

enable a complainant to contact the named agent where necessary. A website address alone is not acceptable.

8. Origin

An indication of the place of origin or provenance of the food is not normally required on the label. However, the origin of a product must be declared where its absence might mislead the consumer to a material degree as to the true origin or provenance of the foodstuff. Consumers could be misled through pictorial representations, such as a flag or a map of a country other than the one in which it was produced. A name given to a food including reference to a place could imply that the food comes from or has been made in a particular area which could be misleading such as 'American Style Burgers' that were made in Ireland. In such cases the true place or origin should be made clear i.e. 'made in Ireland'. See example below.



9. Instructions for use

The label must contain instructions on how to use the product if it is necessary so the consumer can make appropriate use of the food, such as cooking, reheating or preparation instructions or declarations such as 'not suitable' for a particular purpose.

10. Alcoholic beverages

The labelling of alcoholic beverages containing more than 1.2% by volume of alcohol must indicate the

actual alcoholic strength by volume e.g. a bottle of beer could indicate 'alcohol 4.5% volume'.

NUTRITION LABELLING

Provision and format of nutrition information

Provision of nutrition labelling and information on nutrition on the label enables consumers to make more informed choices with regard to the nutritional characteristics of the food. European Communities (Nutrition Labelling of Foodstuffs) Regulations, 2005 (S.I. No. 65 of 2005) revokes the Health (Nutrition Labelling of Foodstuffs) Regulations, 1993 and implements the European Council Directive 90/496/EEC as amended by Commission Directive 2003/120/EC on nutrition labelling of food. Nutrition labelling is compulsory where a nutritional claim is made on the label. However, if a label carries nutrition labelling voluntarily, even when it is not required, it must comply with the Regulations.

No nutritional claim can be made on the labelling of a food other than those relating to:

- The energy value
- The nutrients: protein, carbohydrate, fat, fibre, sodium and substances that belong to or which are components of these nutrients and
- The vitamins and minerals listed in Regulations present in significant amounts.

The type of nutritional claim made dictates the information that must be given on the label. Nutrition information must be presented in one of two formats: Group 1 or Group 2 format, depending on the nutrient that the claim is being made for. All nutrient values must be stated per 100g or 100ml of the foodstuff.

Values per serving or per portion may also be declared provided that the number of servings or portions per packet is specified.

Nutrition labelling in Group 1 format must declare the following:

- Energy value (specified numerically in kilo joules and kilo calories)
- Amount of protein, carbohydrate and fat (specified numerically in grams).

Nutrition labelling in Group 2 format must declare the following:

- Energy value (specified numerically in kilo joules and kilo calories)
- Amount of protein, carbohydrate, sugars, fat, saturates, fibre and sodium (specified numerically in grams).

Example of Group 1 format:

| NUTRITION INFORMATION | | |
|-----------------------|---------------------|-------------------|
| | PER 100G | PER 190ML SERVING |
| Energy | 1557 kJ 369 kcal | 255 kJ 60 kcal |
| Protein | 9.6 g | 1.6 g |
| Carbohydrate | 62.0 g | 10.2 g |
| Fat | 9.2 g | 1.5 g |

Example of Group 2 format:

| NUTRITION INFORMATION | | |
|---|--------|-----------|
| Typical Analysis Composition per 100g. (2 Slices approx.) | | |
| Energy | 826kJ | (194kcal) |
| Protein | 8.70g | |
| Carbohydrate | 39.40g | |
| of which sugars | 0.32g | |
| Fat | 1.30g | |
| of which saturates | 0.74g | |
| Sodium | 0.60g | |
| Fibre | 5.70g | |

Additional information may also be provided on the label for amounts of one or more of the following:

- Starch
- Polyols
- Monounsaturates
- Polyunsaturates
- Cholesterol
- Vitamins and minerals listed in the Regulations.

However, where a nutritional claim is made for one of the above, they must be declared in the nutrition information table.

Where nutrition information regarding the vitamin and mineral content of a food is given on the label the following information must also be provided on the label in addition to the declaration of their quantity:

- An indication of the percentage of the Recommended Daily Allowance (RDA) that vitamins and/or minerals provide and
- There must be at least 15% of this RDA present in either 100g or 100ml of the product.

General requirements

Nutrition information on the nutrient content of a food relates to the food as purchased, i.e. before preparation or cooking. It may however relate to the product after preparation provided that sufficient preparation instructions are given and the label clearly states that the information relates to the food as prepared for consumption. The information, if space permits, must be presented together in one place in tabular form with the numbers aligned. If however there is insufficient space on the label the information may be presented in linear form.

HEALTH CLAIMS

There is currently a proposal for a European Regulation on health and nutrition claims. This proposal sets rules for making nutrition claims (e.g. low in fat.) and health claims (i.e. claims of a positive relationship between a specific food and improved health). The new rules will permit some health claims that were previously prohibited if they can be scientifically substantiated and authorised at EU level. However, in the interest of consumer protection, it will also include certain restrictions.

The fundamental rules regarding claims are that they must not be false or misleading to the consumer. Medicinal claims that a food has the property of treating, preventing or curing human disease are prohibited. Health claims are made by manufacturers regarding the benefits to health from a particular food.

COMPETENT AUTHORITY

The following officers enforce the general labelling rules:

- Officers of the Office of the Director of Consumer Affairs, 4 Harcourt Street, Dublin 2. Tel: (01) 4025555
- Environmental health officers of the Health Service Executive.

The following officers enforce the nutrition labelling rules:

- Environmental health officers of the Health Service Executive.

The FSAI has overall responsibility for the enforcement of the general labelling and nutrition labelling legislation in collaboration with its official enforcement officers (above).

For queries or complaints regarding food labelling please contact one of the competent authorities above or the FSAI Advice line on 1890 336677.

This information is based on the report published by the Food Safety Authority of Ireland on 'The Labelling of Food in Ireland 2002'.

This leaflet is updated regularly to reflect the continual legislative developments to the labelling legislation.



Understanding Food Labelling

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This leaflet outlines only the labelling requirements under the general labelling rules and the requirements according to the nutritional labelling rules.

GENERAL LABELLING

Introduction

The principal function of food labelling is to inform consumers of the properties of pre-packaged food. The fundamental rule of the labelling of foodstuffs is that **consumers should not be misled**. Detailed labelling of a product educates consumers as to the exact nature and characteristics of the foodstuff and enables them to make a more informed choice. There are two main pieces of legislation, one at European level and one at National level respectively, that control the general labelling, packaging and advertising of foodstuffs:

- Council Directive 2000/13/EC on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs and its amendments;
- Commission Directive 2001/101/EC (and its amendment Commission Directive 2002/86/EC)
- Directive 2003/89/EC (amended by 2005/26/EC and corrected by 2005/63/EC)

and a number of related Directives including:

- Directive 87/250/EEC
- Directive 94/54/EC and its amendments
- Directive 1999/10/EC
- Directive 2002/67/EC
- European Communities (Labelling, Presentation and Advertising of Foodstuffs) Regulations, 2002 (S.I. No. 483 of 2002) and its amendments:
 - (Amendment) Regulations, 2003 (S.I. No. 257 of 2003)
 - (Amendment) (No.2) Regulations, 2003 (S.I. No. 451 of 2003)
 - (Amendment) (No.3) Regulations, 2003 (S.I. No. 528 of 2003)
 - (Amendment) Regulations, 2005 (S.I. No. 228 of 2005)
 - (Amendment) (No. 2) Regulations, 2005 (S.I. No. 514 of 2005)
 - (Amendment) (No. 3) Regulations, 2005 (S.I. No. 647 of 2005).

General requirements of food labelling

The information on the label must be clear and unambiguous and must not be such as could mislead the consumer to a material degree.

In addition, the labelling must **not attribute to any foodstuff the property of preventing, treating or curing a human disease** or refer to such properties.

The information provided on the label must be easy to understand, be clearly legible, it must also be indelible, easy to see and not obscured in any way.

The labelling of food in Ireland must be in English. The food may be labelled in both Irish and English, but it is not sufficient to label a food purely in Irish.

The following mandatory information must appear on the packaging of the pre-packaged foodstuff or on a label attached:

1. The name under which the product is sold*
2. The list of ingredients
3. The quantity of certain ingredients
4. The net quantity*
5. The date of minimum durability*
6. Any special storage instructions or conditions of use
7. The name or business name and address of the manufacturer or packager, or of a seller within the European Union
8. Place of origin of the foodstuff if its absence might mislead the consumer to a material degree
9. Instructions for use where necessary
10. Beverages with more than 1.2% alcohol by volume must declare their actual alcoholic strength.*

It should be noted that for every rule there are exceptions and exemptions. For more details please refer to the FSAI's report 'The Labelling of Food in Ireland 2002' and the legislation.

* **Field of Vision:** "The name of the foodstuff, the date of minimum durability and the net quantity must appear on the label "in the same field of vision". If the product is an alcoholic beverage greater than 1.2% alcohol by volume, its actual alcoholic strength by volume must also appear in this field of vision. The intention is that all the information can easily be seen at the same time under normal purchasing conditions.

1. Name under which the product is sold

The name of a food must be stated in order to inform the purchaser of the true nature of the product. Some foods have legal names, i.e. a name specified in legislation for a product meeting particular specifications. For example, 'milk chocolate' must have a certain compositional content, such as not less than 25% total dry cocoa solids in order to be called 'milk chocolate'.

Most foods are known by their customary name, i.e. a name that has

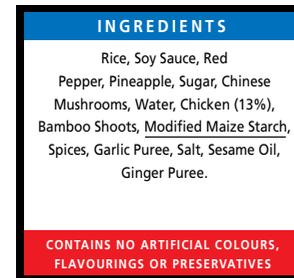
come to be accepted by consumers without needing further explanation such as fish fingers, spaghetti and muesli. In certain circumstances in order to avoid confusion, a description may be required to indicate the true nature of the product and to distinguish it from other foods.

The use of a brand name, sales name, fancy name or trademark is permitted in addition to the products legal or customary name. Details of the physical condition of the foodstuff or processes it has undergone must accompany the name of the food such as powdered, freeze-dried, deep-frozen, frozen, concentrated, sterilised and smoked.

2. List of ingredients

In most cases the list of all the ingredients must be indicated on the label in descending order of weight as recorded during the manufacture of the food. The list must start with a heading that includes the word ingredients. Where the ingredient 'starch' (or modified starch) originates from a

source that contains gluten, such as starch from wheat, oats, barley or rye, the source of the cereal origin of the starch must always be given in the list of ingredients e.g. wheat starch. This provision aids consumers with certain digestive disorders, such as those suffering from coeliac disease, to help them avoid products containing gluten. (See below).



Products containing meat as an ingredient, such as ready meals and sausages, must declare the animal species from which the meat is derived such as 'bovine meat' or 'beef meat' or simply 'beef' in the list of ingredients. The meat content however, must comply with the definition as set out in Commission Directive 2001/101/EC. (Please refer to Guidance Note 14: The Application of Commission Directive 2001/101/EC as amended by Commission Directive 2002/86/EC on the Definition of Meat.)

Additives performing technological functions in the final food must be declared in the list of ingredients such that the name of the category of additive is followed by the specific name of the additive or its E number, e.g. sulphur dioxide is a preservative commonly used in sausages and must be declared in the list of ingredients as: Preservative: Sulphur Dioxide or Preservative: E220. (see an example next column). This helps consumers identify the presence or absence of particular additives in a food.

Quinine and caffeine are used in certain foods, such as soft drinks, as flavourings or, in the case of caffeine, as an ingredient. Up until



now labelling rules did not require the specific naming of flavourings in ingredient lists. Thus caffeine or quinine used as flavourings in food might not be listed in the list of ingredients.

Now under new rules food labels must clearly indicate to the consumer the presence of quinine or caffeine in the list of ingredients. In addition, drinks containing caffeine in excess of 150mg/l must also provide a warning message on the label followed by an indication of the caffeine content such that: 'High caffeine content (Xmg/100ml)'.

The most recent amendment to the Labelling Directive will ensure that consumers are informed of the complete contents of foodstuffs subject only to a very limited number of derogations. Directive 2003/89/EC requires that ingredients liable to cause allergies or intolerance must be indicated on the label with a clear reference to the name of that ingredient.

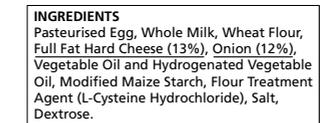
For example, sauces that contain allergenic ingredients like eggs or milk must clearly state 'egg' or 'milk' on the label thus enabling consumers with allergies to identify any allergenic ingredients that may be present in a food.. The new rules will also extend to alcoholic beverages if they contain an ingredient on the allergen list, for example, sulphite in wines. The sale of food products that do not comply with Directive 2003/89/EC is prohibited from 25th November 2005.

3. The quantity of certain ingredients

In certain circumstances it is necessary to state on the label

the quantity of an ingredient which is used in the manufacture or preparation of a foodstuff.

The quantity must be declared in percentage terms and should appear in or next to the name of the food or be in the list of ingredients. This is known as quantitative ingredient declaration or QUID. See below.



For example, the quantity of an ingredient as a percentage must be declared on the label where:

- the ingredient is included in the name of the food such as 'ham pizza' where the ham must be quantified
- the ingredient is associated with the name of the food such as 'summer pudding' where the fruit content must be quantified or
- the ingredient is emphasised in words, pictures or graphics such as 'with cheese'. This does not apply to 'serving suggestions'.

4. Net quantity

All pre-packaged foodstuffs must be labelled with information on the net quantity of the foodstuff, i.e. its weight or volume, which does not include the packaging material. The net quantity must be expressed using the metric system, i.e. litres or millilitres for liquids or kilograms or grams for solids.

5. Date of minimum durability

The date of minimum durability of a foodstuff is the date until which a foodstuff retains its specific properties when properly stored, i.e. midnight on the date shown. Most foods must be date marked. However, there are some exemptions, e.g. an indication of the date of minimum durability is not required for beverages with greater than 10% volume of alcohol, vinegar or cooking salt.

There are two types of date markings, a 'best before' date is the date up until which a food can reasonably be expected to retain its optimum condition. Most non-perishable foods with a long shelf life which do not require refrigeration fall into this category, such as biscuits and dried pasta. A 'use by' date however, is required for foods which from a microbiological point of view are highly perishable and are therefore likely after a short period to be an immediate danger to human health. Foods with a short shelf-life that require refrigeration fall into this category, such as raw and cooked meats, milk and yoghurts.

6. Special storage instructions or conditions of use

The label should outline any special storage conditions to enable the consumer to maintain the quality of the product. Details on how the product should be stored once the packaging is opened should be outlined such as 'refrigerate after opening', 'store in a cool dry place'. Other options for the storage of the food can also be detailed in order to maintain the specific properties of the opened food such as, 'suitable for freezing' and the inclusion of a star marking panel. (see label below).

| STORAGE INSTRUCTIONS | | |
|--|--------------------------|--|
| FOOD FREEZER | <input type="checkbox"/> | until best before date* |
| STAR MARKED FROZEN FOOD COMPARTMENT | | until best before date* 1 month 1 week |
| ICE MAKING COMPARTMENT | | 3 days |
| REFRIGERATOR | | 24 hours |
| * Should be -18°C or colder Do not re-freeze after defrosting | | |

7. Name and address

The label must contain the name or business name and address of the manufacturer or packager inside or outside the EU, or the name or business name and address of the seller within the EU. The contact details must be precise enough to