

Food Labelling Legislation

Theresa Ekong

Labelling, Standards & Allergy Division

Tel: 020 7276 8192

E-mail: theresa.ekong@foodstandards.gsi.gov.uk

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Overarching aims of food labelling legislation

- Protect public health
- Promote free trade
- Inform consumer choice



Food labelling

- The current situation
- The problems
- The proposal
- The issues
- The solution?
- The future



The current food labelling regime



EU Control of Food Labelling

- Largely harmonised
- Framework legislation
 - Directive 2000/13/EC (Directive 79/112/EEC)
- Other legislation, e.g.
 - Compositional Standards
 - GM
 - Marketing Standards
 - Gen Food Law
 - Allergens
 - Health Claims

>Complex (40 pieces of EU legislation affecting food labelling)



UK Control of Food Labelling

- **General Food Regulation 2004**
 - implementing EC Reg 178/2002
 - Art 14 (unsafe food on the market)
 - Art 16 (misleading labelling, advertising and presentation)
- **FLR 1996 as amended (>30 times!)**
 - Directive 2000/13/EC
 - Other (UK) national food labelling rules



Current Scope of Rules

- All food ready for delivery to ultimate consumer
 - pre-packed
 - pre-packed for direct sale
 - loose, including catering



Some Exemptions, eg:

- Loose food/prepacked for direct sale / catering
- Small packs/certain indelibly marked bottles
- Fancy confectionery products
 - e.g. chocolate eggs
- Seasonal selection packs
- Milk sold in glass bottles for re-use



Food Sold Loose

- Member State approach, provided purchaser receives sufficient information (Art 14 Dir 2000/13)
 - non-harmonised
- UK:
 - Pre-packed for direct sale/Loose
 - Name
 - Additives
 - GM /irradiated ingredients
 - Foods sold in catering establishments
 - GM/irradiated ingredients



General requirements-Directive 2000/13/EC

- Pre-packed foods must be labelled with:
 - name of food
 - list of ingredients, including allergens
 - the quantity of certain ingredients
 - durability indication
 - conditions of storage or use where necessary
 - name of business
 - place of origin if absence might mislead
 - alcoholic beverages of >1.2% must declare actual strength
 - instructions for use where necessary
 - net weight



Voluntary Information

- **Anything:**
 - Accurate
 - Not misleading

- **For example:**
 - Vegetarian/vegan labelling
 - Assurance schemes
 - Nutrition information (if no claims are made)
 - “May contain”
 - Animal welfare (free range etc)
 - Brand information
 - Production methods (organic etc)



Additional legislation

- **For example**
 - Raw milk
 - Skimmed milk
 - Food packed in certain gasses
 - Foods containing sweeteners
 - Caffeine/glycyrrhizinic acid
 - Foods with added plant sterols
 - Lot marks/weights and measures
 - Allergens



Allergen labelling:

• Originally Directive 2003/89/EC, now amended

- Cereals containing gluten
- Crustaceans
- Eggs
- Milk
- Fish
- Peanuts
- Molluscs
- Soybeans
- Nuts
- Sesame seeds
- Celery
- Mustard
- Sulphite ($\geq 10\text{mg/kg}$ or l)
- Lupin

14 top EU allergens
And products thereof



GM labelling

- **Use of GM ingredients have to be declared**
 - safety assessment/approval before marketing in EU
 - labelling of all GM food and feed products derived from GMOs, regardless of GM presence in final product
 - threshold of 0.9% for adventitious presence of authorised GMOs
 - ingredients derived from GM technology, e.g. enzymes/cheese, do not have to be labelled
- **For food sold loose and in catering establishments:**
 - information to be displayed on/next to food/on menu or as notice displayed in establishment



Nutrition labelling

- Currently voluntary, unless a nutrition or health claim is made or vitamins and minerals added
- Should not be false or misleading
- 1 of 2 formats:
 - information on energy/protein/carbohydrate/fat per 100 g or per 100 ml
 - information on energy/protein/carbohydrate/sugar/fat/saturated fat/fibre/sodium per 100 g or per 100 ml
 - additional information where a claim is made
- Medicinal claims prohibited

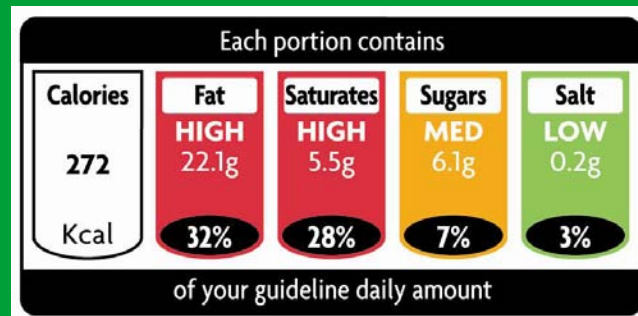
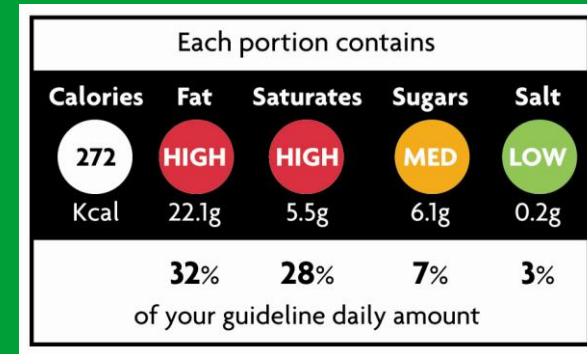
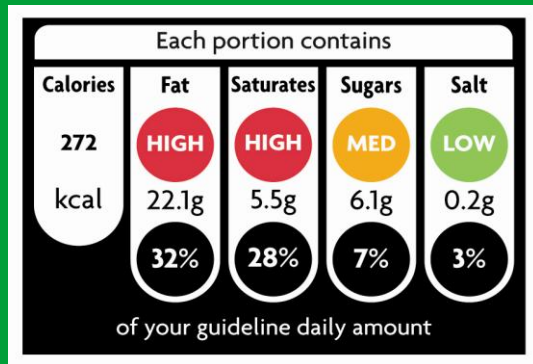


FSA Front of Pack (FOP) Nutrition Label

- Research assessed impact of 3 main types of FOP nutrition labels in the UK marketplace
- The strongest label is one which include 'High, Medium, Low' & Traffic Lights + %GDA (the integrated FOP label)
- The coexistence of a range of FOP label formats in the marketplace causes difficulty for shoppers
- Comprehension of FOP labels was generally high, even among those who do not currently use labels, which provides a good starting point from which to encourage FOP label use



Examples of integrated FOP nutrition labels



Consultation July-Nov 09

- The FSA is currently consulting on practical issues that need to be resolved for an integrated FOP nutrition labelling approach to work in real life settings, to help consumers make healthier choices.
- Further information can be found at:<http://www.food.gov.uk/consultations/ukwideconsults/2009/foodnutritionlabelling>



Overhaul of the food labelling regime



The Problem I

- **The Legislation:**

- Out of date (-from the 70's)
- Many amendments
- Markets have moved on
- Need for simplification

- **The Manufacturers:**

- Complex legislation
- Inconsistent commencement dates
- Mandatory v voluntary information/label space
- Flexibility to take advantage of new technology
- SME issues




The Problem II

- **The Consumers:**
 - Information requirement
 - Point of purchase/use
 - Difficulty in using labels (also claimed v actual)
 - Change in expectations (e.g. lifestyle choices)
- **Enforcement:**
 - Simplified legislation
 - Prescriptive approach to facilitate consistent enforcement



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Consumir preferentemente entro il: 31.12.2011.
Filete de salmón natural (sin piel y sin espinas) **con eneldo**. Sugerencias para servir: como entrada o como plato principal con lechuga fresca, con pasta o con patatas y verduras frescas. Ingredientes: salmón (80%), agua, eneldo (0,1%), sal. Consumir preferentemente antes del: 31.12.2011



GR **Salmon filetes** with sauce & boneless in brine with dill. This product is fully cooked and ready to eat. The salmon fillet is delicious as a starter or served with fresh salad, pasta, potatoes and vegetables. Ingredients: salmon (80%), water, dill, salt. Once opened, refrigerate in a non-metallic container and consume within 2 days. Best before: 31.12.2011.

PT **Filetes de salmão ao natural** (sem pele e espinhas) **com aneto**. Sugestão de apresentação: Adequado como entrada ou prato principal, com salada fresca, massas, batatas ou legumes frescos. Ingredientes: salmão (80%), água, aneto (0,1%), sal. Após abertura conservar no frigorífico e consumir dentro de 2 dias. Consumir de preferência antes de: 31.12.2011.

NL **Zalmfilet met dille**, zonder huid en graten, in eigen nat en opgiet. Serveertip: Deze zalm is gebruiksklaar. Heerlijk als voorgerecht of als hoofdgerecht met verse salade, pasta of aardappelen, gekarneerd met verse groenten. Ingrediënten: zalm (80%), water, dille (0,1%), zout. Na openen gekoeld bewaren in een niet-metalen bakje en binnen 2 dagen consumeren. Ten minste houdbaar tot: 31.12.2011.

GR **Φιλέτο σολομού. Καθαρισμένο και χωρίς ψαρονόστιχο, σε φρεσκό γλυκό με άνηθο.** Συστατικά: Φιλέτο σολομού (80%), νερό, άνηθο (0,1%), αλάτι. Το προϊόν είναι έτοιμο για κατανάλωση. Σερβίρεται ως ζεστό ή κρύο πιάτο και είναι νοσημιότατος με ζεστό, σαλάτα ή λαχανικά. Ανάλυση κατά προτίμηση μέχρι: 31.12.2011.

FI **Nahattomia ja ruodottomia lohifileitä** tillillä maustetussa liemessä. Tärjälliä sisältävä, se on valmiista nautittavaksi. Se on herkullista alkuruokana tai raikkaan salaatin, pastan, perunoiden tai vihannesten kera. Ainesosat: Lohifile (80%), vesi, suola (1,5%), tilli (0,1%). Parasta ennen: 31.12.2011.

SE **Skinn- och benfria laxfileer i lag med dill.** Serveringsförslag: Laxen kan avnjutas genast. Den är läcker som förrätt eller tillsammans med en fräsch sallad, pasta, potatis och grönsaker. Ingredienser: Laxfileer (80%), vatten, salt (1,5%), dill (0,1%). Bäst före: 31.12.2011.


NO **Laksefilet uten skinn og ben i lake med dill.** Laksen er serveringsklar. Ingredienser: Laksefilet (80%), vann, dill (0,1%), salt. Best før: 31.12.2011.

DK **Laksefilet uden skind og ben i lake med dill.** Laksen er serveringsklar. Ingredienser: Laksefilet (80%), vand, dild (0,1%), salt. Mindst holdbar til: 31.12.2011.

Nettopaino: / Nettopaino: / Nettopaino: / Netto vægt: / Καθαρό βάρος: /
Nettopaino: / Nettovikt: / Nettovægt: / Nettovægt: /

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Fischabtropfgewicht: / Dont saumon: / Peso sgoccolato: / Peso escorrido: /
Drained weight: / Pesodrenado: / Waarvan zalm: / Στεγανωμένο βάρος: /
Nettofischgewicht: / Nettopeso: / Nettofischgewicht: / Nettofischgewicht: /



Some Solutions

- Set of principles to ensure balance/proportionality
 - FSA 2007 consultation
- What consumers do (real) v what they say (claimed) re label use
 - FSA research
- Developments to facilitate greater consumer access to labelling information
- Reduction of burdens on industry by clarifying requirements
 - New legislation



EU Food Labelling Review

- **CIION:**

- June 04: Announcement and seeking MS views
- Feb 06: Publication of consultative document
- Nov 06-Oct 07: WG meetings
- Feb 08: Publication of proposal + IA

- **UK:**

- Feb 06: UK-Dutch joint conference/public consultation
- April 06: UK stakeholder event
- Board engagement
- Stakeholder engagement:
 - Within FSA/CIION/Other MS/OGDs/Industry/Consumers/Enforcement
 - Public consultations/IP Letters



The New Legislation

- **Scope:**

- Consumer food information-all stages of food chain (including catering)
- General /Nutrition labelling
- Food Information Regulation

- **Objectives:**

- Simplification (better regulation)
- Consolidation of horizontal texts



Some key issues

1. Mandatory nutrition labelling
2. Clear labelling
3. Country of origin
4. Loose foods
5. Date marks
6. Alcoholic drinks
7. National schemes
8. National provisions



Clear labelling I

- **Current:**
 - No min font size, but
 - Easy to understand
 - English + others*
 - Clearly legible
 - Indelible
 - Easily visible
- **Proposal**
 - 3mm min font size
 - Significant contrast
 - Certain info in sfov
 - Nutrition info in pfov
- **Concerns**
 - 3mm font not practical
 - Increased packaging/ costs
 - Loss of voluntary info
- **Solution**
 - Explore some form of standardisation to achieve greater clarity (see next slide)



Clear labelling II

- Minimum Font size
- MS generally agree on principle of a minimum font size – based on 'x' height
- Recognition of need for a sensible exemption for small packages from minimum font size



Country of origin

- **Current**

- Voluntary
except where
absence might
mislead

No consensus
between MS in
Council WG
discussions

- **Proposal**

- No extension to mandatory scope
- Tighter rules for voluntary claims
 - Meat-birth/rearing/slaughter-single origin
 - Origin of 1^o ingredients

- **Concerns**

- Requirements re 1^o ingredients too onerous (flexible sourcing)
- Loss of voluntary info
- Slaughter needed?
- Interaction with PGIs/PDOs, eg 'Scotch beef', 'Welsh lamb'

- **Solution**

- Focus on areas where we know consumers want more info
- Meat/meat product



Loose food



Allergen labelling for loose foods

- **Current**

- No requirement for allergen information for loose foods, food sold ppfds, including catering

- **Proposal**

- Extends allergen labelling to food sold loose

- **Concerns**

- Accuracy of info re cross-contamination
- False sense of security
- Loss of fbo-consumer dialogue
- Costs especially for SME

MS generally agree with the need to label allergens on loose food, but there is a need for flexibility on how this is provided



Date marks

- **Current**

- **Min durability**

- BBD (advisory)
 - UBD (mandatory)
 - Storage as required
 - FLR/not EU law forbids selling after UBD
 - FLR forbids amending without authorisation

- **Proposal**

- Provision remains the same

- **Concerns**

- Lack of understanding of date marks
 - Inconsistent application of date marks

- **Solution**

- Clarify text: UBD relates to safety, BBD relates to quality

UK guidance is being revised



Distance selling

- Proposal
 - Internet, mail order, catalogues
 - Provide certain info (by some means)
- Concerns
 - Impact on printed seasonal mail order catalogues
 - No info on costs yet

Little discussion in Council; general agreement that distance sales should not be any different from 'regular' sales.



Alcoholic drinks

- Proposal

- Some alc drinks

- mixed drinks, alco-pops
- cider, perry, fruit wines etc need to provide ingredients and nutrition info

- Wine, spirits, beer exempt

- CION report 5 years post coming into force

- Concerns

- Level playing field
- Meaningful information?
- Feasibility of ingredient listing?
- Different marketing practices

- No consensus in Council

- Also be aware of DH initiative on health warnings and unit labelling



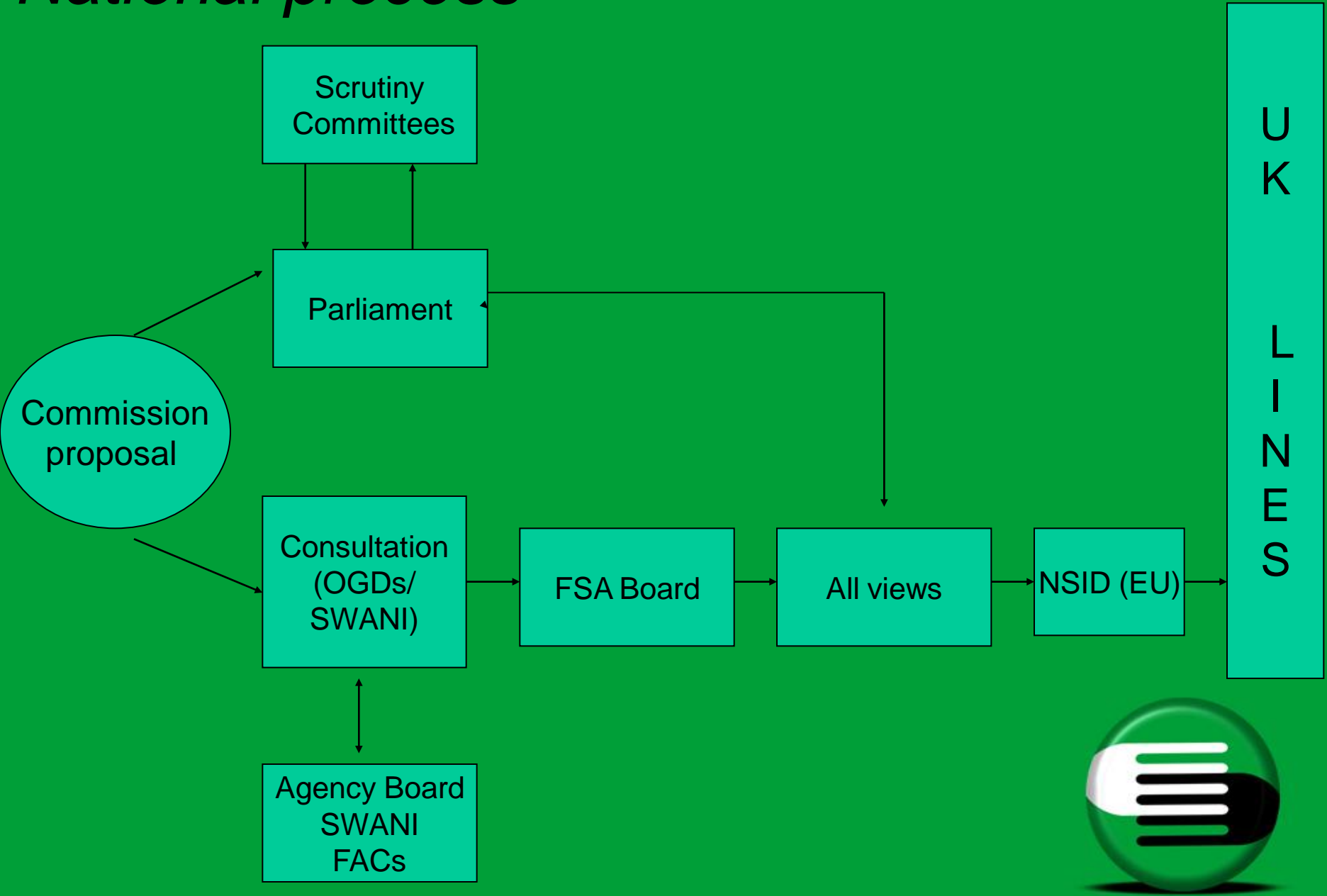
Nutrition labelling

Proposal

- **Mandatory nutrition labelling on fop for:**
 - energy, fat, saturates, carbohydrates with specific reference to sugars and salt;
- **declaration of % reference intake values for mandatory nutrients**
- **voluntary labelling of other specified nutrients, including trans fats;**
- **mandatory nutrition labelling for alc drinks (not beers, wines or spirits);**
- **additional forms of expression allowed for mandatory information (eg, voluntary national schemes)**



National process



Implementation in the UK

- Regulation: directly-applicable
- National legislation re enforcement powers
- Repeal of current /making of new national legislation
- Proposed transition periods:
 - Font size provision
 - 3 years for everyone
 - Nutrition labelling
 - 3 years for everyone
 - 5 years for micro business (EUR 2m/pa or >10 employees)
 - All other provisions
 - Apply immediately after coming into force



Don't Panic!

The proposal is still under discussion and unlikely to be in place until **2011** at the earliest (plus any agreed transition periods)

www.food.gov.uk/labelling

