

## No. 94

## AN ACT

SB 757

Amending the act of July 5, 1957 (P. L. 485), entitled "An act for the protection of the public health and welfare, and the prevention of fraud and deception in the manufacture or sale of packaged non-alcoholic drinks; prohibiting the sale, offering or exposing for sale, exchange or giving away thereof unless registered; providing for licensing of places of manufacture; regulating the manufacture, compounding, labeling, sanitation and ingredients of non-alcoholic drinks, and the display of presses of fruit; prohibiting misbranding and adulteration of registered and non-registered non-alcoholic drinks; authorizing promulgation of rules, regulations and standards, and providing for penalties and for injunctions in certain cases, and the disposition of fees and fines," authorizing the use of certain ingredients and modifying labeling requirements.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Subsection (b) of section 4 and section 5, act of July 5, 1957 (P. L. 485), entitled "An act for the protection of the public health and welfare, and the prevention of fraud and deception in the manufacture or sale of packaged non-alcoholic drinks; prohibiting the sale, offering or exposing for sale, exchange or giving away thereof unless registered; providing for licensing of places of manufacture; regulating the manufacture, compounding, labeling, sanitation and ingredients of non-alcoholic drinks, and the display of presses of fruit; prohibiting misbranding and adulteration of registered and non-registered non-alcoholic drinks; authorizing promulgation of rules, regulations and standards, and providing for penalties and for injunctions in certain cases, and the disposition of fees and fines," are amended to read:

Section 4. Permitted Ingredients.—

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(b) Non-alcoholic drinks prepared with synthetic sweetening agents shall not contain any added carbohydrate solids in the form of a sugar, nor shall they contain any other carbohydrates in excess of two per centum, *however, when it can be demonstrated that the use of glucose or dextrose in combination with synthetic sweetening agents serves a useful functional purpose, other than sweetening, such mixture shall not be proscribed nor restricted as to quantity.*

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Section 5. Adulteration.—A non-alcoholic drink shall be deemed to be adulterated, if it contains any added boric acid or borates, salicylic acid or calicylates, formaldehyde, sulphurous acid or sulphites, hydrofluoric acid or fluorides, fluoroborates, fluorosilicates or other fluorine compounds, hydrogen peroxide or peroxides, or perborates, dulcin, glucin, betanaphthol, hydronaphthol, abrastol, asaprol, oxides of nitrogen, nitrous acid or nitrites, compounds of copper, pyroligneous acid or any

other substance deleterious to health, or if it contains any synthetic sweetening agent or any other ingredient which may be harmful to health under the conditions of use, or if it contains any ingredient not specified in section 4 if it is not approved by the Secretary of Agriculture. Non-alcoholic drinks may contain not in excess of one-tenth of one per centum of benzoate of soda, or its equivalent in benzoic acid, or such amounts of other preservatives only when the applicant establishes to the department's satisfaction that they are safe and are approved by the Department of Agriculture, provided the bottles, cans or other containers are labeled or capped to show that the non-alcoholic drink contains a preservative [and the amount thereof]. Nothing herein prohibits the use of treated potable water as furnished by any approved public water supply.

Section 2. This act shall take effect immediately.

APPROVED—The 18th day of September, A. D. 1969.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 94.



*Robert R. Kelly*  
Secretary of the Commonwealth.