

Food Information

Essential information for businesses

Background

The new EU Food Information Regulation 1169/2011 (FIR) replaces the Food Labelling Regulations 1996. The Regulation came into effect on 13 December 2011 but you do not need to comply with most of its requirements until **13 December 2014**.

You may choose to comply earlier than that if you wish to do so, for example if you are redesigning your labelling or as stocks of your labelling run out. The new Regulation applies to food businesses at all stages of the food chain. It does not cover private individuals providing food for events such as church, school or village fairs unless this is in the course of a business. This leaflet is only intended to provide a very basic overview of the key changes to enable food businesses to begin to prepare for the changes that will affect them. It should not be taken as an interpretation of the law, as only the courts have this power. Torbay Trading Standards are able to advise businesses, but ultimately it is the responsibility of each business to ensure they comply with the law.

Basics

The good news is that many of the basics of food labelling remain the same. The fundamental principles of providing safe food which is honestly described and presented continue and as before the following information is required in English [on prepacked food labels:

- a true name or description of the food
- the ingredients it contains, in descending weight order
- how long it will keep i.e. a 'Use by' or 'Best Before' date
- how it should be handled, stored, cooked or prepared
- who manufactured, packed or imported it
- origin information if its absence would mislead
- allergenic ingredients identified on the label

- specific information declaring whether the food is irradiated or contains genetically modified material or aspartame, high caffeine, sweeteners, packaging gases, phytosterols etc
- net quantity in grams, kilograms, litres or centilitres (or abbreviations thereof)
- alcoholic strength where there is more than 1.2% alcohol by volume (alcohol x%vol.)

The Changes

1. Food sold loose or sold directly to the consumer by the person packing the food (known as prepacked for direct sale). [FIR Article 21 and 44 (1a)]

- If the food contains any of the named 14 allergenic ingredients this will need to be declared to consumers. This may be on labels, shelf edge, menus or verbally on request by the consumer.

2. Additives [FIR Article 44]

- The presence of additives no longer need to be declared

3. Name of food [FIR Article 44]

- The name of the food is not required under the European legislation but may be required by UK provisions.

4. Prepacked foods [Article 8] [Annex XV] exemptions [Annex V]

The main changes are:

- Commercial sales – previously food supplied between some businesses was exempt from labelling requirements. However now everyone in the supply chain must ensure mandatory information (see the basics above) is available on the food labelling or in commercial documents (such as delivery documents or invoices) so that those further down the supply chain can meet their obligations.
- The need to provide nutritional information on the labelling, such as energy, fat, carbohydrates, protein and salt. Previously nutritional information was only required where a claim such as 'low in fat' was used but is now mandatory even where no such claims are used. Even if you already provide this information you will need to amend the labelling as Annex XV requires the information to be provided in a different order and the salt content is required rather than sodium.

There are some specific, but limited, exemptions laid down in Annex V.

5. Allergies and intolerances

The 14 substances or products causing allergies or intolerances are:

- fish, crustaceans and molluscs;
- nuts, peanuts, sesame seeds;
- milk, eggs;
- soybeans;
- celery (including celeriac);
- mustard;
- lupin;
- sulphur dioxide and sulphites (at concentrations more than 10mg/kg)
- cereals containing gluten (wheat, rye, barley, oats, spelt, kamut) for example alcoholic drinks.

6. Minimum font size (Annex IV)

For all mandatory information, the height of the letter 'x' in the chosen font must not be less than 1.2mm.

There is an overriding principle that the mandatory information is clear and legible.

7. Emphasis of Allergenic ingredients [Article 9, Annex II]

Allergens must be emphasised in the ingredients list e.g. by use of font, style or colour.

The use of a 'Contains: followed by a list of allergens' statement will no longer be permitted.

Note that voluntary statements highlighting the risk of cross contamination with allergens may still be used.

8. Country of origin [Article 26]

Labelling has been extended to the meat of pigs, sheep, goats and poultry. Beef, fish, honey, olive oil, fresh fruit and vegetables already required this.

9. Distance selling [Article 14]

All mandatory information must be provided both before the purchase is concluded (except for durability date) and at delivery.

10. The name of food [Annex VI]

This has always needed to include a reference to the physical condition or treatment the food has undergone such as 'powdered', 'dried', 'smoked', 'concentrated' etc. but this has been extended to include an indication if the food has been defrosted. The word 'formed' must be used when meat or fish products have been made from different pieces of meat and yet have the appearance of a whole piece of meat.

11. The date of first freezing [Annex III, part 6]

This is required on meat and fishery products.

12. Compositional Standards for minced meat

European compositional standards and additional labelling requirements are laid down for prepacked minced meat. If you are selling only in the UK different rules apply and a 'national' mark must be used. This requirement applies from 1 January 2014.

13. The source of any animal or vegetable oil or fat within ingredients [Annex VII]

The source of the oil or fat must be provided eg beef fat, palm oil, and the description 'fully or partly hydrogenated' if it is.

14. Compositional standards in the food labelling regulations for milk, cream, icecream and cheese may expire after December 2014.

15. The field of vision Article 13(5)]

This requirement no longer includes durability, only the name of the food, net quantity and alcoholic volume need to be able to be read by the consumer from a single viewing point.

What should I do now?

We recommend that you consider how the above changes affect your business and make plans so that you comply in time and reduce relabeling costs.

For more information or advice please telephone 03454 04 05 06
Alternatively you may email us at trading.standards@torbay.gov.uk