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 STATUTORY INSTRUMENTS
 

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1988 No. 2112

## FOOD

## COMPOSITION AND LABELLING

## The Sweeteners in Food (Amendment) Regulations 1988

<i>Made - - - -</i>	<i>2nd December 1988</i>
<i>Laid before Parliament</i>	<i>9th December 1988</i>
<i>Coming into force</i>	<i>31st December 1988</i>

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Health and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 4, 7 and 118 of the Food Act 1984(a) and now vested in them(b) and of all other powers enabling them in that behalf, hereby make the following Regulations after consultation in accordance with section 118(6) of the said Act with such organisations as appear to them to be representative of interests substantially affected by the Regulations:-

**Title and commencement**

1. These Regulations may be cited as the Sweeteners in Food (Amendment) Regulations 1988 and shall come into force on 31st December 1988.

**Interpretation**

2. In these Regulations the expression "the principal Regulations" means the Sweeteners in Food Regulations 1983(c).

**Amendment of the principal Regulations**

3. Schedule 1 to the principal Regulations shall be amended as follows:-

(a) in Part I (permitted sweeteners) after the item relating to "Isomalt" there shall be inserted-

In column 1 (Name of Sweetener)	In column 2 (Serial Number)
"Lactitol....."	_____";

(b) in Part II (specific purity criteria for permitted sweeteners) after the item relating to "Isomalt" there shall be inserted-

<i>"Lactitol</i>			
Synonyms	..	..	Lactit, Lactositol, Lactobiosit.
Chemical name	..	..	4-0-(β-D-galactopyranosyl)-D-glucitol.
Empirical formula	..	..	C <sub>12</sub> H <sub>24</sub> O <sub>11</sub> .
Molecular weight	..	..	344.32.

(a) 1984 c.30.

(b) In the case of the Secretary of State for Health by virtue of S.I. 1988/1843.

(c) S.I. 1983/1211, to which there is an amendment not relevant to these Regulations.

Specific rotation, $[\alpha]_D^{20^\circ\text{C}}$		+ 13° to + 15° (using a 10% weight to volume aqueous solution).
Water .. .. .		Lactitol monohydrate not more than 5.5% (Karl Fischer). Lactitol dihydrate not more than 10.5% (Karl Fischer).
Description .. .. .		Colourless, aqueous syrup with a sweet taste. When dried, the resulting products, lactitol monohydrate and lactitol dihydrate, are white, odourless and crystalline.
Content .. .. .		Not less than 97.5% 4-0-( $\beta$ -D-galactopyranosyl)-D-glucitol on a dry weight basis.
Other polyols .. .. .		Not more than 2.5% on a dry weight basis.
Reducing sugars .. .. .		Not more than 0.2% on a dry weight basis, expressed as lactose.
Chlorides .. .. .		Not more than 100 mg/kg on a dry weight basis, expressed as Cl.
Sulphate .. .. .		Not more than 100 mg/kg on a dry weight basis, expressed as SO <sub>4</sub> .
Arsenic .. .. .		Not more than 1 mg/kg on a dry weight basis, expressed as As.
Nickel .. .. .		Not more than 1 mg/kg on a dry weight basis, expressed as Ni.
Lead .. .. .		Not more than 1 mg/kg on a dry weight basis, expressed as Pb.
Ash .. .. .		Not more than 0.1% after ignition at 800 ± 25°C calculated on a dry weight basis.”.

#### Amendment of the Jam and Similar Products Regulations 1981

4. The Jam and Similar Products Regulations 1981(a) shall be amended by substituting for paragraph (2) of regulation 13—

“(2) Permitted sweeteners may be used in the preparation of reduced sugar products.”.

#### Amendment of the Food Labelling Regulations 1984

5. The Food Labelling Regulations 1984(b) shall be amended by inserting in Schedule 6 Part II (restricted claims), column 2 (conditions) in paragraphs 3 and 4 of item 5 (Diabetic claims) after “isomalt” in both places where it occurs, “, lactitol”.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 30th November 1988.

(L.S.)

*John MacGregor*  
Minister of Agriculture, Fisheries and Food

2nd December 1988

*Kenneth Clarke*  
Secretary of State for Health

30th November 1988

*Peter Walker*  
Secretary of State for Wales

(a) S.I. 1981/1063; relevant amending instruments are S.I. 1982/1727, 1983/1211 and 1985/67.

(b) S.I. 1984/1305; the relevant amending instrument is S.I. 1985/67.

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations, which come into force on 31st December 1988, amend the Sweeteners in Food Regulations 1983 by adding Lactitol to the list of permitted sweeteners (regulation 3(a)). Specific purity criteria are prescribed for Lactitol (regulation 3(b)).

The Regulations amend the Jam and Similar Products Regulations 1981 by substituting for a specified list of sweeteners, a reference to "permitted sweeteners", which, as defined, will include Lactitol (regulation 4).

The Regulations also amend the Food Labelling Regulations 1984 by including Lactitol in the list of sweeteners in respect of which marking or labelling conditions apply where there is a claim that a food containing such a sweetener is suitable, or has been specially made, for diabetics (regulation 5).