

1976 No. 442 (S. 37)

FOOD AND DRUGS

COMPOSITION AND LABELLING

The Soft Drinks (Scotland) Amendment Regulations 1976

<i>Made - - - -</i>	15th March 1976
<i>Laid before Parliament</i>	26th March 1976
<i>Coming into Operation</i>	16th April 1976

In exercise of the powers conferred on me by sections 4, 7 and 56 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 of 1956 (in so far as the regulations relate to the labelling, marking, advertising or description of food), I hereby make the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Soft Drinks (Scotland) Amendment Regulations 1976, and shall come into operation on 16th April 1976.

(2) The Interpretation Act 1889(b) shall apply for the interpretation of these regulations, as it applies for the interpretation of an Act of Parliament.

Amendment of the principal regulations

2. The Soft Drinks (Scotland) Regulations 1964(c), as amended (d), shall be further amended—

(a) by substituting for regulation 4 thereof the following regulation:—

“4. The Regional or Islands Council of any area shall enforce and execute the provisions of these regulations within their area.”;

(b) by substituting for paragraph (3) of regulation 6 thereof the following paragraph:—

“(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 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 either conform to the requirements as to composition set out in relation thereto in the relevant Part II or be of such composition that after dilution in accordance with the instructions referred to in regulation 8A of these regulations it conforms to the requirements as to composition set out in Part I of Schedule 2 or Part I of Schedule 3 to these regulations in relation to the corresponding soft drink intended for consumption without dilution.”;

(a) 1956 c. 30.

(b) 1889 c. 63.

(c) S.I. 1964/767 (1964 II, p. 1634).

(d) The relevant amending instruments are S.I. 1969/1847, 1972/1790 (1969 III, p. 5778; 1972 III, p. 5163).

- (c) by inserting after regulation 8 thereof the following regulation:—
- “8A. Subject to the provisions of these regulations, no person shall sell, consign or deliver in a container 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 and does not conform to the requirements as to composition set out in relation thereto in the relevant 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, unless that container bears a label on which there appear clear and precise instructions as to the manner in which the drink is to be diluted and the instructions expressly provide for a dilution ratio of not less than four parts of water to one part of the drink.”;
- (d) by substituting for regulation 15 thereof the following regulation:—
- “15. All letters, words and instructions required by virtue of regulations 8, 8A, 9(2), 10, 11 and 12 hereof to appear on a label on a container or required by virtue of regulation 13 hereof to appear on a vending machine shall conform to the appropriate requirements set out in Schedule 4 to these regulations.”;
- (e) by deleting regulation 15A thereof;
- (f) by substituting in paragraph 1 of Schedule 4 thereto for the words “every letter and word” the words “all letters, words and instructions” and by inserting in that paragraph immediately after the figure “8” the figure and letter “8A,”.

William Ross,
One of Her Majesty's Principal
Secretaries of State.

New St. Andrew's House,
Edinburgh.
15th March 1976.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These amending Regulations, which come into operation on 16th April 1976, further amend the Soft Drinks (Scotland) Regulations 1964—

- (a) by amending the wording of Regulation 4 to comply with the provisions of the Local Government (Scotland) Act 1973 (Regulation 2(a));
- (b) by providing that a soft drink intended for consumption after dilution which is of a specified description may as respects the fruit juice or potable fruit content and the quantities of added sugar and permitted artificial sweetener therein be of such composition that after dilution in accordance with the instructions referred to below it conforms to the requirements as to composition for the corresponding soft drink intended for consumption without dilution (Regulation 2(b));
- (c) by requiring containers of soft drinks intended for consumption after dilution which do not conform to the existing composition requirements for those drinks to be labelled with clear and precise instructions as to the manner of dilution and as to the dilution ratio which must be not less than four parts water to one part of the particular drink (Regulation 2(c)).

These Regulations also make consequential amendments (Regulation 2(d) and (f)) and delete Regulation 15A of the principal Regulations, as amended, which is now spent.

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