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ANALYSTS SINCE 1884



Updated 3rd March 2005

QUICK GUIDES

TO THE

LABELLING REQUIREMENTS

OF THE FSANZ

FOOD STANDARDS CODE, Volume 2.

AgriQuality Australia Pty Ltd
52-58 Mark Street
North Melbourne Vic 3051
Phone: +61 03 9326 5255
Fax: +61 03 9326 5378

QUICK GUIDE

OVERVIEW OF FOOD LABELLING

The User Guide to **Food labelling and other information requirements** (available at www.foodstandards.gov.au) is essential reading. It covers all general and specific aspects with references to where additional information is available.

For example:

NAME OR DESCRIPTION OF FOOD

- where no name is prescribed in the Code (and it will be clearly stated that it is a PRESCRIBED NAME) a name or description of the food sufficient to indicate the true nature of the food.

NOTE: the name, together with pictorial and other representations, may trigger % characterising ingredient or component labelling.

FSANZ has produced a User Guide title 'Representations About Food' August 2002

LOT IDENTIFICATION

Lot means a quantity of food which is prepared or packed under essentially the same conditions usually –

- from a particular preparation or packing unit; and
- during a particular time ordinarily not exceeding 24 hours.

Lot identification means information which indicates, in a clearly identifiable form, the–

- premises where the food was packed or prepared; and
- lot of the food in question.

NAME AND BUSINESS ADDRESS

A post office box does not meet this requirement.



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COUNTRY OF ORIGIN LABELLING

The label on a package containing food shall include a statement that identifies the country in which the food was made or produced.

The label will comply if:

The statement identifies the country in which the food was packed for retail sale.

And

If any of the ingredients do not originate in the country in which the food was packed for retail sale, a statement-

- identifying the countries of origin of the ingredients of the food; or
- to the effect that the food is made from ingredients imported into that country or local and imported ingredients, as the case requires.

LEGIBILITY

Only warning statements have minimum print sizes. Information must be in English, legible and prominent so as to afford a distinct contrast to the background.

APPLICABLE STANDARDS – Part 1.2

FURTHER INFORMATION – Overview of Food Labelling User Guide at www.foodstandards.gov.au

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QUICK GUIDE

APPLICATION OF LABELLING & OTHER INFORMATION REQUIREMENTS – QUICK GUIDE

FOOD FOR RETAIL SALE (sale to the public) **OR FOR CATERING PURPOSES** (Those foods for use in restaurants, canteens, schools, caterers or self catering institutions where food is offered for immediate consumption) must bear a label setting out all the information prescribed in the ‘Code’.

EXEMPTIONS

- the food is other than in a package; or
- the food is in inner packages not designed for sale without an outer package other than individual portion packs with a surface area of no less than 30cm² which must bear a label containing a declaration of certain substances in accordance with clause 4 of Standard 1.2.3; or
- the food is made and packaged on the premises from which it is sold; or
- the food is packaged in the presence of the purchaser; or
- the food is whole or cut fresh fruit and vegetables, except sprouting seeds or similar products, in packages that do not obscure the nature or quality of the fruit or vegetables; or
- the food is delivered packaged, and ready for consumption, at the express order of the purchaser; or
- the food is sold at a fund raising event.

NOTE: Notwithstanding the above exemptions, food for retail sale or catering purposes must comply with any requirements specified in:-

- Standard 1.2.3 Mandatory Advisory Statements and Declarations
- Standard 1.2.6. (clause 2) Directions for Use and Storage
- Standard 1.2.8 Nutrition Information Requirements
- Standard 1.5.3 Food Irradiation
- Standard 1.2.10 Characterising Ingredients and Components
- Standard 1.5.2 Genetically Modified Food

And certain food product standards in Chapter 2 of the 'Code'.
See Standard 1.2.1. for full listing

APPLICABLE STANDARD – 1.2.1

FURTHER INFORMATION – The User's Guide to each of these standards,
together with:-

- Overview of Food Labelling – User's Guide
- and
- Information Requirements for Foods Exempt from Bearing a Label at
www.foodstandards.gov.au

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LABELLING OF FOOD NOT FOR RETAIL SALE

FOOD –

- not for retail sale; or
- not for catering purposes; or
- supplied as an intra company transfer;

must bear a label containing **NAME OF FOOD, LOT IDENTIFICATION AND NAME AND ADDRESS OF SUPPLIER**, except where the –

- food is other than in a package; or
- food is in an inner package or packages contained in an outer package where the label on the outer package includes the information prescribed in clauses 1, 2 and 3 of Standard 1.2.2; or
- food is in a transportation outer where the information that would be required on the transportation outer is clearly discernible on the labels on or attached to the packages contained within the transportation outer.

PROVISION OF INFORMATION IN RELATION TO FOOD NOT FOR RETAIL SALE

Where a purchaser or relevant authority has so requested, a package of food which is-

- not for retail sale; or
- not for catering purposes; or
- supplied as an intra company transfer;

must be accompanied by sufficient information in relation to that food to enable the purchaser to comply with the –

- compositional requirements of this Code; and
- labelling or other declaration requirements of this Code.

This information must be supplied in writing where the relevant authority or purchaser has so requested.

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APPLICABLE STANDARD – 1.2.1 – Clause 3

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MANDATORY WARNING & ADVISORY STATEMENTS

For reasons of health and safety, the new Code requires that certain information be provided on labels. This information may be in the form of a prescribed statement (which includes warning statements), an advisory statement or a specific declaration depending on the degree of risk to health and safety of consumers.

MANDATORY PRESCRIBED STATEMENTS: A prescribed statement is a specific labelling statement that must be expressed on a label in the exact words and in the format specified in the Code. These statements must always be written on the food label or, where foods are exempt from bearing a label, on the food package or in connection with the display of the food.

- **WARNING STATEMENTS**

NOTE: Warning statements are the only labelling requirements with a prescribed minimum print size which is 3mm except if the food is in a small package (less than 100 sq cm surface area) in which case, it is 1.5mm.

WHICH FOODS MUST HAVE WARNING STATEMENTS?

Royal Jelly and food containing Royal Jelly

Infant Foods and formulated supplementary sports foods which all have strictly specified wording of mandatory warning statements.

MANDATORY ADVISORY STATEMENTS:

The new Code requires mandatory advisory statements on labels of certain foods or when certain substances are present in foods. The specific wording of advisory statements is not prescribed. Where the food is exempt from bearing a label, the statement must be displayed on or in connection with the food or provided verbally or in writing.

WHICH FOODS MUST HAVE MANDATORY ADVISORY STATEMENTS?

- Bee pollen
- Propolis
- unpasteurised milk and liquid milk products
- food containing aspartame or aspartame acesulphame salt
- unpasteurised egg products
- foods containing quinine
- Kola beverages containing added caffeine
- food containing guarana/guarana extracts
- food containing phytosterol esters (Standard 2.4.2)
- Food containing tall oil phytosterols
- Milk and beverages made from soy or rice (fat less than 2.5%)
- Evaporated milks, dried milks and equivalent products made from soy or rice (fat less than 2.5% as reconstituted)

as well as:

- irradiated food, formulated meal replacements, formulated supplementary foods and those for young children, as well as formulated supplementary sports foods.

MANDATORY WARNING STATEMENTS AND DECLARATIONS

- Royal jelly
- Food containing royal jelly as an ingredient

MANDATORY DECLARATIONS OF CERTAIN SUBSTANCES IN FOOD:

Certain food ingredients or components, food additives and processing aids must be declared on labels. The inclusion of a substance in the list of ingredients would normally fulfill the declaration requirement. Where the food is exempt from bearing a label, the declaration must be displayed on or in connection with the food or provided verbally or in writing upon the request of the consumer.

The presence of any of the following substances must be declared:

| |
|--|
| Cereals containing gluten and their products, namely, wheat, rye, barley, Oats and spelt and their hybridised strains other than where these substances are present in beer and spirits standardised in Standards 2.7.2 and 2.7.5 respectively |
| Crustacea and their products |
| Egg and egg products |
| Fish and fish products |
| Milk and milk products |
| Tree-nuts and sesame seeds and their products |
| Peanuts and soybeans, and their products |
| Added Sulphites in concentrations of 10mg/kg or more |

There are also advisory statements in relation to foods containing Polyols or Polydextrose at certain levels.

APPLICABLE STANDARD – 1.2.3

FURTHER INFORMATION – User’s Guide to the above Standard at www.foodstandards.gov.au

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INGREDIENT LABELLING

COMPOUND INGREDIENT means an ingredient of a food which is itself made from two or more ingredients. (eg. jam, chocolate)

INGREDIENT means any substance, including a food additive, used in the preparation, manufacture or handling of a food.

The label on a package of food must include a statement of ingredients unless –

- the food is labeled with the name of the food which would otherwise be those ingredients listed in the ingredient list; or
- the food is an alcoholic beverage standardised in Part 2.7 of this Code; or
- the food is contained in a small package (total surface area of less than 100 cm sq.); or
- the food is liquid milk and milk products and cream and cream products sold in glass bottles with no label other than that on the foil cap; or
- the food is exempt from bearing a label under Standard 1.2.1 Clause 2.

A statement of ingredients must list every ingredient in the food unless the ingredient is –

- an ingredient of a flavouring as defined in Schedule 5 of Standard 1.3.1; or
- a volatile ingredient which is completely removed during manufacture; or
- added water where –
 - the water is added to reconstitute dehydrated or concentrated ingredients;
 - the water forms part of broth, brine or syrup which is declared in the ingredient list or is part of the name of the food; or
 - the water constitutes less than 5% of the final food; or
- a substance used as a processing aid in accordance with Standard 1.3.3.



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For reasons of public health and safety and for consumer information the presence of certain substances and foods must always be declared in mandatory

warning or advisory statements or declarations. The exemptions listed above do not apply in relation to these substances and foods.

Ingredients must be declared in the statement of ingredients using –

- a common name of the ingredient; or
- a name that describes the true nature of the ingredient; or
- where applicable, a generic name set out in this standard.

WHAT HAS CHANGED?

Water will now be listed relative to its proportion by weight – not as ‘water added’ at the end of the list.

COMPOUND INGREDIENT - Labelling has changed as follows:-

| Amount of compound ingredient in the food | Ingredients of the compound Ingredient to be included in the Statement of ingredients |
|--|---|
| 5% or more | all ingredients |
| less than 5% | Subject to clause 4 of Standard 1.2.3, Mandatory (declaration of certain substances), all food additives in the compound ingredient where the food additive is performing a technological function in the final food. |

DECLARATION OF ADDITIVES is as under the ‘old’ Code that is ADDITIVE CLASS NAME followed in brackets by the additive code number or name.

For example: COLOUR (TARTRAZINE or 102).

NOTE: some class names have changed and the choice depends on the technological function.

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Similarly, some **generic ingredient** names have changed.

APPLICABLE STANDARD – 1.2.4

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DATE MARKING

DATE MARKING provides a guide to consumers on the shelf life of a food in terms of food quality. This means the length of time a food should keep before it begins to deteriorate. In some circumstances, date marking may also indicate how long a food can be expected to remain safe.

WHAT HAS CHANGED?

Previously, 'best-before' and 'use-by' dates could be used interchangeably on food labels. Under the new Code, manufacturers must apply a 'best-before' date unless the food needs to be consumed within a certain period because of health or safety reasons. In such circumstances, the food must be date-marked with a 'use-by' date.

This change has been made to make it easier for consumers to understand date marks on food labels. It will enable them to distinguish between products that need to be consumed by a certain time for health or safety reasons (those with a 'use-by' date) and those that do not (those with a 'best-before' date).

Foods that are date-marked with a 'best-before' date can continue to be sold after that date provided the food is not damaged, deteriorated or perished.

Foods that are date-marked with a 'use-by' date are prohibited from being sold after this date because the food may then pose a health or safety risk.

The decision trees to determine whether a food should carry a 'use-by' date or a 'best before' date are attached.

Storage conditions required to achieve the date mark must be included. The forms of date marks are strictly prescribed.

EXEMPTIONS

- **Foods with a shelf life of 2 years or more**
- **Individual serves of ice cream and ice confection**

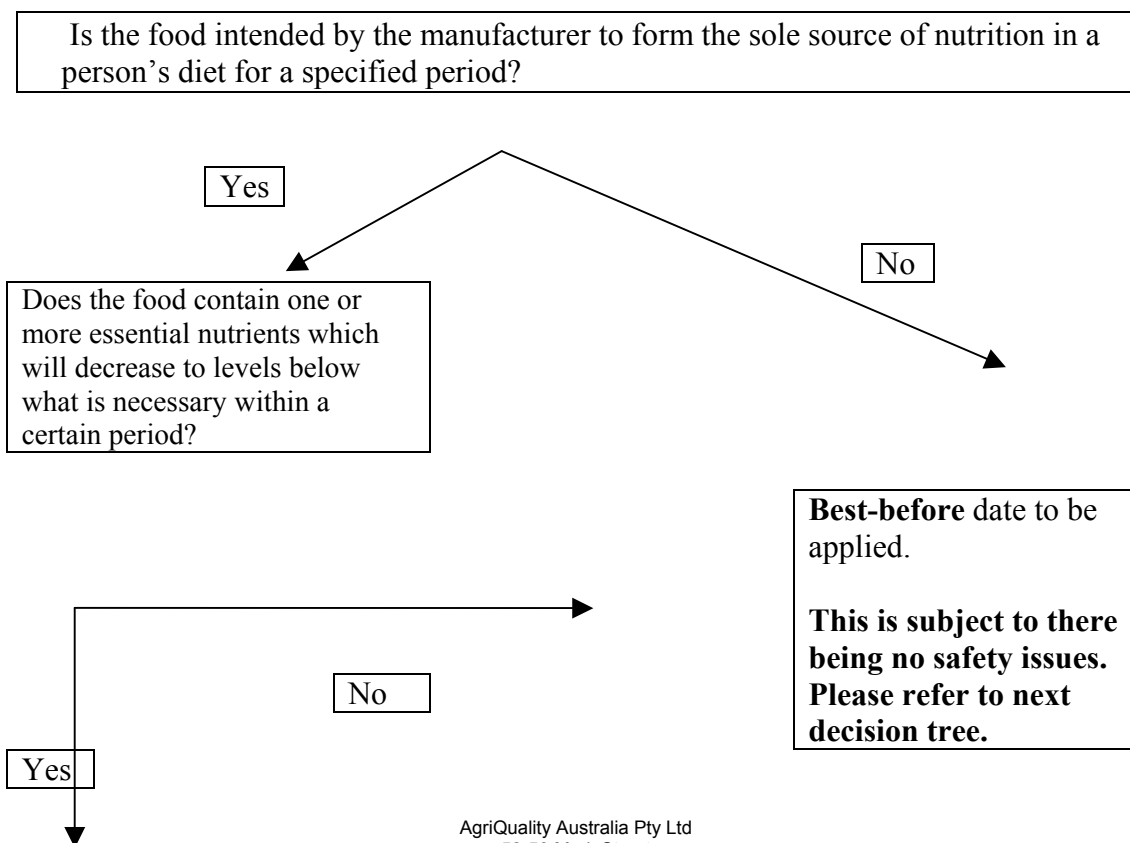
- **Food in a small package (total surface area less than 100 sq. cm) except where the food should be consumed before a certain date because of health or safety reasons (ie. it needs a ‘use-by’ date).**
- **The general exemptions from labelling under Standard 1.2.1 Clause 2**

APPLICABLE STANDARD - 1.2.5

FURTHER INFORMATION – User’s Guide to above Standard at www.foodstandards.gov.au

Decision tree to determine whether a food needs a ‘use-by date’ to address health issues

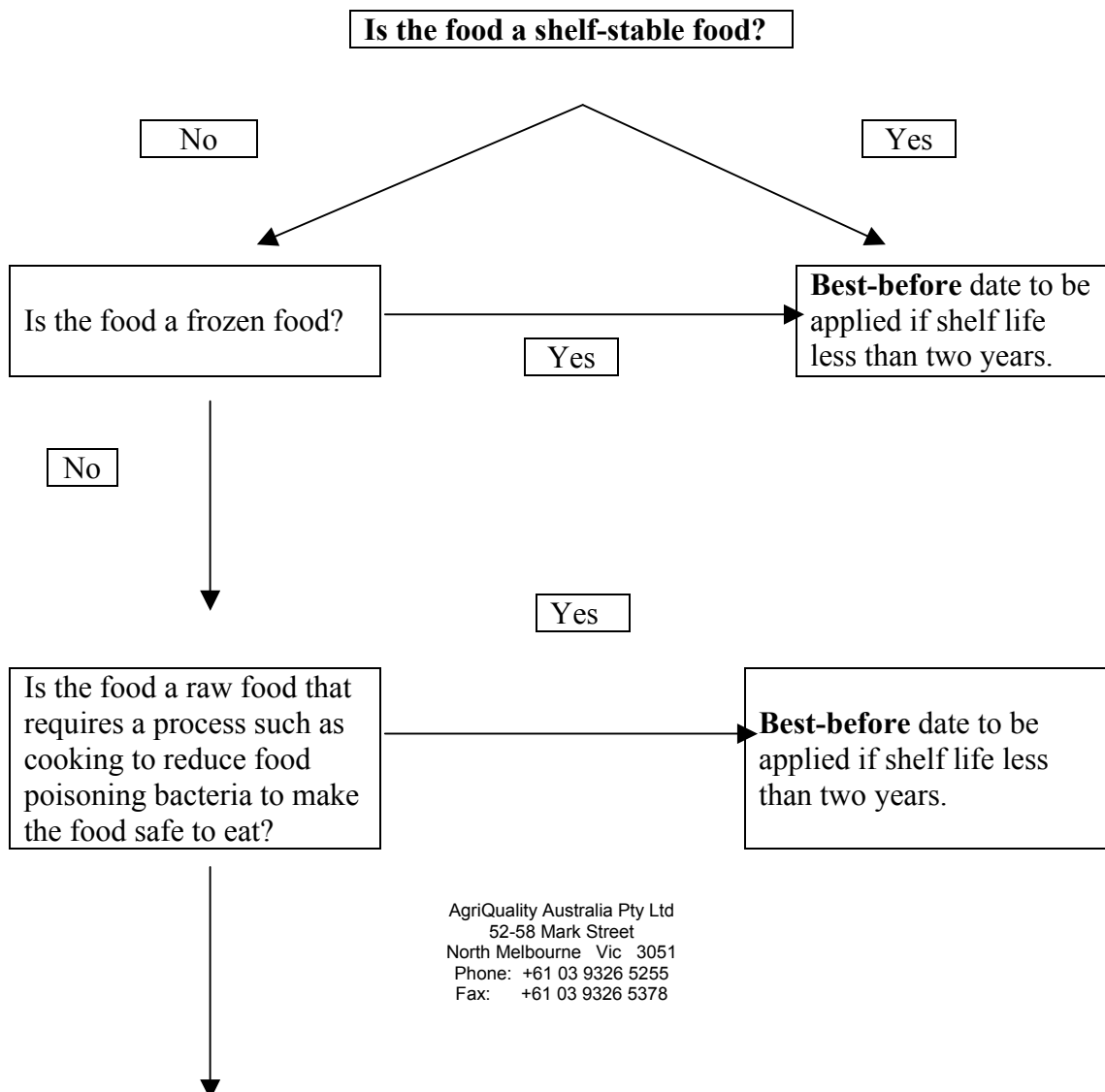
The following decision tree is designed to assist manufacturers to determine whether a ‘use-by’ date needs to be applied to a food for health reasons. **Please note:** there may be rare occasions where a ‘use-by’ date is needed for health reasons that do not fall exactly within this decision tree.

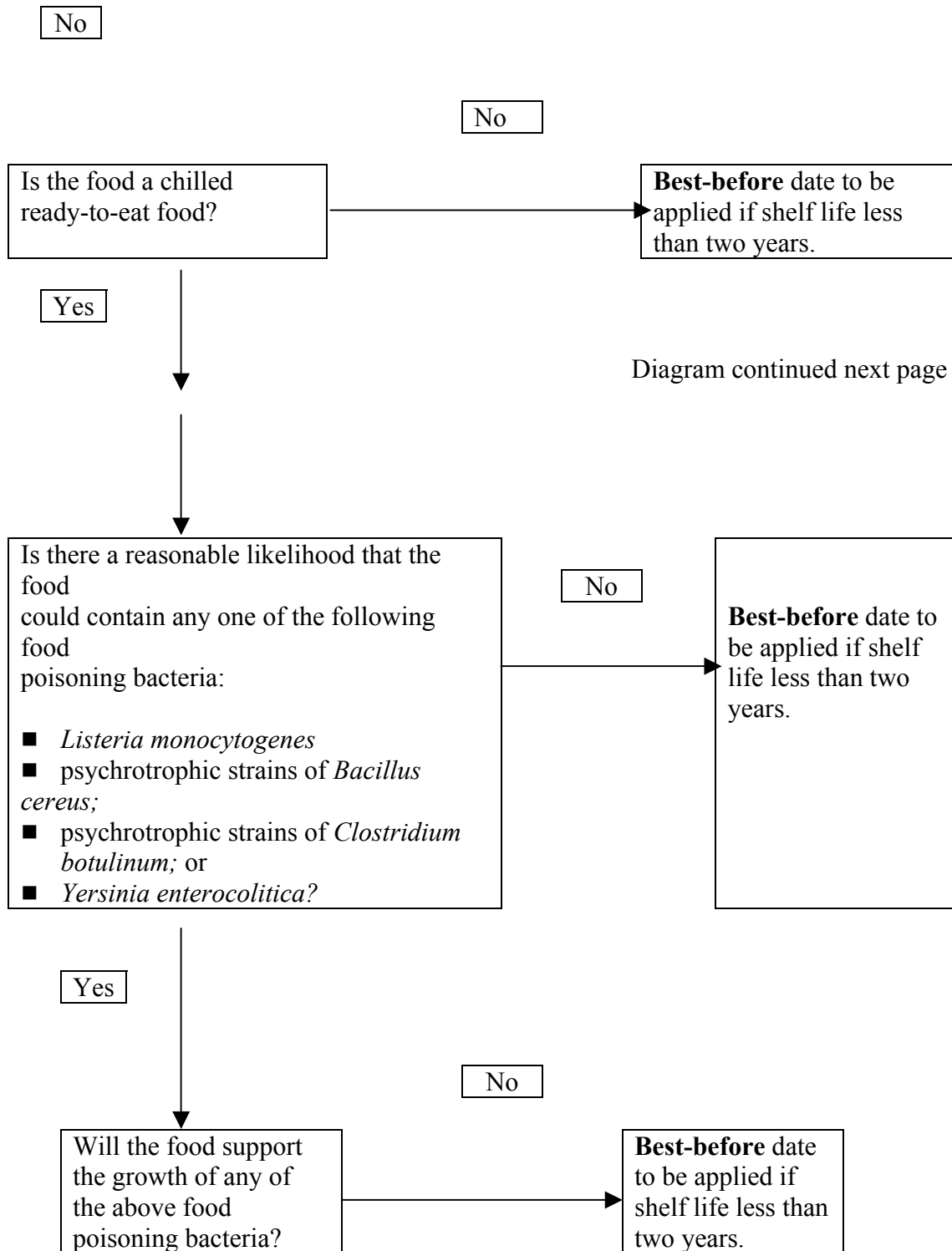


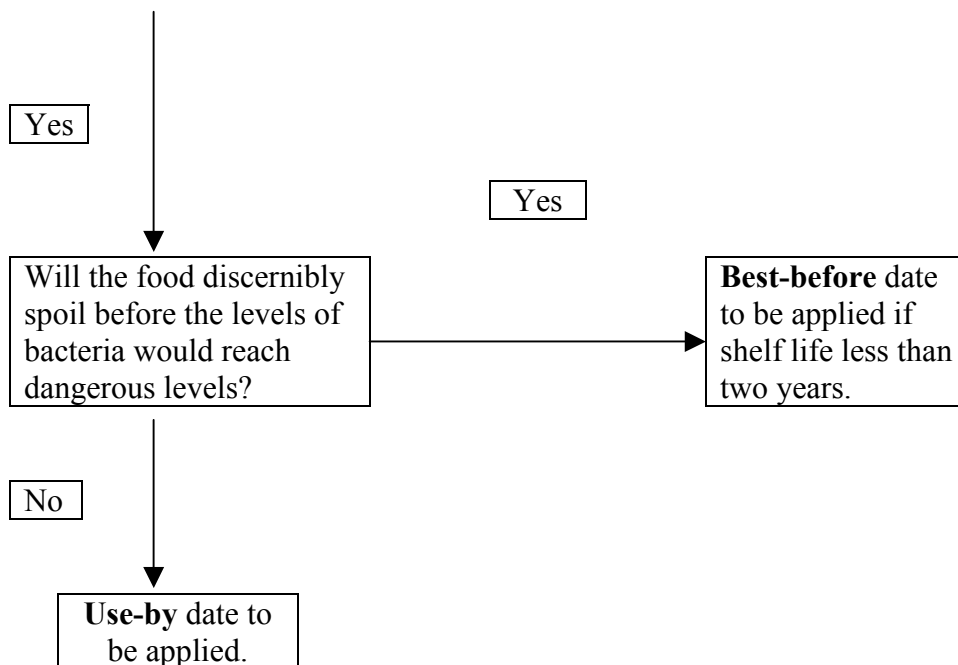
Use-by date
to be applied.

Decision tree to determine whether a food needs a ‘use-by date’ to address safety issues

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NUTRITION INFORMATION REQUIREMENTS

NUTRITION INFORMATION PANELS are intended to enable consumers to make informed nutrition choices.

WHAT HAS CHANGED?

All packaged foods must now carry a nutrition information panel, except where they are specifically exempted. This differs from the previous requirement, where a panel was required only for special purpose foods or when a nutrition claim was made.

The nutrients that must be declared are energy, protein, fat, saturated fat, carbohydrate, sugars and sodium.

The format of the basic 'Panel' is attached but it is important to note that certain 'claims' will require more detailed information.

EXEMPTIONS

Irrespective of the exemptions, where a nutrition claim is made, a nutrition information panel must be included on the label.

If you produce a packaged food that is not for retail sale, not for catering purposes nor supplied as an intra company transfer, you are required to provide a purchaser with sufficient information to be able to design a panel for their product if they request it. For example, if you supply a cream cheese to a company and they ask you to provide them with the energy, protein, fat, saturated fat, carbohydrate, sugars and sodium values for this product, then you are required to do so.

The following foods are exempt, unless a nutrition claim is made:-

- sold at fund-raising events; or
- an alcoholic beverage standardised in Part 2.7 of this Code; or
- a herb, a spice, a herbal infusion; or
- vinegar and related products as standardised in Standard 2.10.1; or
- salt and salt products as standardised in Standard 2.10.2; or

- tea, decaffeinated tea, decaffeinated instant or soluble tea, instant or soluble tea, coffee, decaffeinated coffee, decaffeinated instant or soluble coffee, instant or soluble coffee as defined in Standard 1.1.2; or
- an additive as defined in Standard 1.3.1; or
- a processing aid as defined in Standard 1.3.3; or
- fruit, vegetables, meat, poultry, and fish that comprise a single ingredient or category of ingredients; or
- in a small package (surface area less than 100 sq cm).

- gelatine as defined in Standard 1.1.2; or
- water, or mineral or spring water as defined in Standard 2.6.2; or
- prepared filled rolls, sandwiches, bagels and similar products; or
- jam setting compound.
- Beer Kits
- Kava
- the general exemptions from labelling under Standard 1.2.1 Clause 2.

Where a nutrition claim is made in relation to a food which is not required to bear a label pursuant to Clause 2 of Standard 1.2.1, the information prescribed must be –

- declared in a nutrition information panel displayed on or in connection with the display of the food; or
- provided to the purchaser upon request.

Where a nutrition claim is made in relation to a food in a small package, the label must include the information prescribed.

OTHER STANDARDS in the ‘Code’ also have provisions relevant to nutrition labelling:-

- Standard 1.3.2 Vitamins and Minerals
- Standard 2.9.1 Infant formula products
- Standard 2.9.3 Formulated foods
- Standard 2.9.4 Formulated sports foods

CONDITIONS FOR MAKING CERTAIN NUTRITION CLAIMS:-

- Division 3 of Standard 1.2.8 for mandatory conditions
- The ANZFA Code of Practice on nutrient claims

NOTE: The nutrition claim/message and health claim/message issue is currently under review.

APPLICABLE STANDARD - 1.2.8

FURTHER INFORMATION – User’s Guide to the above Standard at www.foodstandards.gov.au

IMPORTANT NOTE: FSANZ has set up a **NUTRITION PANEL CALCULATOR** on their website.

This can be a complex issue and further information should be sought.

5 Prescribed declaration in a nutrition information panel

- (1) A nutrition information panel must include the following particulars -
 - (a) the number of servings of the food in the package; and
 - (b) the average quantity of the food in a serving expressed, in the case of a solid or semi-solid food, in grams or, in the case of a beverage or other liquid food, in milliliters; and
 - (c) the unit quantity of the food; and
 - (d) the average energy content, expressed in kilojoules or both in kilojoules and in Calories (kilocalories), of a serving of the food and of the unit quantity of the food; and
 - (e) subject to clause 12, the average quantity, expressed in grams of, protein, fat, saturated fat, carbohydrate and sugars, in a serving of the food in a unit quantity of the food; and
 - (f) the average quantity, expressed in milligrams or both milligrams and millimoles, of sodium in a serving of the food and in the unit quantity of the food; and
 - (g) the name and the average quantity of any other nutrient or biologically active substance in respect of which a nutrition claim is made, expressed in grams, milligrams or micrograms or other units as appropriate, that is in a serving of the food and in the unit quantity of the food;

set out, unless otherwise prescribed in this Code, in the following format –



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NUTRITION INFORMATION

Servings per package: (insert number of servings)

Serving size: g (or mL or other units as appropriate)

| | Quantity per Serving | Quantity per 100g (or 100 mL) |
|---|--|--|
| Energy | kJ (Cal) | kJ (Cal) |
| Protein | g | g |
| Fat, total | g | g |
| - saturated | g | g |
| Carbohydrate | g | g |
| - sugars | g | g |
| Sodium | mg (mmol) | mg (mmol) |
| (insert any other nutrient or biologically active substance to be declared) | g, mg, µg (or other units as appropriate) | g, mg, µg (or other units as appropriate) |

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PERCENTAGE LABELLING OF CHARACTERISING INGREDIENTS & COMPONENTS OF FOODS

CHARACTERISING INGREDIENTS AND COMPONENTS OF FOODS STANDARD 1.2.10

This standard represents the greatest departure from the 'old' Code which included many prescriptive compositional or recipe style standards. While many foods have definitions, and please be aware that these are often just to clarify the application of specific standards, there are few compositional requirements now set out. They are generally in Chapter 2 – Food Product Standards or under Standard 1.1.2 Supplementary Definitions for Foods.

This Standard, therefore, is intended to provide information to the consumer to enable them to make a choice.

Characterising component means a component of a food that –

- is mentioned in the name of a food; or
- is usually associated with the name of a food by the consumer; or
- is emphasised on the label of a food in words, pictures or graphics.

Two examples of characterising components of foods, are milkfat in ice cream and cocoa solids in chocolate.

Characterising ingredient means an ingredient or category of ingredients that –

- is mentioned in the name of a food; or
- is usually associated with the name of a food by the consumer; or
- is emphasised on the label of a food in words, pictures or graphics.

Examples - % meat in sausage rolls, % fruit and % nuts in fruit & nut muesli.

But does not include:-

- an ingredient or a category of ingredients which is used in small quantities for the purposes of a flavouring; or
- an ingredient that is the sole ingredient of a food; or
- a category of ingredients that comprises the whole of the food; or
- an ingredient or category of ingredients which, while appearing in the name of the food, is not such as to govern the choice of the consumer, because the variation in the quantity is not essential to characterise the food, or does not distinguish the food from similar foods; or

EXEMPTIONS

- food packaged in the presence of the purchaser; or
- food for catering purposes; or
- food delivered packaged and ready for immediate consumption at the express order of the purchaser; or
- prepared filled rolls, sandwiches, bagels and similar products; or
- food sold at fund raising events; or
- food in a small package; or
- food standardised in Standard 2.9.1 – Infant formula; or
- cured and/or dried meat flesh in whole cuts or pieces.
- alcoholic beverages standardised in Part 2.7 of this Code.

- foods exempt from bearing a label under Standard 1.2.1 Clause 2 except where:-
 - food is unpackaged
 - food is made and packaged on the premises from which it is sold

The percentage characterising ingredients all components must be –

- displayed on or in connection with the display of the food; or
- provided to the purchaser upon request.

All foods must bear a name that indicates the true nature of that food and the application of this Standard is common sense.

APPLICABLE STANDARD – 1.2.10

FURTHER INFORMATION – Users Guide to the above Standard at www.foodstandards.gov.au

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