

## No. 87

## AN ACT

## HB 726

Amending the act of July 5, 1957 (P.L.485, No.276), 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," further defining the content of sugar in certain non-alcoholic drinks.

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

Section 1. Subsection (b) of section 4, act of July 5, 1957 (P.L.485, No.276), 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," amended September 18, 1969 (P.L.231, No.94), is amended to read:

Section 4. Permitted Ingredients.— \* \* \*

(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.] *except under the following conditions:*

*(1) When it can be demonstrated that the use of sugar in combination with a nonnutritive sweetener or artificial sweetener serves a useful functional purpose, other than sweetening.*

*(2) The beverage must be labeled as specified in Federal Food and Drug Regulations.*

*(3) The beverage must have at least a fifty per centum caloric reduction (when compared to the beverage made solely with nutritive sweeteners) and the caloric value shall not exceed six calories per fluid ounce.*

***(4) The use of saccharin, or its salts, must be limited to that amount specified in Federal, Food and Drug Regulations.***

**\* \* \***

Section 2. This act shall take effect immediately.

APPROVED—The 18th day of June, A. D. 1976.

MILTON J. SHAPP