

# Cakes & Confectionery Guidance Notes



# Cakes & Confectionery Guidance Notes

Throughout these guidance notes the term 'cake' should be taken to mean all flour confectionery which is the Food Labelling Regulations 1996 defines as including shortbread, sponges, crumpets, muffins, macaroons, meringues, pastry and pastry cases.

Cakes made and intended for sale must be labelled in accordance with the Regulations. The labelling requirements depend on the way in which the cakes are presented for sale and they are sold from.

## 1. Non Pre-packed Cakes

(i.e. cakes sold loose, and are not packaged in any way)

Cakes presented in this manner do not need any labelling **unless** they contain irradiated or genetically modified ingredients. If such ingredients are used their presence must be clearly indicated to a prospective purchaser.

Where cakes contain additives prospective purchasers must be informed of the categories of additives the cake contains. For example this can be achieved by displaying a sign giving the following details:



'Flour Confectionery sold from these premises may contain the following additives: antioxidants, colours, flavourings, flavour enhancers, preservatives or sweeteners.'

## 2. Cakes 'Pre-packed for Direct Sale'

(i.e. pre-packed by the producer for sale by him on the premises where it was produced or on other premises from which he conducts business under the same name as where it was produced. 'Premises' includes market stalls or mobile shops.)

Cakes presented and sold in this manner do not need any labelling **unless** they contain irradiated or genetically modified ingredients. If such ingredients are used their presence must be clearly indicated to a prospective purchaser.

Again, where the cakes contain additives prospective purchasers must be informed of the categories of additives the cake contains. For example this can be achieved by displaying a sign giving the following details:

'Flour Confectionery sold from these premises may contain the following additives; antioxidants, colours, flavourings, flavour enhancers, preservatives or sweeteners.'

The exemption from labelling in this situation **only** applies where you make the goods, prepackage them and sell them yourself directly to the public, and you, the producer, will always be available to answer any questions about the ingredients etc.



### 3. Pre-packed Cakes

Where cakes are made for sale to third parties and are prepackaged they must be **fully** labelled. Prepackaged cakes must be marked with **all** of the following information:



#### Name of the food

A customary name e.g. 'Victoria sandwich'

OR

A name that informs the purchaser of the true nature of the food e.g. 'cherry and coconut shortbread'

When the name of the food includes the description of a flavour (e.g. Lemon Madeira Cake) then the flavour must be derived wholly or mainly from that ingredient.

If the flavour is not derived wholly or mainly from that food (i.e. artificial flavours are used) then the description must be followed by the word 'flavour' (e.g. Lemon flavour Madeira Cake).

The cream in Cream Cakes must be wholly dairy cream. If any artificial or imitation cream is used, the name of the cake must be qualified accordingly.

Imitation cream and imitation chocolate must not be described as cream or crème, chocolate or choc.



#### A list of ingredients

The list must have an appropriate heading consisting of or including the word 'ingredients'.

The ingredients must be listed in descending order by weight.

This list must include a breakdown of all compound ingredients e.g. margarine. You will be able to find this information on the packaging of your ingredients.

Additives must be declared by reference to their category name plus E number or chemical name.

If any ingredients have been irradiated or genetically modified it must be indicated.



## Allergenic ingredients

Where food contains any of the following allergenic ingredients and they are not named in the name of the food, their presence must be clearly indicated:

Cakes containing gluten, eggs, milk, fish, sesame seeds, soybeans, nuts, peanuts, mustard, celery, sulphur dioxide and sulphites above 10mg/kg and lupin.

There is no need to use a separate allergen box if all ingredients are clearly listed.



## Quantity of certain ingredients

The quantity (%) of an ingredient contained in the food must appear either next to the name of the food or in the list of ingredients if:

- The ingredient appears in the name of the food or it is usually associated with the name
- The ingredient is emphasised on the labelling
- The ingredient characterises the food and distinguishes it from other similar products

This is referred to as the QUID declaration (Quantitative Ingredient Declaration).

No QUID is required where the ingredient is used to flavour the food and makes up less than 2% of the food.





## Durability indication

Flour confectionery normally consumed within 24 hours does not need to be marked with a durability indication. However, it is best practice to do so.

A 'use by' date should be used for products that will deteriorate quickly and that carry the risk of food poisoning e.g. cream cakes.

Bakery products which have a longer shelf life should be marked with a 'best before' date in the form 'best before' followed by a day, month and year.

- Special storage conditions
- Name and address

The name or business name and the address or registered office of the manufacturer or packer and/or a seller in the EC needs to be provided.

The address needs to be sufficiently full to ensure a letter sent to that address will arrive. A telephone number and/or email are optional.



## Place of origin

Details of the place of origin only need be provided where the failure to do so might mislead a purchaser as to the true origin of the food.



## Instructions for use

Instructions for use should be provided where it would be difficult to use the product without them.



## Net quantity

Prepackaged flour confectionery products must be sold by number rather than by net weight.

However, if the number of items in the container is clearly visible and easily countable, or it is a single item no number or net weight is required.



## Manner of labelling

The required information must be provided on the packaging or on a label attached to the packaging.

The name of the food, the durability indication and the net quantity marking (or number), must all be visible at the same time (appear in the same field of vision).

There are no other limitations on where the rest of the information must appear. It must simply be clear and legible.


## 4. Catering establishments

Cakes presented and sold in catering establishments require no labelling. However, it is best practice to name the product, list any allergens or additives and give a durability date. When supplying products to a catering establishment supplying this information will enable the caterer to pass accurate information on to the ultimate consumer.



Nutrition Facts /	
Per 1/2 package (85 g) / pour 1	
1/2 package prepared / 1/2 emb	
Amount	
Teneur	
Calories / Calories	
Fat / Lipides 4.5 g*	% Daily
Saturated / saturés 2.5 g	
+ Trans / trans 0.2 g	
Cholesterol / Cholestérol 15 mg	
Sodium / Sodium #/%	





This leaflet can be made available in other formats. For information telephone 01803 208310.

For more information contact 01803 208025  
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Disclaimer: This leaflet is not an authoritative interpretation of the law and is intended only for guidance.