

TO BE RESCINDED

901:3-7-01 **Regulations governing the labeling and registration of soft drinks and soft drink flavors containing nonnutritive sweeteners and the use of permanently molded soft drink bottles.**

(A) No person, firm, or corporation shall manufacture any dietary soft drink or dietary soft drink flavor containing a nonnutritive sweetener for sale in Ohio, until authorization shall have been issued by the Director of Agriculture. Application shall be made on a form to be provided by the Director. If the applicant holds an Ohio soft drink manufacturer's license, the Director may authorize the manufacture of dietary soft drinks or dietary soft drink flavors. Such authorization shall expire simultaneously with the expiration of the manufacturer's soft drink or soft drink flavor license or registration, or both.

(B) Manufacturers of dietary soft drinks and dietary soft drink flavors shall comply with the following labeling requirements:

(1) The body label shall show in a prominent manner that such soft drink or soft drink flavor is intended for special dietary use.

(2) The specific type of dietary soft drink or dietary soft drink flavor must be shown.

(3) The following ingredient declaration on the principal label shall be printed in sufficiently large and legible type to be plainly readable:

"Contains _____% _____ (chemical name of nonnutritive sweetener and not the brand name), which is prepared for use by persons who must restrict their intake of sugar (or ordinary sweets)". The blank space preceding the percentage symbol shall be filled in with the actual percent by weight of the sweetener used.

(C) In the labeling of nonnutritive soft drinks and nonnutritive soft drink flavors no name, statement, device, or design shall be used which implies that the product

(1) Imparts glamor;

(2) Has a thinning or slenderizing effect;

(3) Controls obesity; or

(4) Contains no calories, when in fact it does contain calories.

(D) All regulations heretofore adopted governing soft drinks and soft drink flavors shall be applicable to soft drinks and soft drink flavors containing nonnutritive sweeteners, except those which are clearly inapplicable.

Effective:

R.C. 119.032 review dates: 03/25/2001

Certification

Date

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