

(updated)
REGULATIONS RELATING TO FOOD COLOURANTS

Published under Government Notice No. R. 1008 of 21 June 1996

As amended by:

Government Notice No. R.1055 of 3 September 1999

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 inconsistent with the context -

“colourant” means any substance which adds or restores colour in a foodstuff and includes any natural component of a foodstuff or a natural source as such not normally consumed as a foodstuff and not normally used as a characteristic ingredient of a foodstuff but added to a foodstuff for the purpose of colouring, and includes the synthetic equivalent of any natural colourant provided it is chemically identical to the pure colour principle of the natural colourant;

“colour index number (C.I. no.)” means the number allocated to the specific colourant in the latest edition of the “Colour Index of the Society of Dyers and Colourists, England”;

“fruit beverage products” means the classes fresh fruit juice, fruit juice, fruit nectar, fruit drink, fruit squash and fruit flavoured drink as defined in the Regulations relating to the Classification, Packing and Marking of Fruit Juice and Drink intended for Sale in the Republic of South Africa (Government Notice No. R286 of 7 November 1980, as amended), promulgated in terms of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990);

“GMP” means limited by good manufacturing practice;

“processed” means processed as defined in the regulations governing the labeling and advertising of foodstuffs published by Government Notice No. R.2034 of 29 October 1993;

“surimi” means refined, stabilized, frozen fish mince which is used to manufacture products such as fish sausage and seafood analogue products such as crab sticks.

2. No person shall sell any foodstuffs to which any colourant has been applied or added, except in so far as provided for as follows:
- (a) Only the colourants listed in Annex 1 may be used as colourants in foodstuffs.
 - (b) Colourants may be used only in the foodstuffs listed in Annexes III, IV and V and subject to the conditions specified therein.
 - (c) Colourants shall not be used in the foodstuffs listed in Annex II, except where expressly permitted in Annex III, IV or V.
 - (d) Colourants permitted for certain uses only are listed in Annex IV.
 - (e) Colourants permitted in general in foodstuffs and their conditions of use are specified in Annex V.
 - (f) The maximum levels indicated in the Annexes relate to foodstuffs in the ready-to-eat form, unless otherwise stated.

3. All colourants shall comply with the latest specifications for identity and purity of food colourants issued by the Joint Food and Agricultural Organisation/World Health Organisation Expert Committee on Food Additives and, where such specifications do not exist, the provisions of the latest edition of the "Food Chemicals Codex" shall apply.
4. The presence of a colourant in a foodstuff is permissible in a compound foodstuff other than one mentioned in Annex II to the extent that the colourant is permitted in one of the ingredients of the compound foodstuff or if the foodstuff is intended to be used only in the preparation of a compound foodstuff, to such an extent that the compound foodstuff complies with the provisions of this regulation.
5. For the purposes of these regulations the following substances shall not be regarded as colourants:
"Foodstuffs, flavouring and their components, incorporated during the manufacture of compound foodstuffs, because of their aromatic, sapid or nutritive properties and, together with this, a secondary colouring effect.
6. No diluent shall be added to any colourant mentioned in Annex I, III, IV or V other than a diluent or any combination of diluents mentioned in Annex VI which conforms to the general purity criteria laid down in Annex VI.
7. These regulations shall not apply to the foodstuffs referred to in the regulations published under Government Notice No. R.2870 of 31 December 1981 relating to wine, other fermented beverages and spirits.
8. The regulation published under Government Notice No. R.756 of 6 May 1977, as amended by Government Notices Nos. R.1958 of 9 September 1983, R.103 of 20 January 1984, R.2152 of 27 September 1985, R.2660 of 29 November 1985, R.517 of 21 March 1986, R.937 of 30 April 1987, R.1123 of 22 May 1987, R.1293 of 1 July 1988, R.1427 of 15 July 1988, R.1933 of 17 August 1990, R.2380 of 12 October 1990, R.2140 of 30 August 1991, R.1878 of 10 July 1992, R.118 of 29 January 1993, R.325 of 5 March 1993, R.341 of 5 March 1993, R.710 of 30 April 1993, R.943 of 4 June 1993, R.964 of 4 June 1993, R.1027 of 25 June 1993 and R.1219 of 9 July 1993, is hereby repealed
9. These regulations shall come into operation on 1 September 1996.

ANNEXURE 1

LIST OF PERMITTED COLOURANTS

Shade	Name of colourant	Colour index number
Black.....	Black PN or brilliant black BN.....	28440
	Vegetable carbon.....	-
Blue.....	Brilliant Blue FCF.....	42090
	Patent Blue V.....	42051
	Indigotine or indigo carmine.....	73015
Brown.....	Brown FK.....	-
	Brown HT.....	20285
	Plain caramel.....	-
	Caustic sulphite caramel.....	-
	Ammonia caramel.....	-
	Sulphite ammonia caramel.....	-
Colourants for specific purposes only.....	Aluminium.....	77000
	Gold.....	77480
	Silver.....	77821
	Litholrubine BK or pigment rubine.....	15850

Green.....	Green S, acid brilliant green BS or lissamine Green..... Cholophylls..... Chlorophyllins..... Copper complexes of chlorophylls and Chlorophyllins.....	44090 75810 75815 75815
Orange.....	Sunset yellow FCF or orange yellow S..... Allura red AC.....	15985 16035
Red.....	Beetroot red or betanin..... Carmoisine or azorubine..... Cochineal, natural red or carminic acid..... Erythrosine BS..... Iron oxides and hydroxides..... Ponceau 4R or cochineal red A.....	- 14720 75470 45430 77491 77492 77499 16255
Various.....	Anthocyanins.....	Prepared using physical methods from fruits
White.....	Titanium dioxide..... Calcium carbonate.....	77891 77220
Yellow.....	Curcumin..... Quinoline yellow..... Riboflavin or lactoflavin..... Riboflavin-5' -phosphate..... Tartrazine.....	75300 47005 - - 19140
	Carotenoids: Annato or bixin or norbixin..... Betacarotene..... Beta-apo-8' -carotenal..... Capsanthin or capsorubine or paprika extract. Ethyl ester of beta-apo-8' -carotenoic acid... Mixed carotenes..... Lycopene.....	75120 40800 40820 - 40825 75130 75125
	Xanthophylls: Canthaxanthin..... Lutein.....	40850 -

Note: Aluminium lacquer colourants prepared from colorants mentioned in this Annex are Authorized

ANNEXURE II

FOODSTUFFS WHICH MAY NOT CONTAIN ADDED COLOURANTS, EXCEPT WHERE PERMITTED IN ANNEXURES III, IV AND V

Bread
Cocoa and chocolate
Coffee, including instant coffee
Egg yolk, egg white, whole egg and egg powder
Fish, meat and poultry and products prepared therefrom
Flour and starch
Foodstuffs which are not processed
Foodstuffs for infants, young children and children as specified under the Act
Fruit juices as defined by the Agricultural Products Standards Act, No. 119 of 1990

Honey
 Bottled natural water
 Tea, tea extracts and infusions, including instant tea mixes
 Tomato paste
 Spices
 Unflavoured buttermilk
 Unflavoured cream and cream powder
 Unflavoured fermented milk
 Unflavoured milk, semi-skimmed and skimmed milk and pasteurized or sterilized, including UHT sterilized, milk

ANNEXURE III

FOODSTUFFS TO WHICH ONLY CERTAIN PERMITTED COLOURANTS MAY BE ADDED

Foodstuffs	Permitted colourant	Colour index number	Maximum level (mg/kg)
Butter.....	Beta carotene.....	40800	GMP
	Mixed carotenes.....	75130	GMP
Cheese.....	Patent blue V.....	42051	GMP
	Chlorophylls.....	75810	GMP
	Chlorophyllins.....	75815	GMP
	Copper complexes of chlorophylls and Chlorophyllins.....	75815	GMP
	Vegetable carbon.....	-	GMP
	Carotenes.....	75130	GMP
	Beta carotene.....	40800	GMP
	Titanium dioxide.....	77891	GMP
Fats and oils.....	Beta-apo-8'-carotenal.....	40820	GMP
	Ethyl ester of beta-apo8'-carotenoic acid...	40825	GMP
	Mixed carotenes.....	75130	GMP
	Beta carotene.....	40800	GMP
	Curcumin.....	75300	GMP
	Riboflavin.....	-	GMP
	Rioflavin-5'-phosphate.....	-	GMP*
Foodstuffs consisting exclusively or in part of meat and/or edible offal (excluding boewors, species-sausages, mixed species-sausages and raw or unprocessed meat)	Beetroot red.....	-	30*
	Cochineal, natural red or carminic acid...	75470	100
	Erythrosine BS.....	45430	30*
	Ponceau 4R.....	16255	GMP
	Plain caramel.....	-	GMP
	Caustic sulphite caramel.....	-	GMP
	Ammonia caramel.....	-	GMP
	Sulphite ammonia caramel.....	-	GMP
Margarine.....	Curcumin.....	75300	GMP
	Beta carotene.....	40800	GMP
	Beta-apo-8'-carotenal.....	40820	GMP
	Ethyl ester of beta-apo-8'-carotenoic acid.	40825	GMP
Meat, raw or unprocessed, and egg shell for decorative purposes	Allura red AC.....	16035	For marking only
	Brilliant black BN.....	28440	
	Brilliant blue FCF.....	42090	
	Brown HT.....	20285	
	Green S.....	44090	
	Ponceau 4R.....	16255	
	Sunset yellow FCF.....	15985	
	Tartrazine.....	19140	

Nuts, pistachio.....	Allura red AC	16035	GMP (only for application to the outer shell)
Tomato juice and guava juice	Betanine.....	-	GMP
	Carmoisine.....	14720	GMP
	Ponceau 4R.....	16255	GMP
	Sunset yellow FCF.....	15985	GMP
	Tartrazine.....	19140	GMP
Whole meal, brown or malt bread.....	Plain caramel.....	-	GMP
	Caustic sulphite caramel.....	-	GMP
	Ammonia caramel.....	-	GMP
	Sulphite ammonia caramel.....	-	GMP

* Colorants must be homogeneously mixed throughout the product at all concentrations

ANNEXURE IV

COLOURANTS PERMITTED FOR CERTAIN USES ONLY

Colourant	Foodstuffs	Colour index number	Maximum level (mg/kg)
Aluminium.....	External coating of sugar confectionary for the decoration of flour confectionary...	77000	GMP
Annatto.....	Butter.....	75120	10 (as bixin)
	Margarine.....		10 (as bixin)
	Cheese.....		10 (as bixin)
	Fats and oils.....		10 (as bixin)
	Fish.....		20 (as bixin)
	Achar.....		10 (as bixin)
	Milk drinks.....		2 (as bixin)
	Cereals.....		25 (as bixin)
	Sauces and seasonings.....		20 (as bixin)
Brown FK.....	Sausages (excluding boerewors, species-sausages and mixed species-sausages...)		10 (as bixin)
	Decorations and coatings.....		20 (as bixin)
Brown FK.....	Smoked and cured fish.....		20
Canthaxanthin BS.....	Fruit beverages products, excluding fruit juices.....	40850	5
	Powdered soups and drinks.....		100
	Sauces.....		20
	Sugar confectionery.....		20
Erythrosine BS.....	Sugar confectionery.....	45430	150
	Cocktail cherries and candied cherries.....		200
	Cherries in syrup and cherries in fruit cocktails.....		150
	Meat, raw or unprocessed.....		For marking only
Gold.....	Processed meat.....		30*
	External coating of sugar confectionary (excluding chocolate).....		77480
Litholrubine BK.....	Liqueurs.....	77480	GMP
	On the rind of cheese only.....	15850	GMP
Silver.....	External coating of sugar confectionary (external chocolate).....	77821	GMP

* Colourants must be homogeneously mixed throughout the product at all concentrations

ANNEXURE V

COLOURANTS PERMITTED IN FOODSTUFFS OTHER THAN THOSE LISTED IN ANNEXURES II AND III

TABLE I

The following colourants may, subject to GMP, be used in foodstuffs mentioned in Table 3 and in all foodstuffs other than those in Annexures II and III:

Colourant	Colour index number
Ammonia caramel.....	-
Anthocyanins.....	-
Beetroot red or betanin.....	-
Calcium carbonate.....	77220
Capsanthin or capsorubin or paprika extract.....	-
Carotenes.....	40800 and 75130
Caustic sulphite caramel.....	-
Chlorophylls.....	75810
Chlorophyllins.....	75815
Copper complexes of chlorophylls and chlorophyllins.....	75815
Iron oxides and hydroxides.....	77491 77492 77499
Plain caramel.....	-
Riboflavin.....	-
Riboflavin-5'-phosphate.....	-
Sulphite ammonia caramel.....	-
Titanium dioxide.....	77891
Vegetable carbon.....	-

TABLE 2

The following colourants may be used singly or in combination in the foodstuffs and up to the maximum level specified in Table 3 hereof:

Colourant	Colour index number
Allura red AC.....	16035
Azorubine or carmoisine.....	14720
Beta-apo-8'-carotenal.....	40820
Ethyl ester of beta-apo-8'-carotenoic acid.....	40825
Brilliant Black BN or black PN.....	28440
Brilliant blue FCF.....	42090
Brown HT.....	20285
Cochineal, natural red or carminic acid.....	75470
Curcumin.....	75300
Green S.....	44090
Indigotine or indigo carmine.....	73015
Lutein.....	-
Lycopene.....	75125
Patent blue V.....	42051
Ponceau 4R or cochineal red A.....	16255

Sunset yellow FCF or orange yellow S.....	15985
Tartrazine.....	19140
Quinoline yellow.....	47005

TABLE 3

The colourant referred to in table 2 may be used in the following foodstuffs up to the specified maximum level:

Foodstuffs	Maximum level (as pure dye) (mg/kg unless otherwise indicated)
Breakfast cereal.....	200
Candied fruits.....	200
Canned strawberries.....	200
Canned vegetables.....	200
Decorations and coatings.....	500
Desserts.....	150
Dietary supplements.....	GMP
Edible cheese rind and edible collagen casings.....	GMP
Edible ices.....	150
Fine bakery wares (eg viennoiserie, biscuits, cakes and wafers).....	200
Fish and crustacean pastes or pates, fish roe, salmon substitute, surimi and smoked or preserved fish.....	500
Flavoured dairy products.....	150
Formulae for particular nutritional uses.....	50
Jams, jellies, marmalade and fruit spreads.....	500
Non-alcoholic flavoured drinks (including fruit beverage products, but not fruit juices).....	100mg/l
Preserves of red fruits.....	200
Processed cheese.....	200
Ready-to-eat savouries (Until 1997-12-31):	
- Extruded or expanded savoury snack products.....	350
- Other savoury snack products and savoury coated nuts.....	200
Ready-to-eat savouries (From 1998-01-01):	
- Extruded or expanded savoury snack products.....	200
- Other savoury snack products and savoury coated nuts.....	100
Sauces, seasoning and condiments.....	500
Soups and broths.....	300
Sugar confectionary.....	300
Vegetables in vinegar, brine or oil, including achar.....	150

ANNEXURE VI

DILUENTS AUTHORISED FOR USE WITH PERMITTED COLOURANTS, AND PURITY CRITERIA FOR DILUENTS

- Diluents:** Ethyl alcohol; ethyl acetate; sodium carbonate; sodium bicarbonate; sodium chloride; sodium sulphate; glucose; lactose; sucrose; dextrins; starches; sorbitol; edible oils and fats; beeswax; citric acid; tartaric acid; lactic acid; fumaric acid; gelatin; mallic acid; pectins; ammonium, sodium or potassium alginates; esters of L-ascorbic acid with straight-chain C14, C16 and C18 fatty acids (to be used exclusively for the colourants alpha, beta and gamma carotene; annatto, ixin, norbixin and xanthophylls of Annexure I); acetic acid; potassium or sodium hydroxide; ammonium hydroxide (ammonia solution); water.

Any permitted ingredient of the foodstuff concerned

2. The products listed in 1 above shall conform to the following criteria of purity:
- (a) **INORGANIC IMPURITIES**
 - (i) The products shall not contain more than 5mg/kg of arsenic and/or 20mg/kg of lead.
 - (ii) The products shall not contain more than 100g/kg of any one of the following substances:
Antimony, copper, chromium, zinc or barium sulphate; or more than 200mg/kg of these substances taken together. The products shall not contain cadmium, mercury, selenium, thallium, uranium, chromates or soluble barium compounds in measurable quantities.
 - (b) **ORGANIC IMPURITIES**
The products shall not contain aromatic polycyclic hydrocarbons.