contracts for consumption by Her Majesty's forces or intended at the time of sale for consumption by a visiting force within the meaning of any of the provisions of Part I of the Visiting Forces Act 1952(c);

(*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;

(2) The provisions of regulations 8 to 12 inclusive, 14 and 15 of these regulations 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.

Requirements as to composition for soft drinks

6.—(1) No soft drink shall contain any added artificial sweetener other than a permitted artificial sweetener and no person shall sell consign or deliver any soft drink which does not comply with this provision.

(2) Subject to the following provisions of this regulation, any soft drink intended for consumption without dilution which is of a description included in Part I of Schedule 2 or Part I of Schedule 3 to these regulations shall conform to the requirements as to composition set out in relation thereto in the relevant Part I as respects the fruit juice or potable fruit content, as the case may be, the quantities of added sugar and permitted artificial sweetener therein, and the other requirements there specified:

Provided that—

(*a*) any soft drink (other than soda-water) intended for consumption without dilution which is of a description included in Part I of Schedule 2 to these regulations may contain up to the maximum quantity of permitted artificial sweetener specified in columns 4 and 5 of Part II of the said Schedule (calculated as therein required) 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.

(3) Subject to the following provisions of this regulation, any soft drink intended for consumption after dilution which is of a description included in Part II of Schedule 2 or Part II of Schedule 3 to these regulations shall

(a) 60 & 61 Vict. c. 38. (b) 10 & 11 Geo. 6. c. 43.
(c) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 67.

conform to the requirements as to composition set out in relation thereto in the relative Part II as respects the fruit juice or potable fruit content, as the case may be, and the quantities of added sugar and permitted artificial sweetener therein.

(4) No soft drink intended for consumption without or after dilution, by persons suffering from diabetes shall contain any added sugar and no provision of these regulations specifying a maximum quantity of permitted artificial sweetener shall apply in relation to any such soft drink.

(5) Any soft drink intended for consumption, without or after dilution, as a low calorie soft drink, shall in addition to conforming to the relevant requirements as respects the fruit juice or potable fruit content, as the case may be, comply with a maximum calorie content as follows:—

(*a*) if intended for consumption after dilution it shall contain not more than 7·5 calories per fluid ounce;

(*b*) if intended for consumption without dilution it shall contain not more than 1·5 calories per fluid ounce;

Provided that provisions of these regulations specifying a minimum quantity of added sugar or a maximum quantity of permitted artificial sweetener shall not apply in relation to any such soft drink.

(6) 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 (2), (3), (4) or (5) of this regulation applies unless the drink complies with the appropriate requirements as to composition set out in those paragraphs in relation to that soft drink.

(7) Where a person sells any drink to a purchaser in response to a request for a soft drink to which paragraph (2), (3), (4) or (5) of this regulation 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

7.—(1) Subject to the provisions of these regulations and 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 (Scotland) Regulations 1962(**a**) or the Colouring Matter in Food (Scotland) Regulations 1957(**b**);

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

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

Labelling of soft drinks

8.—(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

(**a**) S.I. 1962/1926 (1962 II, p. 2371). (**b**) S.I. 1957/1123 (1957 I, p. 1003).

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, other than a clear squash made from lime juice, the word " cordial " may be substituted for the word " squash " on the label;

(*b*) in the case of a clear squash made from lime juice the words " lime juice cordial " shall appear on the label as a description of that drink;

(*c*) in the case of any squash prepared from citrus juice and barley water and from no other fruit juice, the words " barley water " immediately preceded by the name of the appropriate citrus fruit or fruits shall appear on the label as a description of that drink.

(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:

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, the words " barley crush " immediately preceded by the name of the appropriate citrus fruit or fruits shall appear on the label as a description of that drink.

(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, the words " barley drink " immediately preceded by the name of the appropriate citrus fruit or fruits shall appear on the label as a description of that drink.

9.—(1) No person shall sell, consign or deliver any soft drink, which does not comply with the compositional requirements of these regulations as respects fruit juice or potable fruit content, 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 which does not comply with compositional requirements as respects fruit juice or potable fruit content, 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.

10. Subject to the provisions of these regulations, no person shall sell, consign or deliver in a container any soft drink as a semi-sweet soft drink unless there appears on the label of that container the words " semi-sweet " immediately preceding the description of that soft drink.

11. Subject to the provisions of these regulations, no person shall sell, consign or deliver in a container any soft drink as a drink for consumption by persons suffering from diabetes unless there appears on the label of that container the word " diabetic " immediately preceding the description specified in these regulations for that soft drink, or where no description is so specified, there shall appear conspicuously on the label the words " diabetic drink ":

Provided that until 2nd June 1966, it shall be a sufficient compliance with the requirements of this regulation if any soft drink, which has been prepared for consumption by persons suffering from diabetes, and which is sold in a container, bears 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.

12. Subject to the provisions of these regulations, no person shall sell, consign or deliver in a container any soft drink as a low calorie soft drink unless there appears on the label of that container the words " low calorie " in conjunction with the description prescribed by these regulations, where applicable, and otherwise the descriptive name of that soft drink.

13. On and after 2nd June 1966 no person shall sell in or from any vending machine any soft drink, whether in a container or not, unless there appears in a prominent position on the front of that vending machine, in clear lettering and in a conspicuous position a declaration giving the description specified in these regulations for the soft drink which is offered or exposed for sale, where applicable, and otherwise the descriptive name of that soft drink, and where such soft drink contains permitted artificial sweetener the declaration shall also include one of the expressions specified in regulation 14 hereof.

14. Subject to the provisions of these regulations, no person shall sell, consign or deliver in any container any soft drink to which any permitted artificial sweetener has been added unless that container bears a label on which there appears a declaration " x added " or " contains x " or, where appropriate, any one of the following expressions: —

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

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

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

(*d*) " contains sugar and x " ;

(*e*) " sweetened with sugar and x " ;

(*f*) " sweetened with x and sugar " ;

and the declaration shall be completed by inserting at "x" the words "permitted artificial sweetener" or the name of the permitted artificial sweetener which has been added to such soft drink.

15. All letters and words required by virtue of regulations 8, 9(2), 10, 11, 12 and 14 hereof to appear on a label on a container shall conform to the requirements set out in Schedule 4 to these regulations.

16. Nothing in regulations 8 and 9 hereof shall prohibit the use on a label on a container of any registered trade mark registered and in use before 22nd April 1963.

Penalties

17.—(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 under these regulations.

(2) Any person who is guilty of an offence under these regulations shall be liable:—

(*a*) on summary conviction to:—

(i) a fine not exceeding £100 or to imprisonment for a term not exceeding six months, or to both such fine and imprisonment; and

(ii) in the case of a continuing offence, to a further fine not exceeding £10 for every day during which the offence is continued; or

(*b*) on conviction on indictment to:—

(i) a fine not exceeding £500 or to imprisonment for a term not exceeding one year or to both such fine and imprisonment; and

(ii) in the case of a continuing offence, to a further fine not exceeding £50 for every day during which the offence is continued.

Applications of various sections of the Act

18.—(1) Sections 41(2) and (5) (which relate to proceedings), 42(1), (2) and (3) (which relate to evidence of certificates of analysis), 44 (which relates to the power of a court to require analysis by the Government Chemist), 46(2) (which relates to the conditions under which a warranty may be pleaded as a defence) and 47 (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 under the Act included references to proceedings, or a prosecution as the case may be, taken for an offence against these regulations and in addition as if—

(*a*) in the case of section 44(1) of the Act, the reference therein to section 41(5) of the Act included a reference to said section 41(5) as applied by these regulations; and

(*b*) in the case of section 47(1) and (2) of the Act, the references therein to an offence against the Act included references to an offence against these regulations.

(2) Section 41(4) of the Act shall apply for the purposes of these regulations as if the reference therein to section 47 of the Act included a reference to said section 47 as applied by these regulations.

Revocation

19.—(1) The Soft Drinks (Scotland) Regulations 1963(a) are hereby revoked.

(a) S.I. 1963/849 (1963 I, p. 1257).

(2) The Food Standards (Soft Drinks) Order 1953(a), and the Food Standards (Soft Drinks) (Amendment) Order 1954(b), are hereby revoked but without prejudice to any proceedings in respect of any contravention of the Food Standards (General Provisions) Order 1944, as amended, construed as one with the Food Standards (Soft Drinks) Order 1953, as amended.

(3) Section 38 of the Interpretation Act 1889 shall apply as if these regulations were an Act of Parliament and as if any orders revoked by these regulations were Acts of Parliament repealed by an Act of Parliament.

Michael Noble,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

26th May 1964.

Regulation 6

SCHEDULE 1

Permitted Artificial Sweeteners

1. *Saccharin*

Saccharin is 2-sulphobenzoic imide as defined in the British Pharmacopoeia 1963.

2. *Saccharin Calcium*

Saccharin calcium is the calcium derivative of 2-sulphobenzoic imide with 3½ molecules water of crystallisation and contains not less than 98 per cent. of $(C_7H_4NO_3S)_2$ Ca, calculated with reference to the substance dried to constant weight at 105°C.

Description	White crystals or white crystalline powder, faint aromatic odour, intensely sweet.
Solubility	1 g. dissolves in 1·5 g. of water.
Loss on drying	When dried to constant weight at 105°C, loses not less than 11 per cent. of its weight and not more than 15 per cent. of its weight.
Ammonium compounds	No ammonia is evolved when 0·5 g. of sample are mixed with 1 g. magnesium oxide and 10 ml. of water and warmed.
4-Sulphamoylbenzoates	Complies with the test given under Saccharin Sodium in the British Pharmacopoeia 1963.

3. *Saccharin Sodium*

Saccharin sodium is the dihydrate of the sodium derivative of saccharin, as defined in the British Pharmacopoeia 1963.

(a) S.I. 1953/1828 (1953 I, p. 696). (b) S.I. 1954/1089 (1954 I, p. 808).

4. *Cyclohexylsulphamic Acid*

Cyclohexylsulphamic acid contains not less than 98 per cent. and not more than 102 per cent. of $C_6H_{13}NO_3S$ with reference to the substance dried to constant weight at 105°C.

Description	White crystalline powder, practically odourless, with an acid sweet taste.
Solubility	Soluble in water; the pH of a 10 per cent. solution in water is between 0·8 and 1·6.
Melting Range	178°–181°C.
Loss on Drying	When dried to constant weight at 105°C, loses not more than one per cent. of its weight.
Ash	Not more than 1·0 per cent.
Sulphate	Not more than 0·5 per cent.
Cyclohexylamine	No distinct odour of ammonia when 5 g. sample is made into a paste with 5 g. sodium carbonate B.P. and hot water.

5. *Calcium cyclamate*

Calcium cyclamate is the dihydrate of the calcium salt of cyclamic acid and contains not less than 98 per cent. and not more than 100·5 per cent. of $C_{12}H_{24}O_6N_2S_2Ca$ calculated with reference to the substance dried to constant weight at 105°C.

Description	White crystalline powder, practically odourless, with a sweet taste.
Solubility	Dissolves readily in water, the pH of a 13 per cent. solution in water lies between 5·5 and 7·5.
Loss on Drying	When dried to constant weight at 105°C, loses not more than 9·0 per cent. of its weight.
Sulphates	0·5 g. shows no turbidity when submitted to the limit test for sulphates in the British Pharmacopoeia 1963.
Cyclohexylamine	No distinct odour of ammonia when 5 g. sample is made into a paste with 5 g. sodium carbonate B.P. and hot water.

6. *Sodium cyclamate*

Sodium cyclamate is the sodium salt of cyclamic acid and contains not less than 98 per cent. and not more than 100·5 per cent. of $C_6H_{12}O_3NSNa$ calculated with reference to the substance dried to constant weight at 105°C.

Description	White crystalline powder, practically odourless, with a sweet taste.
Solubility	Dissolves readily in water, the pH of a 13 per cent. solution in water lies between 5·5 and 7·5.
Loss on Drying	When dried to constant weight at 105°C, loses not more than 1·0 per cent. of its weight.
Sulphates	0·5 g. shows no turbidity when submitted to the limit test for sulphates in the British Pharmacopoeia 1963.
Cyclohexylamine	No distinct odour of ammonia when 5 g. sample is made into a paste with 5 g. sodium carbonate B.P. and hot water.

Regulation 6

SCHEDULE 2

PART I

REQUIREMENTS AS TO COMPOSITION FOR SOFT DRINKS OTHER THAN SEMI-SWEET SOFT DRINKS FOR CONSUMPTION WITHOUT DILUTION

The requirements as to composition for soft drinks other than any soft drink sold as a semi-sweet soft drink, for consumption without dilution shall be those shown in the Table below subject to the provisions of Part III of this Schedule for the purpose of calculating the maximum quantity of permitted artificial sweetener mentioned in columns 4 and 5 of the said Table.

TABLE

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Description of Soft Drink	Minimum quantity of 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 permitted artificial sweetener per 10 gallons		Other requirements as to composition
			Saccharin	Cyclamic Acid	
Citrus juice and barley water	3 per cent. citrus fruit juice by volume.	4½ lb.	56 grains	933 grains	—
Lime crushes, lime juice and soda	3 per cent. lime juice by volume.	4½ lb.	56 grains	933 grains	—
Citrus crushes (including citrus crushes containing a bitter principle) not otherwise specified in this Part of this Schedule.	5 per cent. citrus fruit juice by volume.	4½ lb.	56 grains	933 grains	—
Any description of soft drink containing a mixture of citrus and non-citrus fruit juices not otherwise specified in this Part of this Schedule.	5 per cent. fruit juice by volume.	4½ lb.	56 grains	933 grains	—
Comminuted citrus fruits and barley drinks ...	1½ lb. potable citrus fruit content per 10 gallons.	4½ lb.	56 grains	933 grains	—

Comminuted citrus drinks (including comminuted citrus drinks containing a bitter principle or any citrus or non-citrus juice) not otherwise specified in this Part of this Schedule.	2 lb. potable citrus fruit content per 10 gallons.	4½ lb.	56 grains	933 grains	—
Any description of soft drink containing fermented apple juice or fermented pear juice.	5 per cent. fermented apple juice or fermented pear juice by volume.	4½ lb.	56 grains	933 grains	—
Any other description of soft drink containing fruit juice not otherwise specified in this Part of this Schedule.	5 per cent. fruit juice by volume.	4½ lb.	56 grains	933 grains	—
Indian or quinine tonic water	—	4½ lb.	56 grains	933 grains	To contain not less than ½ grain of quinine (calculated as quinine sulphate B.P.) per pint.
Soda water	... —	—	—	—	To contain not less than 5 grains of sodium bicarbonate per pint.
Dry ginger ale...	—	3 lb.	56 grains	933 grains	—
Brewed ginger beer and herbal and botanical beverages.	—	2 lb.	80 grains	1,333 grains	—
Any description of soft drink (except those mentioned in Part II of this Schedule) not otherwise specified in this Part of this Schedule.	—	4½ lb.	56 grains	933 grains	—

PART II

REQUIREMENTS AS TO COMPOSITION FOR SOFT DRINKS OTHER THAN SEMI-SWEET SOFT DRINKS FOR CONSUMPTION AFTER DILUTION

The requirements as to composition for soft drinks, other than any soft drink sold as a semi-sweet soft drink, for consumption after dilution shall be those shown in the Table below subject to the provisions of Part III of this Schedule for the purpose of calculating the maximum quantity of permitted artificial sweetener mentioned in columns 4 and 5 of the said Table.

TABLE

Column 1	Column 2	Column 3	Column 4	Column 5
Description of Soft Drink	Minimum quantity of fruit juice (expressed in terms of juice of natural strength) or potable fruit content, as the case may be	Minimum quantity of added sugar per 10 gallons	Maximum quantity of permitted artificial sweetener per 10 gallons	
			Saccharin	Cyclamic Acid
Citrus juice and barley water	15 per cent. citrus fruit juice by volume.	22½ lb.	280 grains	4,666 grains
Citrus squashes (including citrus squashes containing a bitter principle) not otherwise specified in this Part of this Schedule.	25 per cent. citrus fruit juice by volume.	22½ lb.	280 grains	4,666 grains
Any description of soft drink containing a mixture of citrus and non-citrus fruit juices not otherwise specified in this Part of this Schedule.	25 per cent. fruit juice by volume.	22½ lb.	280 grains	4,666 grains
Comminuted citrus fruit and barley drinks	7 lb. potable citrus fruit content per 10 gallons.	22½ lb.	280 grains	4,666 grains

Comminuted citrus drinks (including comminuted citrus drinks containing a bitter principle or any citrus or non-citrus juice) not otherwise specified in this Part of this Schedule.	10 lb. potable citrus fruit content per 10 gallons.	22½ lb.	280 grains	4,666 grains
Non-citrus fruit squashes	10 per cent. non-citrus fruit juice by volume.	22½ lb.	280 grains	4,666 grains
Any description of soft drink (except those mentioned in Part I of the Schedule) not otherwise specified in this Part of this Schedule.	—	22½ lb.	280 grains	4,666 grains

PART III

CALCULATION OF MAXIMUM QUANTITY OF PERMITTED ARTIFICIAL SWEETENER

Where any soft drink of a description specified in column 1 of the Tables in Parts I and II of this Schedule contains a mixture of saccharin and cyclamic acid the total saccharin content expressed as a percentage of the maximum quantity of saccharin mentioned in column 4 of the Tables, and the total cyclamic acid content, expressed as a percentage of the maximum quantity of cyclamic acid mentioned in column 5 of the said Tables, shall not, when added together, exceed one hundred.

Regulation 6

SCHEDULE 3

PART I

REQUIREMENTS AS TO COMPOSITION FOR SEMI-SWEET SOFT DRINKS FOR CONSUMPTION WITHOUT DILUTION

The requirements as to composition for soft drinks, sold as semi-sweet soft drinks, for consumption without dilution shall be those shown in the Table below subject to the provisions of Part III of this Schedule for the purpose of calculating the maximum quantity of permitted artificial sweetener mentioned in columns 4 and 5 of the said Table.

TABLE

Column 1	Column 2	Column 3		Column 4	Column 5
Description of semi-sweet Soft Drink	Minimum quantity of fruit juice (expressed in terms of juice of natural strength) or potable fruit content, as the case may be	Quantity of added sugar per 10 gallons		Maximum quantity of permitted artificial sweetener per 10 gallons	
		Minimum	Maximum	Saccharin	Cyclamic Acid
Citrus juice and barley water	3 per cent. citrus fruit juice by volume.	2¼ lb.	3 lb.	28 grains	466·5 grains
Lime crushes, lime juice and soda	3 per cent. lime juice by volume.	2¼ lb.	3 lb.	28 grains	466·5 grains
Citrus crushes (including citrus crushes containing a bitter principle) not otherwise specified in this Part of this Schedule.	5 per cent. citrus fruit juice by volume.	2¼ lb.	3 lb.	28 grains	466·5 grains
Any description of soft drink containing a mixture of citrus and non-citrus fruit juices not otherwise specified in this Part of this Schedule.	5 per cent. fruit juice by volume.	2¼ lb.	3 lb.	28 grains	466·5 grains
Comminuted citrus fruit and barley drinks	1½ lb. potable citrus fruit content per 10 gallons.	2¼ lb.	3 lb.	28 grains	466·5 grains

Comminuted citrus drinks (including communited citrus drinks containing a bitter principle or any citrus or non citrus juice) not otherwise specified in this Part of this Schedule.	2 lb. potable citrus fruit content per 10 gallons.	2¼ lb.	3 lb.	28 grains	466·5 grains
Any description of soft drink containing fruit juice not otherwise specified in this Part of this Schedule.	5 per cent. fruit juice by volume.	2¼ lb.	3 lb.	28 grains	466·5 grains

PART II

REQUIREMENTS AS TO COMPOSITION FOR SEMI-SWEET SOFT DRINKS FOR CONSUMPTION AFTER DILUTION

The requirements as to composition for soft drinks, sold as semi-sweet soft drinks, for consumption after dilution shall be those shown in the Table below subject to the provisions of Part III of this Schedule for the purpose of calculating the maximum quantity of permitted artificial sweetener mentioned in columns 4 and 5 of the said Table.

TABLE

Column 1	Column 2	Column 3		Column 4	Column 5
Description of semi-sweet Soft Drink	Minimum quantity of fruit juice (expressed in terms of juice of natural strength) or potable fruit content, as the case may be	Quantity of added sugar per 10 gallons		Maximum quantity of permitted artificial sweetener per 10 gallons	
		Minimum	Maximum	Saccharin	Cyclamic Acid
Citrus juice and barley water	15 per cent. citrus fruit juice by volume.	11¼ lb.	15 lb.	140 grains	2,333 grains

Column 1	Column 2	Column 3		Column 4	Column 5
Description of semi-sweet Soft Drink	Minimum quantity of fruit juice (expressed in terms of juice of natural strength) or potable fruit content, as the case may be	Quantity of added sugar per 10 gallons		Maximum quantity of permitted artificial sweetener per 10 gallons	
		Minimum	Maximum	Saccharin	Cyclamic Acid
Citrus squashes (including citrus squashes containing a bitter principle) not otherwise specified in this Part of this Schedule.	25 per cent. citrus fruit juice by volume.	11¼ lb.	15 lb.	140 grains	2,333 grains
Any description of soft drink containing a mixture of citrus and non-citrus fruit juice not otherwise specified in this Part of this Schedule.	25 per cent. fruit juice by volume.	11¼ lb.	15 lb.	140 grains	2,333 grains
Comminuted citrus fruit and barley drinks	7 lb. potable citrus fruit content per 10 gallons.	11¼ lb.	15 lb.	140 grains	2,333 grains
Comminuted citrus drinks (including comminuted citrus drinks containing a bitter principle or any citrus or non-citrus juice) not otherwise specified in this Part of this Schedule.	10 lb. potable citrus fruit content per 10 gallons.	11¼ lb.	15 lb.	140 grains	2,333 grains
Non-citrus fruit squashes	10 per cent. non-citrus fruit juice by volume.	11¼ lb.	15 lb.	140 grains	2,333 grains

PART III

CALCULATION OF MAXIMUM QUANTITY OF PERMITTED ARTIFICIAL SWEETENER

Where any soft drink of a description specified in column 1 of the Tables in Parts I and II of this Schedule contains a mixture of saccharin and cyclamic acid the total saccharin content expressed as a percentage of the maximum quantity of saccharin mentioned in column 4 of the Tables, and the total cyclamic acid content, expressed as a percentage of the maximum quantity of cyclamic acid mentioned in column 5 of the said Tables, shall not, when added together, exceed one hundred.

Regulation 15 SCHEDULE 4

LABELLING OF CONTAINERS AND VENDING MACHINES

1. Every letter and word appearing on a label on a container which is required so to appear by virtue of regulation 8, 9(2), 10, 11, 12 or 14 of these regulations 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 each letter in every such word, not counting for this purpose the initial letter of a word, 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 no words appear on any label on the said container, and no words appear on the container, other than any—

(i) printed on a cork, stopper or cap closing that container, or

(ii) embossed or fired on the container,

being words which do not conflict with the requirements of these regulations, the words required by virtue of regulations 8, 9(2), 10, 11, 12 and 14 of these regulations 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 14 of these regulations shall be printed in letters of not less than one-twelfth of an inch in height.

3. Every letter and word appearing on a vending machine which is required to appear by virtue of regulation 13 shall be printed in dark block type upon a light coloured ground or in light block type upon a dark coloured ground, shall be of uniform colour and size and shall be not less than half an inch in height.

EXPLANATORY NOTE

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

These regulations, which apply to Scotland only, revoke the Soft Drinks (Scotland) Regulations 1963 on 3rd June 1964 (before those regulations will have come into operation) and replace with amendments, the Food Standards (Soft Drinks) Order 1953 (as amended by the Food Standards (Soft Drinks) (Amendment) Order 1954) on 2nd June 1965.

The principal changes are :—

(*a*) the artificial sweeteners permitted for use in soft drinks are specified (regulation 6(1) and Schedule 1);

(*b*) requirements as to composition as respects the fruit juice or potable fruit content, and the quantities of added sugar or permitted artificial sweetener have been extended to cover all soft drinks (regulation 6(1), (2) and (3), and Schedules 2 and 3);

(*c*) the acids permitted to be used in soft drinks are specified (regulation 7);

(*d*) descriptions are specified for the labelling of soft drinks made from citrus fruits or the juice of citrus fruits (regulation 8);

(*e*) forms of declaration for labels of containers of soft drinks containing permitted artificial sweeteners, are specified (regulation 14);

(*f*) the use of pictorial devices and words suggestive of fruit is restricted to the labels of containers of soft drinks which comply with compositional requirements as respects fruit juice and potable fruit content, or labels which comply with specified wording requirements (regulation 9);

(*g*) special requirements as to composition and labelling are specified for soft drinks for consumption by persons suffering from diabetes (regulations 6(4) and 11), and for low calorie soft drinks (regulations 6(5) and 12), and special provision is made for the labelling of semi-sweet soft drinks (regulation 10);

(*h*) vending machines containing soft drinks must bear a declaration giving a specified description or descriptive name, and where appropriate, a declaration as to any permitted artificial sweetener added (regulation 13);

(*i*) all letters and words required by the regulations to appear on labels must conform to specified requirements as to size and colour (regulation 15 and Schedule 4);

(*j*) the regulations do not apply to soft drinks intended for export or for consumption by Her Majesty's forces or a visiting force, or in relation to sales to manufacturers for the purposes of their manufacturing businesses, or to any soft drink sold in an unclosed drinking vessel (regulation 5(1)).