



# A GUIDE TO EU FOOD INFORMATION REGULATION

This document is intended to act as a guide to Regulation (EU) No 1169/2011 of the European Parliament and the Council of 25 October 2011 on the provision of food information to consumers (FIC). It does not claim to be comprehensive, or to be a legal interpretation or to constitute legal or other professional advice. Changes to EU labelling and the provision of food information to consumers can be expected in the future which will require the information in this document to be updated. It is the responsibility of each individual food business operator to ensure full compliance with applicable law.

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# 1: LABELLING CHANGES

## A SUMMARY OF LABELLING CHANGES UNDER THE NEW EU FIC REGULATION

- This regulation, EU 1169/2011 is known as the FIR or FIC Regulation and is the framework for new food information to consumer's provisions for food marketed in the European Union.
- It applies from 13th December 2014 with the nutritional labelling requirements coming on stream for 13th December 2016. Specific requirements relating to minced meat are already in force since 1st January 2014. The Country of Origin requirement for meat and poultry comes into force April 1st 2015.
- FIC aims to provide very clear information for the consumer while streamlining labelling legislation across the EU member states.



### SCOPE & RESPONSIBILITIES

- FIC applies to all foods within the supply chain and all Food Business Operators (FBOs) at all stages of the food chain from processors to catering & retailers
- The FBO under whose name a food is marketed or imported is responsible for accuracy and correctness.
- If an FBO changes a label (relabelling) the FBO who changes the label then becomes responsible for its content.
- It specifically mentions "Business-to-Business" communication and there is a duty on all FBOs to cascade information to ensure that the consumer can be accurately informed.

### MANDATORY INFORMATION

There are some subtle changes in how labelling information is to be presented:

- Name of food\*
- Ingredients (decreasing order in weight)
- Food Allergens (14 regulatory allergens + their derivatives)
- Quantitative indication of ingredients (QUID), where appropriate
- Net quantity\*
- Indication of minimum date of durability (best before / use by)
- Storage conditions
- Instructions for use
- Name & Address of FBO
- Origin Labelling (where required)
- Alcohol % if > than 1.2% by volume\*
- Nutrition declaration
- Text Size should be clearly legible and lowercase  $\geq 1.2$ mm height

The items marked with "\*" must appear in the same field of vision in conjunction with other legislative requirements for some specific foods.

### MANDATORY INFORMATION SHOULD BE PRESENTED:

- In a conspicuous place
- Easily visible
- Clearly legible
- Must not be hidden, obscured or detracted from by any other written or pictorial matter such as promotional stickers.

## 2: ALLERGENS

### THE SAME 14 ALLERGENS AS CURRENTLY APPLY

#### Important changes to note here:

- The allergens must be in the ingredient list and highlighted within the ingredient list.
- It is no longer acceptable to have an allergen statement separate to the ingredient listing.
- The allergens must be highlighted in the ingredient listing by way of bold, different colour, font style (such as Italics) or be underlined.
- An allergen does not have to be listed if it is inherent in the food name, for example, "Dry Roasted Peanuts".
- If there is no ingredient listing as in for example, Wine, "Contains Sulphites" is required and permitted.
- Allergen advice boxes will disappear as the allergens MUST appear in the ingredient list.
- Allergen advice boxes (Such as a separate printed area "Contains: Eggs, Milk and Nuts) may be replaced by a statement such as "Food allergens are highlighted in the ingredients list".
- "May Contain" statements are permitted but should not be used as a substitute for good manufacturing practice.

#### ANNEX IIIA OF DIRECTIVE 2000/13/EC LISTS THE ALLERGENS AS:

1. Cereals containing gluten and products thereof
2. Crustaceans and products thereof
3. Eggs and products thereof
4. Fish and products thereof
5. Peanuts and products thereof
6. Soybeans and products thereof
7. Milk and products thereof (including lactose)
8. Nuts i.e. almond, hazelnut, walnut, cashew, pecan nut, brazil nut, pistachio nut, macademia nut and queensland nut and products thereof
9. Celery and products thereof
10. Mustard and products thereof
11. Sesame seeds and products thereof
12. Sulphur dioxide and sulphites at concentrations of more than 10mg/kg or 10 mg/litre expressed as SO2
13. Lupin and products thereof
14. Molluscs and products thereof



### ISSUES THAT RELATE TO THE SALE OF LOOSE FOOD:

Food businesses are required to have:

- Information on allergens used in the preparation of food. This applies to for example, caterers, delis, butchers, bakers, confectioners, stalls and vehicles selling loose unwrapped food.
- Records and documents of goods supplied and checked
- Master recipes and control of recipes
- Trained staff who have an understanding of the information on allergens and their derivatives
- Knowledge and awareness in front line staff concerning 14 allergens and their derivatives
- Up-to-Date specifications
- Information regarding product substitution to ensure no increased allergen risk
- Agreements between supplier and seller on allergen content and information.

For businesses selling non-prepacked foods the allergen information must be provided in writing close to or at the point of sale. This can be by Notice, Ticket, Labels or Menus (this places training requirements on the FBO and staff)

Verbal communication of allergens can take place in addition to the above.

### PRESENTATION OF ALLERGENS

Double Chocolate Cookies

Ingredients:

**Wheat** Flour, Chocolate (20%)  
(Sugar, Cocoa Butter, Dried Whole **Milk**, Cocoa Mass, Emulsifier (**Soya** Lecithin), Salted Butter (**Milk**) (9%), Sugar, **Milk** Chocolate Chunks (6%)  
(Sugar, Dried Whole **Milk**), Cocoa Mass, Emulsifier (**Soya** Lecithin), Flavouring), Fudge Paste (Cocoa Powder, Rapeseed Oil, Dried Glucose Syrup, Salt), Golden Syrup (Invert Sugar Syrup), Reconstituted Dried **Egg**, Fat Reduced Cocoa Powder, Raising agents (Sodium Bicarbonate, Ammonium Bicarbonate), Flavouring

# 3: NUTRITIONAL LABELLING

## UNDER FIC, THERE ARE SIGNIFICANT CHANGES TO NUTRITIONAL LABELLING

- **MAJOR CHANGE #1**  
A Nutrition Declaration becomes mandatory on most food items -Up to now Nutritional labelling was only required where a Nutrition Claim was being made.
- **MAJOR CHANGE #2**  
The presentation order of the key nutritional values has changed.

### A NEW ORDER OF PRESENTATION

(VALUES PER 100ML OR PER 100G)

- Energy value (in both kJ and kCal)
- Fat
- of which saturates
- Carbohydrates
- of which sugars
- Protein
- Salt (Natural Sodium + added salt) Sodium declarations are NOT permitted.

**Supplementary nutrients can be additionally included but if done so must be in the prescribed format:**

- Mono-unsaturates
- Polyunsaturates
- Polyols
- Starch
- Fibre
- Vitamins or minerals (as currently defined in EU legislation)

### NUTRITIONAL LABELLING EXAMPLE

Nutrition	100g Contains
Energy	1097kj/ 460kcal
Fat	21.7g
of which saturates	12.3g
Carbohydrate	45.7g
of which sugars	32.9g
Protein	6.1g
Salt	0.4g



### NUTRIENT REFERENCE VALUE & REFERENCE INTAKE

- If listing Vitamins and Minerals ... they must constitute **15% NRV (Nutrient Reference Value) per 100g or 7.5% NRV per 100ml for beverages**. There is an allowance for additional "per portion" information. When including per portion figures you must include a statement regarding "Reference Intake". Reference Intake figures are pre-prescribed as 8400Kj /2000kcal, Total Fat 70g, Saturates 20g, Sugars 90g, Salt 6g.
- Note that there is no Reference Intake values for children and the current guidance suggests that no front of pack nutritional guidance be declared for foods targeted specifically at children. Guideline Daily Amounts (GDAs) are no longer permitted.

### EXCEPTIONS

- **Exceptions** to the provisions of Nutrition Labelling apply to the following: Unprocessed single ingredient, Water/Flavoured water, Herbs & spices, Salt and its substitutes, Table top sweeteners, Coffee / Chicory extract, Herbal / Fruit infusions, Fermented Vinegar, Flavours/Additives/Process Aids/Enzymes, Jam and setting compounds, Gum, Yeast, Packages < 25cm2 Declared values are for food AS SOLD but can relate to food after preparation (provided there are adequate instructions on preparation).

### WHAT VALUES CAN I USE?

- Declared values are based on average values from: Manufacturers analysis, Calculation from known actual average values, From generally established and accepted data.

### NON-PREPACKED FOODS

- For non-pre-packed foods, Nutrition labelling may be provided voluntarily. Content of the nutrition information can be limited to Energy value alone or Energy value plus amounts of fat, saturates, sugars and salt.
- Non pre-packed food is exempted from mandatory nutrition labelling unless EU Member States adopt their own National measures to introduce it.

### IMPORTANT DATES

- The provisions of FIC governing Nutritional information come into force from **13th December 2016 for ALL foods**.
- However, if a nutrition panel is already provided on a label it has to comply with the new requirements from **13th December 2014**.

# 4: COUNTRY OF ORIGIN LABELLING CHANGES UNDER FIC



- There are pre-existing rules in place relating to BEEF labelling which are unaffected by the new measures and remain in place.
- Country of origin / Place of Provenance labelling is currently mandatory where failure to indicate it might mislead the consumer on its true origin if the information provided as a whole implied a different origin (e.g. using an Irish flag on non-Irish product)
- Types of meat for which the indication of the Country of Origin or Place of Provenance is mandatory are: Fresh, chilled and frozen meat from Swine, Sheep, Goats and Poultry.
- Where the Country of Origin /Provenance is given and where it is not the same as the Primary Ingredient: The origin of the primary ingredient must be indicated as being different to that of the food, where the primary ingredient makes up greater than 50% of the product.
- Origin legislation comes into effect on April 1st 2015 and requires the origin labelling of meat supplied to the final consumer OR mass caterer in terms of where reared and slaughtered, including a batch code.
- These definitions are similar to the current provisions for beef. The definitions for “Reared” and “Slaughtered” are by their nature somewhat more complex. The use of “Origin Ireland” or “Origin another MS” is only permitted when the animal is born, reared and slaughtered in a single EU member state. i.e. Origin Ireland =Born, Reared and Slaughtered in Ireland.

## DEFINITIONS FOR SWINE



### REARED IN ‘MEMBER STATE’

- If Slaughtered >6 months of age, insert the Member State (MS) in which last 4 months rearing period.
- If Slaughtered <6months and live weight >80kg, insert the MS where rearing period reached to 30kg.
- If Slaughtered <6months and live weight <80kg insert the MS where whole rearing took place.

### SLAUGHTERED IN ‘MEMBER STATE’

- Insert the MS in which the slaughter took place **AND a Batch code.**

## DEFINITIONS FOR SHEEP & GOAT



### REARED IN ‘MEMBER STATE’

- MS where last rearing period of at least 6 months took place.
- If slaughtered <6months, the MS where whole rearing took place.

### SLAUGHTERED IN ‘MEMBER STATE’

- The MS in which the slaughter took place **AND a Batch code**

## DEFINITIONS FOR POULTRY



### REARED IN ‘MEMBER STATE’

- MS where rearing period of at least 1 month took place.
- If slaughtered younger than 1 month, the MS in which whole rearing took place.

### SLAUGHTERED IN ‘MEMBER STATE’

- Insert the MS in which the slaughter took place **AND a Batch code.**

## A NEW ORDER OF PRESENTATION

- Reared in several MS of the EU
- Reared in several non-EU countries
- Reared in several EU and Non-EU countries
- In these cases: “Reared in (list of MS or third countries where the animal was reared)”
- “Origin: MS” (If animal born, reared and slaughtered in that single MS).

# 5A: OTHER CHANGES

## A SUMMARY OF LABELLING CHANGES UNDER FIC

### MINCED MEAT

- Minced meat designation (Article 17 Annex 6B): (NEW but already in place in Republic of Ireland). There are 4 categories for mince:

1. **Lean Minced Meat (Fat<7%)**  
(Collagen protein ratio < 12%)
2. **Minced Pure Beef (Fat < 20%)**  
(Collagen protein ratio<15%)
3. **Minced Meat containing pigmeat (Fat<30%)**  
(Collagen protein ration <18%)
4. **Minced Meat of other species (Fat<30)**  
(Collagen protein ratio<18%)

- The labelling description must contain statements: "Percentage of fat under x ..." and "Collagen/meat protein ratio under y..."

### DATE MARKS

- Use by date- Definition: The use by date is reserved for foods that are highly perishable and would become a danger to health after a short period of time. Food sold AFTER it's use by is deemed to be unfit / unsafe.
- Single portions of pre-packed ice cream now do require a date mark.(NEW)
- If "sell by" or "display until" is being used they should be away from the use-by date. These are deemed to be internal stock control markings.

### SOURCES OF REFINED OILS AND FATS OF VEGETABLE ORIGIN USED AS INGREDIENTS

- The source of the oil and whether fully or partially hydrogenated MUST be declared.
- "Vegetable Oils" or "Vegetable fats" followed by origin (such as Soya, Sunflower, Rapeseed, Peanut, Palm) and may be followed by the phrase "in varying proportion".
- Sources of refined oils and fats of animal origin: Similar to vegetable fats e.g., "Pork fat, partly hydrogenated".

### THE NAME OF THE FOOD

- This can be a Legal Name (as in coffee, jam, honey), Customary Name (such as Fish Fingers, Bakewell Tart, Muesli, Spaghetti) or a Descriptive Name which must not mislead the consumer as to the nature of the product.
- The Name of the Food must be prefixed with the name of any process that the food has been subjected to, if its absence might mislead the consumer. For example, Frozen, dried/dehydrated, Desiccated, Pasteurised, Smoked, Marinated and so on.
- Substituted Ingredient: If a substitute ingredient is used in a food expected to be made with a specific ingredient then the name of the substitute ingredient must be in close proximity to the name of that food and at 75% of the "x" height\*. Example Pizza made with Analogue Cheese. (\*"x" height = lowercase letters at 1.2mm min.)
- Meat / Fishery Products with added proteins of a different animal origin: If species is different it must be declared. For example, "Pork Pie with added bovine collagen" would be the Descriptive Name of the food.

### ADDED WATER

Added water must be declared if it is at over 5% in finished product and the product appears like a cut/joint/slice/portion/fillet for:

- Meat products or preparations
- Fishery products and Prepared fishery products

### FORMED PRODUCTS

New term "Formed" to be used in the food name for Meat products, Meat preparations & Fishery products that give the impression that they are made of a whole piece of meat or fish. *This should NOT be confused with comminuted product (minced up and formed).*

### MISLEADING LABELS

- Same provisions as set out in 178/2002. *An example of a misleading label:* A label for orange flavoured drink, produced without oranges, with a picture of oranges on it.
- Imitation foods such as Analogue Cheese must be made clear in the labelling. This also applies now to the display of foods.

# 5B: OTHER CHANGES, CONT'D.

## A SUMMARY OF LABELLING CHANGES UNDER FIC

### ADDITIONAL MANDATORY PARTICULARS

Annex III of Reg 1169/2011 dictates the categories of foods for which the labelling must include one or more additional particulars as:

- Foods packaged in certain gases.
- Foods containing sweeteners.
- Foods containing glycyrrhizic acid or it's ammonium salt.
- Beverages with a high caffeine content or foods with added caffeine.
- Foods with added phytosterols, phytosterol esters, phytostanols or phytostanol esters.
- Frozen meat, frozen meat preparations and frozen unprocessed fishery products.

Specific information must be present on the labelling of these products and can be viewed in **annex III of FIC**.

FIC relates not just to food labels but also to any means of communication of food information to consumers.

### VOLUNTARY INFO VS. MANDATORY INFO

- Voluntary information must not be displayed to the detriment of space available for mandatory food information.

### ADDITIONAL VOLUNTARY INFORMATION

- This can be provided as long as it does not contradict other EU law. This allows use of provenance terms such as "Northern Irish".

### OMISSION OF INGREDIENTS LIST

- Most pre-packed foods require an ingredient list.
- Milk products like cream, cheese and butter do not require an ingredients list provided that no ingredient has been added other than lactic products, food enzymes and micro organism cultures essential to manufacture, or in the case of cheese other than fresh cheese and processed cheese, the salt needed for its manufacture.
- Anything added to the cheese means it requires an ingredient declaration. E.g. cheese with cranberry.
- Other exemptions include fresh fruit and vegetables not peeled or cut, carbonated water, fermented vinegar and single ingredient foods.
- Note that Flour fortified with nutrients DOES now require an ingredient declaration.

### ADDITIVES IN FOOD INGREDIENT LIST

- No changes here: additives intentionally added to food must be listed as their additive category followed by name / E number.
- If the additive has carried over from an ingredient and has no technical function in the final product it does NOT require labelling.
- Caution with respect to SO2 present at >10ppm even as a carry over it must be emphasized in the ingredients list as an allergen.

### NANO LABELLING

- Engineered Nano material must be identified in the food ingredients by the ingredient name followed in brackets by the word "nano".

### HOW DEFROSTED FOODS SHOULD BE LABELLED

In foods that have been frozen before sale and have been defrosted, the name of the food shall be accompanied by the designation "defrosted", except where:

- They are ingredients in the final product
- There is a technologically necessary step in production (such as slicing rashers)
- No negative impact on safety / quality (the FBO must be able to prove this assertion)
- The product was frozen whole prior to defrosting for portioning and refreezing, such as whole fish frozen at sea, defrosted for filleting and subsequently refrozen as individual fillets. Only the date of portion freezing is required -applies to meat and fishery products.