L.N. 242 of 1998

QUALITY CONTROL (EXPORTS, IMPORTS AND LOCAL GOODS) ACT (CAP. 225)

Fruit Juices and Similar Products Order, 1998 (Order No. M36 of 1998)

IN exercise of the powers conferred by section 3 of the Quality Control (Exports, Imports and Local Goods) Act, the Malta Standardisation Authority has made the following order:–

Citation and commencement.

1.1 This Order may be cited as the Fruit Juices and Similar Products Order, 1998 and may be referred to as Order No. M36 of 1998.

1.2 This Order shall become operative on the 1st July 1999, which date shall be notified by the Authority in the Gazette.

Applicability.

2.1 This Mandatory Order shall apply only to fruit juice, concentrated fruit juice, fruit nectar and dried fruit juice intended for direct consumption, concentrated fruit juice used for the production of fruit juice or nectar intended for direct consumption and fruit juice used for the production of fruit nectar intended for direct consumption.

2.2 This Mandatory Order shall not apply to:

(a) products intended for export;

(b) any concentrated fruit juice specially prepared for particular nutritional uses and bearing on a label on its container a clear statement that it is so intended;

(c) any unfermented grape juice product intended exclusively for sacramental use and bearing on a label on its container a clear statement that it is so intended.

Interpretation.

3.1 In this Order, unless the context otherwise requires, the following definitions shall apply:

a) *Fruit:*

Fruit, fresh or preserved by chilling, sound, free from deterioration, containing all the essential constituents needed for the production of fruit juices and nectars and of a suitable degree of ripeness. Tomatoes and rhubarb are not regarded as fruit for the purposes of this Mandatory Order;

b) *Fruit purée:*

The fermentable but unfermented product obtained by sieving the edible part of whole or peeled fruit without removing the juice;

c) *Concentrated fruit purée:*

The product obtained from fruit purée by the physical removal of a specific proportion of its water content;

d) *Sugars:*

(i) For the production of fruit juice:

- semi-white sugar,
- sugar (white sugar),
- extra white sugar,
- dextrose monohydrate,
- dextrose anhydrous,
- dried glucose syrup,
- fructose;

(ii) For the production of fruit juice made from concentrated fruit juice and the production of fruit nectar, in addition to the sugars referred to in (i):

- glucose syrup,
- sugar solution,
- invert sugar solution,
- invert sugar syrup,
- the aqueous solution of sucrose with the following characteristics:

(aa) dry matter not less than 62% by weight,
(bb) invert sugar content (ratio of fructose to dextrose: 1.0±(0.2) not more than 3% by weight of dry matter,

(cc) conductivity ash not more than 0.3% by weight of dry matter;

(dd) colour in solution not more than 75 ICUMSA units,

(ee) residual sulphur dioxide content not more than 15 mg/kg of dry matter;

e) *Fruit juice:*

(i) The juice obtained from fruit by mechanical processes, fermentable but unfermented, having the characteristic colour, aroma and flavour typical of the juice from the fruit from which it comes. In the case of citrus fruits, the fruit juice shall come from the endocarp; lime-juice, however, may be obtained from the whole fruit, by suitable production processes whereby the proportion of constituents of the outer part of the fruit is reduced to a minimum;

(ii) The product obtained from concentrated fruit juice by:

– the restoration of the proportion of water extracted from the juice when it was concentrated, the water which is added having the appropriate characteristics, particularly from the chemical, microbiological and organoleptic viewpoints, for guaranteeing the essential qualities of the juice, and

– the restoration of its aroma by means of the volatiles collected during the concentration of the fruit juice in question or from the juice of fruits of the same kinds,

and which has organoleptic and analytical characteristics equivalent to those of juice obtained from fruit of the same kind in accordance with (i);

(iii) The product obtained from fruits other than apricots, citrus fruits, grapes, peaches, pears or pineapples by diffusion processes and intended to be used in the preparation of concentrated fruit juice;

f) *Concentrated fruit juice:*

The product obtained from fruit juice by the physical removal of a specific proportion of the water content. If the product is for direct consumption, the reduction in volume shall not be less than 50%;

g) *Fruit nectar:*

The unfermented but fermentable product obtained by the addition of water and sugars to fruit juice, concentrated fruit juice, fruit purée, concentrated fruit purée, or to a mixture of these products which also conforms with the Schedule. However, the fruits set out in paragraphs 2 and 3 of the Schedule to this Order, and apricots, can be used, individually or mixed together, to manufacture nectars without the addition of sugars or honey where their naturally high sugar content so warrants;

h) *Dried fruit juice:*

The product obtained from fruit juice by the physical removal of almost all the water content.

Marketing of fruit juices and similar products.

4.1 No person may sell or import into Malta any fruit juice or similar product which does not comply with the definitions and requirements laid down in this Mandatory Order.

Reserved terms.

5.1 The descriptions referred to in paragraph 3.1, subparagraphs (e) to (h), shall be reserved for the products defined therein and, without prejudice to paragraphs 7.2 and 7.3, must be used in trade to describe them.

5.2 The use of the following descriptions shall also be reserved:

– *"succo e polpa"* for fruit nectars obtained exclusively from fruit purée and/or concentrated fruit purée;

– *"succo e polpa"* for fruit nectars obtained exclusively from fruit juice and fruit purée and/or concentrated fruit purée;

– *"Vruchtendrank"* for fruit nectars;

– *"Süßmost"*, for fruit nectars obtained exclusively from fruit juices, concentrated fruit juices or a mixture of these products inedible in the natural state because of their high natural acidity;

– *"Æblemost"*, for apple juice with no added sugars;

– *"Sur ..... saft"*, together with the name (in Danish) of the fruit used, for juices with no added sugars and obtained from blackcurrants, cherries, redcurrants, whitecurrants, raspberries, strawberries or elderberries;

– *"must"*, together with the name (in Swedish) of the fruit used, for fruit juices;

5.3 If the product comes from a single variety of fruit, the name of the latter shall be substituted for the word "'fruit" or shall accompany any descriptions not containing the word "'fruit".

6.1 Only the following shall be authorized for the production of fruit juices: Manufacture of fruit juices.

6.1.1 the mixing of one or more kinds of fruit juices and/or fruit purées;

6.1.2 treatment with:

– L-Ascorbic acid (E 300) in the amount necessary to produce an anti-oxidant effect,
– nitrogen,
– carbon dioxide (E 290),
– pectolytic enzymes,
– proteolytic enzymes,
– amylolytic enzymes,
– edible gelatine,
– tannins,
– bentonite,
– silica aerogel,
– kaolin,
– charcoal,
– inert filtration adjuvants (perlite, asbestos, washed diatomite, cellulose, insoluble polyamide);

6.1.3 the usual physical processes and treatments such as heat treatments, centrifuging and filtering.

6.2 The following shall also be authorised:

6.2.1 in the case of fruit juices other than pear and grape, the addition of sugars in accordance with the following conditions:

6.2.1.1 in a quantity, expressed as dry matter, not greater than 15 grams per litre of juice, in order to correct them;

6.2.1.2 in a quantity, expressed as dry matter, not greater than –

– 40 grams per litre of juice in the case of apple juice,

– 200 grams per litre of juice in the case of lemon, lime, bergamot, and red, white and blackcurrant juices,

– 100 grams per litre of juice in other cases,

for the purpose of sweetening;

6.2.2 in the case of grape juice:

6.2.2.1 treatment with:

– sulphur dioxide (E 220),

– sodium sulphite (E 221),

– acid sodium sulphite (sodium bisulphite) (E 222),

– sodium disulphite (sodium pyrosulphite or sodium metabisulphite) (E 223),

– potassium disulphite (potassium pyrosulphite or potassium metabisulphite) (E 224),

– calcium sulphite (E 226) and

– acid calcium sulphite (calcium bisulphite) (E 227),

provided that the total amount of these substances expressed as sulphur dioxide in the juice, as sold or delivered to the consumer, is not greater than 10 mg per litre of juice;

6.2.2.2 desulphiting by physical processes;

6.2.2.3 clarification by means of casein, white of egg and other animal albumins;

6.2.2.4 partial deacidification by means of neutral potassium tartrate, or calcium carbonate to which may be added small quantities of double calcium salt of D-Tartaric and L-Malic acids;

6.2.3 in the case of pineapple juice, the addition of malic acid (E 296) in a quantity not greater than 3 grams per litre;

6.2.4 in all fruit juices, the addition of citric acid (E 330) in a quantity not greater than 3 grams per litre.

6.3 The addition of both sugars and acid to the same fruit juice is prohibited.

6.4 If more than one acid is added to the same fruit juice or nectar, the sum of the quantities of each of the acids added, expressed as a percentage of the maximum authorized quantity, must not exceed 100.

6.5 Except where otherwise provided for in this Order, the sulphur dioxide content of a fruit juice, as determined by analysis,

shall not exceed 10 mg per litre of juice.

6.6 Only the following shall be authorized in the production of fruit nectars: Manufacture of fruit nectars.

6.6.1 the mixing of one or more kinds of fruit nectars, with a possible admixture of fruit juice or fruit purée;

6.6.2 the treatments and processes listed in paragraph 6.1.2 and 6.1.3.

6.7 The following shall also be authorised:

6.7.1 the addition of sugars in a quantity not greater than 20% by weight of the total weight of the finished product;

6.7.2 the addition of water in a quantity such that the fruit juice and/or fruit purée content and the total acidity of the finished product are not lower than the levels specified in the Schedule; in the case of a mixed fruit nectar the juice and/or purée content and the total acidity shall be proportional to the levels specified in the Schedule;

6.7.3 the total replacement of the sugars with honey, within the 20% limit specified in paragraph 6.7.1;

6.7.4 in the case of the production of "s*ucco e polpa*", as defined in paragraph 5.2, and which is obtained from apples, pears or peaches or a mixture of these fruits, the addition of citric acid in a quantity not greater than five grams per litre of finished product; the citric acid may, however, be replaced totally or partially by an equivalent quantity of lemon juice;

6.7.5 in the case of all nectars, the addition of lactic acid (E 270) or citric acid (E 330) in a quantity not greater than 5 grams per litre.

6.8 Only the following shall be permitted in the manufacture of concentrated fruit juices: Manufacture of concentrated fruit juices.

6.8.1 the treatments and processes listed in paragraphs 6.1 to 6.4 with the exception of the provisions in paragraph 6.2.1. However, the addition of sugars provided for in that paragraph shall be authorized only for prepackaged concentrated fruit juices intended for the ultimate consumer and provided that the sweetening is indicated in the description; in that case the total quantity of sugars added expressed in relation to the volume of the juice "obtained from concentrated ....." may not exceed the limit authorized in paragraph 6.2.1;

6.8.2 the partial dehydration of the fruit juice by a physical treatment or process other than direct flame;

6.8.3 restoration of their aroma by means of the volatiles collected during the concentration of the basic fruit juice or from the juice of fruit of the same kind; the addition of such volatiles shall be obligatory for concentrated fruit juices which are intended for direct consumption.

Dried fruit juice.

6.9 In the manufacture of dried fruit juice the almost total dehydration of fruit juice by a physical treatment or process other than direct flame shall also be authorized; restoration of the essential volatiles from fruits of the same kind, or possibly recovered during dehydration, shall be compulsory.

Labelling and presentation of fruit juices and similar products. L.N. 65 of 1992.

7.1 The provisions of the Labelling and Presentation of Foodstuffs Regulations, 1992 shall apply to the products defined in paragraph 3.1 (e) to (h) of this Mandatory Order, in accordance with the conditions set out in this same Order.

7.2 The names under which the products defined in paragraph 3.1 (e) to (h) are sold shall be the name reserved for them pursuant to paragraphs 5.1, 5.2 and 5.3.

7.2.1 The use of the description "fruit nectar" is optional for "*succo e polpa*" as defined in paragraph 5.2, provided the description "*succo e polpa*" is used to designate this product.

7.3 In the case of dried fruit juice, as defined in paragraph 3.1, the adjective "dried" may be replaced by the adjective "powdered" and may be accompanied or replaced by particulars of the specific process used (e.g. freeze-dried, or any other similar reference);

7.4 The names under which the products defined in paragraph 3.1 (e) to (h) are sold shall be supplemented:

7.4.1 for products manufactured from two or more kinds of fruit, except as regards the use of lemon juice in accordance with paragraph 6.7.4, by a list of the fruits used, in descending order of the weight of the fruit juices or purées included, where appropriate after restoration; the use of the term "fruit" shall be optional in this case;

7.4.2 for products with sugar added within the limits laid down in paragraph 6.2.1.2, by the description "sweetened", in immediate proximity to the name of the food, followed by an indication of the maximum quantity of sugars added, calculated as dry matter and expressed as grams per litre; the quantity indicated may not exceed the actual quantity added by more than 15%;

7.4.3 for fruit nectars obtained exclusively from fruit purée or concentrated fruit purée or a mixture and which are not designated by the term "*succo e polpa*" alone, by the declaration "contains fruit pulp", or similar, in immediate proximity to the name of the food.

7.5 An obligation to declare the list of ingredients shall apply, subject to the following:

7.5.1 the restoration to its original state, by means of the substances strictly necessary for this operation —

- of fruit juice from a concentrated fruit juice,
- of a fruit purée from concentrated fruit purée, or

the restoration of the flavour –

- to concentrated fruit juice,
- to dried fruit juice,

shall not involve an obligation to declare the list of the ingredients used for this purpose;

7.5.2 The substances listed in paragraph 6.2.2.1 shall not be considered as ingredients of one of the products defined in paragraph 3.1 (e) to (h) where the sulphur dioxide content of these products, as determined by analysis, does not exceed 10 mg per litre.

7.6 Fruit juice or fruit nectar obtained wholly or partially from concentrated fruit juice or concentrated fruit purée or a mixture must be prominently marked in bold letters with the declaration "made with concentrated ... juice" or "made with concentrated ... purée" as appropriate, and the name of the fruit is to be mentioned. The statement must appear in immediate proximity to the name of the food, and in the same field of vision as the name of the food, the net quantity (if required) and the minimum durability (if required).

7.7 Fruit juice, concentrated fruit juice or fruit nectar which has a carbon dioxide content greater than 2 g/litre must be marked or labelled with the word "carbonated". This must appear in the same field of vision as the name of the food, the net quantity (if required) and the minimum durability (if required).

7.8 Fruit nectar must be marked or labelled with the declaration "fruit content ...% minimum", and the minimum percentage of fruit nectar that consists of fruit juice or fruit purée or a mixture is to be mentioned. This must appear in the same field of vision as the name of the food, the net quantity (if required) and the minimum durability (if required).

7.9 Concentrated fruit juice or dried fruit juice must be marked or labelled with the declaration of the quantity of water to be added for reconstitution to fruit juice.

7.10 The addition of L-ascorbic acid as provided for in paragraph 6.1.2 shall not authorise any reference to Vitamin C.

Restrictions on the use of certain names.

8.1 A name prescribed or reserved by this Mandatory Order may not be used in the labelling or advertising of any food as the name of the food, whether or not it is qualified by other words, unless the food is the food for which the name is prescribed or reserved.

8.2 A name prescribed or reserved by this Mandatory Order may not be used in the labelling or advertising of any food, whether or not qualified by other words, so as to suggest either expressly or by implication that the named food is used as an ingredient unless the food in whose labelling or advertising the name is used, contains as an ingredient the food for which the name is prescribed or reserved.

8.3 No person may sell or advertise for sale any food for which the labelling contravenes regulations 8.1 or 8.2.

Other provisions.

9.1 Vitamins may be added to the products covered by this Mandatory Order.

9.2 The substances referred to in paragraph 6.2.2.1 may be added to orange, grapefruit, apple and pineapple juice intended for bulk dispensing in catering establishments on condition that the total quantity added, expressed as sulphur dioxide, does not exceed 50 mg/l.

9.3 The substances referred to in paragraph 6.2.2.1 may be added to lime and lemon juice on condition that the total quantity added, expressed as sulphur dioxide, does not exceed 350 mg/l.

9.4 Dimethylpolysiloxane (E 900) may be added to pineapple juice on condition that the total quantity added does not exceed 10 mg/l.

SCHEDULE

Special Provisions relating to Fruit Nectars

Fruit Nectars made from:–	*Minimum Total Acid content expressed as tartaric acid (g/l of finished product)*	*Minimum juice and/or purée content (% by weight of finished product)*
1. Fruits with acid juice unpalatable in the natural state		
Passion fruit (*Passiflora edulis*)	8	25
Quito naranjillos (*Solanum quitoense*)	5	25
Blackcurrants	8	25
Whitecurrants	8	25
Redcurrants	8	25
Gooseberries	9	30
Sallow-thorn berries (*Hippophae*)	9	25
Sloes	8	30
Plums	6	30
Quetsches	6	30
Rowanberries	8	30
Rose hips (*fruits of Rosa sp.*)	8	40
Sour cherries	8	35
Other cherries	6*	40
Bilberries	4	40
Elderberries	7	50
Raspberries	7	40
Apricots	3*	40
Strawberries	5*	40
Mulberries/Blackberries	6	40
Cranberries	9	30
Quinces	7	50
Lemons and limes	-	25
Other fruits belonging to this category	-	25
2. Low-acid, pulpy or highly flavoured fruits with juice unpalatable in the natural state		
Mangoes	-	35
Bananas	-	25
Guavas	-	25

*Limit not applicable in the case of "*succo e polpa*".

Fruit Nectars made from:–	*Minimum Total Acid content expressed as tartaric acid (g/l of finished product)*	*Minimum juice and/or purée content (% by weight of finished product)*
Papayas	-	25
Lychees	-	25
Azeroles *(Neapolitan medlars)*	-	25
Soursop *(Annona muricata)*	-	25
Bullock's heart or custard apple*(Annona reticulata)*	-	25
Sugar apples	-	25
Pomegranates	-	25
Cashew fruits	-	25
Spanish plums *(Spondia purpurea)*	-	25
Umbu *(Spondia tuberosa aroda)*	-	30
Other fruits belonging to this category	-	25
3. Fruits with juice palatable in the natural state		
Apples	3*	50
Pears	3*	50
Peaches	3*	45
Citrus fruits except lemons and limes	5	50
Pineapples	4	50
Other fruits belonging to this category	-	50

* Limit not applicable in the case of "*succo e polpa*".