

**(updated)**  
**REGULATIONS RELATING TO THE USE OF SWEETENERS IN FOODSTUFFS**

Published under Government Notice No. R. 3128 of 20 December 1991

**As amended by:**

Government Notice No. R.662 of 28 February 1992

Government Notice No. R.2064 of 2 December 1994

Government Notice No. R.1568 of 28 November 1997

The Minister of Health has, in terms of section 15(1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), made the regulations in the Schedule.

## SCHEDULE

### Definitions

1. In these regulations **“the Act”** shall mean the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), and any expression to which a meaning has been assigned in the Act shall bear such meaning and, unless the context otherwise indicates -

**“Annexure”** means the Annexure to these regulations;

**“Fructose syrup”** means a syrup in which at least 90% of the sugar is fructose;

**“fruit spread”** means fruit spreads sweetened with non-nutritive sweeteners;

**“glycose syrup”** means a purified concentrated aqueous solution of nutritive saccharides obtained from starch;

**“list of ingredients”** means a list contemplated in section 3 of the Act;

**“non-nutritive sweeteners”** means the sweeteners listed in the Annexure under the heading “non-nutritive sweeteners”;

**“sweeteners”** means any of the substances listed in the Annexure, or a mixture of two or more thereof, which are added to the foodstuff before it is sold or which are used at the table;

**“sugars”** means the sweeteners listed in the Annexure under the heading “Sugars”;

2. For the purposes of section 2(1)a)(iii) of the Act, to the extent that it is applied and applicable to foodstuffs, a sweetener shall comply with the standards of composition, strength and quality prescribed by these regulations.
3. No person may sell a sweetener other than a sweetener referred to in these regulations.
4. (1) Subject to subregulation (2) the following sweeteners, or a mixture thereof, in a foodstuff shall -

- (a) in the case of saccharin, calcium saccharin and sodium saccharin, not exceed 500 mg/kg of the ready-to-eat foodstuff, except in the case of chewing gum, where such sweetener shall not exceed 2 500 mg/kg;
  - (b) in the case of calcium cyclamate and sodium cyclamate, not exceed 1 000 mg/kg of the ready-to-eat foodstuff, except in the case of fruit spreads, chewing gum and flour confectionary products, where such sweeteners shall not exceed 2 000 mg/kg.
- (2) The sum of the fractions of a mixture of sweeteners referred to in subregulation (1), which is obtained when the amount of each such sweeteners used is divided by the maximum permitted amount of such sweetener when used alone, shall not exceed unity.
5. (1) A non-nutritive sweetener and sugar alcohol shall comply with the standards of purity as set out in the latest issue of the “Food Chemicals Codex” as compiled by the Committee on Codes Specifications in the United States of America.
- (2) Where such standards do not appear in the “Food Chemicals Codex”, a non-nutritive sweetener and sugar alcohol shall comply with the standards of purity as set out in the “British Pharmacopoeia”, the “United States Pharmacopoeia” or the “National Formulary” published by the United States Pharmacopoeial Convention.

### **Labelling**

6. (1) Subject to section 3 of the Act and the regulations relating to labeling and advertising published by Government Notice No. R. 908 of 27 May 1977, a foodstuff referred to in these regulations shall conform to the labeling requirements set out in these regulations.
- (2) The label of a sweetener or a mixture of sweeteners intended for table use shall not contain the word “diet”, “low energy”, “low joule”, “non-nutritive” or “artificial” or words of a similar meaning unless the energy value of a quantity of the sweetener which has the sweetening equivalent of 5g of sucrose is not more than 8kJ.
- (3) A sweetener which is intended for table use and which contains aspartame shall bear the following statement on the label of the sweetener: “Loss of sweetness may occur when used in cooking and baking”.
- (4) Where a foodstuff contains the sweetener aspartame -
- (a) the word “aspartame” in the list of ingredients shall be followed by an asterisk; and
  - (b) an asterisk shall appear on a separate line directly below the list of ingredients followed by the words: “Contains phenylalanine”.
- (5) Where a mixed, compounded or blended foodstuff contains a sweetener, such sweetener shall be indicated by name in the list of ingredients and in the case of a non-nutritive sweetener the words “non-nutritive sweetener” shall appear immediately after the name of the sweetener.

- (6) (a) A person may describe a foodstuff that usually contains sugar as “sugar free” or with the words “contains no sugar” on the label thereof if no sugars are present.
- (b) No person shall describe a foodstuff that normally contains no sugars as “sugar free” or with the words “contains no sugar” on the label thereof if no sugars are present.
- (7) (a) A person may describe a foodstuff that normally contains added sweeteners as “unsweetened” on the label thereof if no sweeteners are added to the foodstuff.
- (b) No person shall describe a foodstuff that normally contains no added sweeteners as “unsweetened” on the label thereof if no sweeteners are added to the foodstuff.
- (8) (a) Where a foodstuff contains sucrose the words “cane sugar” or “sugar” may be used instead of the word “sucrose” in the list of ingredients.
- (b) Where sucrose is sold as a sweetener the name “cane sugar” or “sugar” may be used instead of the name “sucrose”.
- (9) A foodstuff containing sugar alcohols, singly or in combination, in excess of 50g/kg of the final product shall be labeled with the expression “excessive consumption may have a laxative effect”: Provided that for sugar-free chewing gum the statement is required if the sugar alcohol content of the product exceeds 250 g/kg.

### **Withdrawal**

7. (1) The regulations published by Government Notices R.1881 of 12 October 1973, R.1616 of 13 September 1974, R.1200 of 25 June 1982, R.1647 of 26 July 1985 and R.226 of 7 February 1986 are hereby withdrawn.
- (2) Regulation 13 of the regulations published by Government Notice R.908 of 27 May 1977 is hereby withdrawn.

### **Commencement**

8. These regulations shall come into effect 12 months after the date of publication hereof.

## **ANNEXURE**

### **SWEETENERS**

#### **Sugars**

Corn syrup  
 Deionised, de flavoured fruit concentrates and juices  
 Dextrose  
 Dextrose syrup  
 Fructose  
 Fructose syrup

Glucose  
Glucose syrup  
Invert sugar  
Lactose  
Maltose  
Maltose syrup  
Sucrose  
Sucrose syrup  
Xylose

### **Non-nutritive sweeteners**

Acesulfame K.  
Aspartame  
Calcium cyclamate  
Calcium saccharin  
Saccharin  
Sodium cyclamate  
Sodium saccharin  
Sucralose  
Thaumatococcus

### **Sugar alcohols**

Hydrogenated glucose syrup  
Isomalt  
Lactitol  
Maltitol  
Mannitol  
Sorbitol  
Sorbitol syrup  
Xylitol