

L.N. 217 of 2004

**FOOD SAFETY ACT
(CAP. 449)**

Fruit Jams and Similar Products Regulations, 2004

IN exercise of the powers conferred by article 10 of the Food Safety Act, the Minister of Health, the Elderly and Community Care has made the following regulations:-

1. The title of these regulations is the Fruit Jams and Similar Products Regulations, 2004. Citation and coming into force.

1.1 These regulations implement the provisions of Council Directive 2001/113/EEC relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption.

2. These regulations shall come into force on 10th May, 2004 provided that:

2.1 products falling within the scope of these regulations which do not conform with these regulations but which conform with the provisions of the Fruit Jams, Jellies, Marmalades and Sweetened Chestnut Purée Order (L.N. 79 of 1999), may be placed on the market until the 12th July 2004;

2.2 products falling within the scope of these regulations which do not conform with these regulations but which conform with the provisions of the Fruit Jams, Jellies, Marmalades and Sweetened Chestnut Purée Order (L.N. 79 of 1999), and which were labelled before the 12th July 2004, may continue to be marketed until stocks are exhausted.

3.1 These regulations shall apply to the products defined in the First Schedule. Applicability.

3.2 These regulations shall not apply to products intended for the manufacture of fine bakery wares, pastries or biscuits.

4. The Labelling, Presentation and Advertising of Foodstuffs Regulations, 2002 (L.N. 5 of 2002) shall apply to the products defined in the First Schedule, subject to the following conditions:

4.1 The product names listed in the First Schedule shall apply only to the products referred to therein and shall be used in trade to designate them. The product names used in the First Schedule may, however, be used in addition to the name and in accordance with practices used to designate other products which cannot be confused with those defined in the First Schedule.

4.2 The product names shall be supplemented by an indication of the fruit or fruit used, in descending order of weight of the raw materials used. However, for products manufactured from three or more fruits, the indication of the fruits used may be replaced by the words 'mixed fruit' or a similar wording, or by the number of fruits used.

4.3 The labelling shall indicate the fruit content by including the words 'prepared with ...g of fruit per 100 g' of the finished product, after deduction of the weight of water used in preparing the aqueous extracts, if appropriate.

4.4 The labelling shall indicate the total sugar content by the words 'total sugar content... g per 100 g', the figure indicated representing the value determined by refractometer at 20°C for the finished product, subject to a tolerance of ± 3 refractometric degrees, provided that:

4.4.1 the sugar content need not, however, be indicated where a nutrition claim is made for sugars on the labelling pursuant to the Nutrition Labelling Regulations, 1998 (L.N. 247 of 1998).

4.5 The particulars referred to in subregulation 4.3 and the first subparagraph of subregulation 4.4 shall appear in the same visual field as the product name and in clearly visible characters.

4.6 Where the residual content of sulphur dioxide is more than 10 mg/kg, its presence shall be indicated on the list of ingredients by way of derogation from regulation 8(4) of the Labelling, Presentation and Advertising of Foodstuffs Regulations, 2002.

5.1 Without prejudice to the Additives in Food Regulations, 1994 (L.N. 89 of 1994), or to provisions adopted in order to give them effect, only the ingredients listed in the Second Schedule hereto and raw materials which comply with the Third Schedule hereto may be used in the manufacture of the products defined in the First Schedule hereto.

Presence of
Additives.

FIRST SCHEDULE

Names, Product Descriptions and Definitions

I. DEFINITIONS

- 'Jam' is a mixture, brought to a suitable gelled consistency, of sugars, the pulp and/or purée of one or more kinds of fruit and water. However, citrus jam may be obtained from the whole fruit, cut into strips and/or sliced. The quantity of pulp and/or purée used for the manufacture of 1 000 g of finished product must not be less than:

- 350 g as a general rule,
- 250 g for redcurrants, rowanberries, sea-buckthorns, blackcurrants, rosehips and quinces,
- 150 g for ginger,
- 160 g for cashew apples,
- 60 g for passion fruit.

- 'Extra jam' is a mixture, brought to a suitable gelled consistency, of sugars, the unconcentrated pulp of one or more kinds of fruit and water. However, rosehip extra jam and seedless raspberry, blackberry, blackcurrant, blueberry and redcurrant extra jam may be obtained entirely or in part from unconcentrated purée of the respective fruits. Citrus extra jam may be obtained from the whole fruit, cut into strips and/or sliced. The following fruits may not be used mixed with others in the manufacture of extra jam: apples, pears, clingstone plums, melons, water-melons, grapes, pumpkins, cucumbers and tomatoes. The quantity of pulp used for the manufacture of 1 000 g of finished product must not be less than:

- 450 g as a general rule,
- 350 g for redcurrants, rowanberries, sea-buckthorns, blackcurrants, rosehips and quinces,
- 250 g for ginger,
- 230 g for cashew apples,
- 80 g for passion fruit.

- 'Jelly' is an appropriately gelled mixture of sugars and the juice and/or aqueous extracts of one or more kinds of fruit. The quantity of juice and/or aqueous extracts used in the manufacture of 1 000 g of finished product must not be less than that laid down for the manufacture of jam. These quantities are calculated after deduction of the weight of water used in preparing the aqueous extracts.

- In the case of 'extra jelly', however, the quantity of fruit juice and/or aqueous extracts used in the manufacture of 1 000 g of finished product must not be less than that laid down for the manufacture of extra jam. These quantities are calculated after deduction of the weight of water used in preparing the aqueous extracts. The following fruits may not be used mixed with others in the manufacture

of extra jelly: apples, pears, clingstone plums, melons, water-melons, grapes, pumpkins, cucumbers and tomatoes.

- 'Marmalade' is a mixture, brought to a suitable gelled consistency, of water, sugars and one or more of the following products obtained from citrus fruit: pulp, purée, juice, aqueous extracts and peel. The quantity of citrus fruit used in the manufacture of 1 000 g of finished product must not be less than 200 g of which at least 75 g must be obtained from the endocarp.

- The name 'jelly marmalade' may be used where the product contains no insoluble matter except possibly for small quantities of finely sliced peel.

- Sweetened chestnut purée is a mixture, brought to a suitable consistency, of water, sugar and at least 380 g of chestnut (*Castanea sativa*) purée for 1 000 g of finished product.

II. Products defined in part I must have a soluble dry matter content of 60 % or more as determined by refractometer, except for those products in respect of which sugars have been wholly or partially replaced by sweeteners.

III. Where fruits are mixed together, the minimum contents laid down in part I for different kinds of fruit must be reduced in proportion to the percentages used.

SECOND SCHEDULE

The following additional ingredients may be used in the products defined in the First Schedule:

- honey as defined in Council Directive 2001/110/EC ¹ in all products as a total or partial substitute for sugars,
- fruit juice: only in jam,
- citrus fruit juice: in products obtained from other types of fruit: only in jam, extra jam, jelly and extra jelly,
- red fruit juices: only in jam and extra jam manufactured from rosehips, strawberries, raspberries, gooseberries, redcurrants, plums and rhubarb,
- red beetroot juice: only in jam and jelly manufactured from strawberries, raspberries, gooseberries, redcurrants and plums,
- essential oils of citrus fruits: only in marmalade and jelly marmalade,
- edible oils and fats as anti-foaming agents: in all products,
- liquid pectin: in all products,
- citrus peel: in jam, extra jam, jelly and extra jelly,
- leaves of *Pelargonium odoratissimum*: in jam, extra jam, jelly and extra jelly, where they are made from quince,
- spirits, wine and liqueur wine, nuts, aromatic herbs, spices, vanilla and vanilla extracts: in all products,
- vanillin: in all products.

¹ OJ L 10, 12.1.2002, p.47

THIRD SCHEDULE

A. DEFINITIONS

For the purposes of these regulations, the following definitions shall apply:

1. Fruit:

- fresh, sound fruit, free from deterioration, containing all its essential constituents and sufficiently ripe for use, after cleaning, removal of blemishes, topping and tailing,
- for the purposes of these regulations, tomatoes, the edible parts of rhubarb stalks, carrots, sweet potatoes, cucumbers, pumpkins, melons and water-melons are considered to be fruit,
- 'ginger' means the edible root of the ginger plant in a fresh or preserved state. Ginger may be dried or preserved in syrup.

2. (Fruit) pulp:

The edible part of the whole fruit, if appropriate, less the peel, skin, seeds, pips and the like, which may have been sliced or crushed but which has not been reduced to a purée.

3. (Fruit) purée:

The edible part of the whole fruit, if necessary, less the peel, skin, seeds, pips and the like, which has been reduced to a purée by sieving or a similar process.

4. Aqueous extracts (of fruit):

The aqueous extract of fruits which, subject to the losses necessarily occurring in proper manufacturing, contains all the water-soluble constituents of the fruit used.

5. Sugars

Authorised sugars are:

1. the sugars as defined in Council Directive 2001/111/EC ² ;
2. fructose syrup;
3. sugars extracted from fruit;
4. brown sugar.

B. TREATMENT OF RAW MATERIALS

1. The products defined in items 1, 2, 3 and 4 of part A may be treated in the following ways:

- heated, chilled or frozen,
- freeze-dried,

² OJ L 10, 12.1.2002, p.53

- concentrated, to the extent that is technically possible,
- with the exception of the raw materials used in the manufacture of ‘extra’ products: the use of sulphur dioxide(E 220) or its salts (E 221, E 222, E 223, E 224, E 226 and E 227) as an aid to manufacture provided that the maximum sulphur-dioxide content laid down in Directive 95/2/EC is not exceeded in the products defined in part I of the First Schedule.

2. Apricots and plums to be used in the manufacture of jam may also be treated by other drying processes apart from freeze-drying.

3. Citrus peel may be preserved in brine.