

Guide to the Labelling of Packaged food



For retail sale
July 2009

Introduction

This is a guide to the labelling requirements of the Australia New Zealand Food Standards Code ("the Code") that has been adopted into food law by all Australian States and Territories. This guide is designed to help small businesses prepare basic food labels for retail sale.

As indicated in this guide, food businesses should refer to the Code for more information if:

- > claims or statements that may be regulated are made; or
- > the food has specific labelling requirements for additional information.

This guide does not cover all requirements or exceptions that may apply and is not a substitute for independent legal advice. Copies of the Food Standards Code can be obtained from Food Standards Australia New Zealand (FSANZ) at: www.foodstandards.gov.au

Updates for this guide

A copy of this guide can be found on the Department of Health website by following the Food link at: www.dh.sa.gov.au/pehs

Information on updates since the previous edition is shown on this website.

Notes

- > A reference in this guide to a *small package* means a package with a total surface area of less than 100cm²
- > A reference in square brackets [1.2.1] refers to the relevant standard in the Code.

What Food Must Be Labelled?

The label of food for catering purposes must bear food identification, mandatory warning and advisory statements and declaration, date marking, directions for use and storage, country of origin, food produced by gene technology and irradiation of food. This information is not required on the label of food where that information is provided in documentation accompanying that food.

All packaged food for retail sale must be labelled *except*:

- > food not in a package;
- > food in an inner package not designed for sale without an outer package that shows the required information;
- > food made and packaged on the premises from where it is sold;
- > food packaged in the presence of the purchaser;
- > whole or cut fresh fruit and vegetables in packaging that does not obscure the nature or quality of the food. Country of origin requirements still apply. This general exception does not apply to sprouted seeds and similar products;

- > food delivered packaged for immediate consumption at the express order of the purchaser; and
- > food sold at a fund raising event
- > assisted service display cabinet. [1.2.1]

Where these general exceptions apply to *genetically modified foods, irradiated food, fermented comminuted manufactured, and processed meats, kava, royal jelly or foods containing offal* then written information defined in the Code must be shown on the label or displayed with the food.

What Must Appear

1. The name of the food

Packaged food must be labelled with a name or description that will not mislead consumers. For some foods the Code defines the name of a food as a prescribed name and that name must appear on the label. Foods with prescribed names include:

- > Various fermented comminuted meat products
- > Formulated meal replacements
- > Formulated supplementary food
- > Formulated supplementary food for young children
- > Formulated supplementary sports food
- > Infant and Follow-on formulas
- > Honey

Other foods that do not have a defined prescribed name must show a name or description that indicates the true nature of the food. [1.2.2]

2. Lot and Premises identification

Generally, food labels must contain information identifying the premises where the food was packed or prepared and the lot (batch).

The lot usually refers to food prepared or packed within a period not exceeding 24 hours.

No specific form of words is defined.

These requirements are usually satisfied if the product is properly date marked and shows the business address of the manufacturer or packer.

Where this is not sufficient identification then additional information that is part of a system devised by the manufacturer or packer must be used. [1.2.2]

3. The name and address

For food recall and contact purposes the label must include the name and business address in Australia or New Zealand of the manufacturer, packer, vendor or importer of the food.

A full business address is required, including the street number, street name, town or suburb and state. A post office box or similar postal address is not sufficient. [1.2.2]

4. Mandatory advisory and warning information

Mandatory advisory statements are required on the labels of the following foods:

- > foods containing added phytosterol esters or tall oil phytosterols;
- > unpasteurised milk and unpasteurised liquid milk products;
- > unpasteurised egg products;
- > some milk, evaporated or dried milk and some equivalent beverages or products made from soy or cereals.

Mandatory advisory statements are required on the labels of following foods *or when present as an ingredient* in food:

- > bee pollen or propolis;
- > Cereal based beverages
- > kola drinks with added caffeine;
- > aspartame;
- > quinine;
- > guarana or extracts of guarana; and
- > lactitol, maltitol, xylitol, mannitol, sorbitol, erythritol, isomaltol, and polydextrose above certain limits.

A defined mandatory warning statement is required on:

- > royal jelly or food containing royal jelly. [1.2.3]

5. Ingredient labelling

With some exceptions food labels must include a statement of ingredients (the term ingredient includes additives).

Exceptions apply to *alcoholic beverages; small packages; milk and cream products in foil top glass bottles and where the name of the food is a full list of all the ingredients*. [1.2.4]

Certain ingredients or products of those ingredients that may *cause a reaction in some consumers* must be declared (including when present as a processing aid). These ingredients are *cereals containing gluten, crustacea, egg, fish, milk, tree nuts, sesame seed, peanuts, soybeans, and sulphite additives when present at more than 10mg/kg*.

Declaration of these ingredients and their products applies to all foods including the exceptions to ingredient labelling above and to the labelling of portion packs contained inside an outer package if the portion pack has a surface area greater than 30cm². [1.2.3]

All ingredients must be listed in descending order of ingoing weight. This means that the ingredient present in the greatest proportion is listed first and so on. Added water must be shown in the ingredient list unless it is used to re-hydrate or reconstitute food ingredients, forms part of a broth, brine or syrup already in the ingredient list or represents less than 5% of the final food.

The position of water or other volatile ingredients is calculated after allowing for losses during manufacture.

If a food contains a *compound ingredient* (an ingredient made from other ingredients) the ingredients in that compound ingredient can either be shown individually in the list or listed in descending order immediately after the name of the compound ingredient as in this example: Milk chocolate (sugar, milk solids, cocoa butter, emulsifier 476, flavour).

All *foods and additives* in a compound ingredient that contributes 5% or more to the final food must be declared. If the compound ingredient contributes less than 5% to the final food then only additives performing a technological function and those ingredients that may cause a reaction in some consumers must be declared.

In the case of some ingredients, it is sufficient to state the generic name of the food. For example, the term "*fruit*" can be used for a mixture of *apple, banana, and cherry*. This generic listing of food ingredients may be used for *cheese, cocoa butter, crystallized fruit, gum bases, herbs, meat, milk protein, milk solids, poultry meat, spices, vegetables, fruit and sugar*. The term "*sugars*" must not be used.

Specific conditions apply to the use of following generic terms:

- > the terms "*cereals*" or "*starch*" must be accompanied by the specific name of the cereal used;
- > the term "*nuts*" must be accompanied by the specific name of the nut;
- > the terms "*fats*" and "*oils*" must be identified as being of vegetable or animal origin. If a fat or oil is from *peanut, soy or sesame seed*, that source must be declared. Diacylglycerol oil must be declared by that name. The source of animal fats used in dairy products must be declared; and
- > the term "*fish*" may be used provided the ingredient does not include crustaceans which must be separately declared by the specific crustacea name.

So the consumer is not misled about the nature of an ingredient, the ingredient name may need to be *qualified*, for example:

cheese powder
or
dried vegetables

In the case of a food additive, the additive must be declared either by reference to its class name followed by the food additive number, or by the class name followed by the prescribed name of the additive, for example:

Colour (102)
or
Colour (Tartrazine)

If a food additive cannot be classified under one of the class names defined in the Code then it must be declared using its prescribed name.

The addition of flavouring must be declared as:

Flavouring
or
Flavour

or alternatively using the specific name or description of the flavouring. Where the additives 620, 621, 622, 623, 624, 625, 627, 631, or 635 are used as flavouring their presence must be declared using the code number or additive name.

The addition of *caffeine* to any food must be declared.

Where from time to time a food ingredient or an additive is replaced with another food or another additive serving the same function, both can be listed provided it is clear that a substitute or alternative ingredient or additive is being declared. For example the ingredient list may state "safflower or sunflower oil" as alternative ingredients. [1.2.4]

An ingredient, processing aid or additive produced using gene technology may require the declaration "genetically modified" to be shown with the name of the ingredient, processing aid or additive, for example: soy protein isolate (genetically modified)

Exception to this requirement applies to highly refined foods, processing aids or additives from which the novel DNA or protein has been removed. It is not required to declare flavours produced using gene technology if added in a concentration of less than 1g/kg in the final food. [1.5.2]

If a food contains an ingredient that has been irradiated then this must be declared in a separate statement on the label or in the ingredient list, for example: Herbs (irradiated) [1.5.3]

To decide if an ingredient, processing aid or additive must be identified as *genetically modified or irradiated*, information must be obtained from the ingredient supplier.

6. Date mark

Generally, all packaged food with a life of 2 years or less must show a date-mark.

The "BEST BEFORE" form of date mark will be used on most packaged foods. A food with a "BEST BEFORE" date mark can be sold after that date has expired, provided it is safe and suitable for consumption. Examples of where "BEST BEFORE" would be used include shelf-stable foods (such as biscuits, confectionery, canned foods), frozen foods, most raw foods that will be cooked before eaten (meat, chicken, fish) or foods that will noticeably spoil before becoming unsafe.

If a manufacturer or packer believes that for health and safety reasons a food should not be consumed after a certain date the "USE BY" form of date mark must be used. Foods labelled "USE BY" cannot be sold after the date shown.

Foods with a shelf life of 3 months or less must display a date mark that shows at least the day and month. Foods with a shelf life longer than 3 months must show at least the month and year.

Any *storage conditions* that are necessary to ensure that a food will keep for the period indicated by the date mark must be shown, for example:

Keep Refrigerated
or
Store at 5°C or less

For bread with a shelf life of less than 7 days, the "BEST BEFORE" date mark may be replaced by a date mark in the form:

BAKED FOR (a date not more than 12 hours after baking)
or
BAKED ON (date) [1.2.5]

7. Health and safety advice

If additional directions for storage or use of a food by the consumer are necessary to protect health and safety these directions must be shown.

For example:

Refrigerate after opening

The Code defines specific statements that must appear on packaged raw bamboo shoots and sweet cassava. [1.2.6]

8. Nutrition information panel

Generally, all packaged food labels must include a nutrition information panel.

Provided *no* nutrition claims are made then exceptions to this requirement for a panel are allowed for *foods sold at fundraising events; small packages; fruits, vegetables, meat, poultry or fish sold as single ingredients; alcoholic beverages; herbs, herbal infusion and spices; vinegar; salt; tea and coffee; gelatine; defined additives or processing aids; water including mineral and spring water; jam setting compound; kits for producing alcoholic beverages; kava and sandwiches, rolls, bagels and similar products.*

For foods that are not exempt the example label in this guide provides the format for a standard nutrition information panel.

The FSANZ website provides an online tool to calculate nutrition information panel values for each standard nutritional property.

Food that needs to be reconstituted or food that is drained before consumption must clearly indicate that the values in the panel are for the reconstituted or drained food.

Where a claim is made for a nutritional property that is not listed in the standard panel then the panel must also include information for that claim. Where a nutrition claim is made on a small package the Code provides an alternate way to declare the nutrition information.

The Code sets out additional information that must be included in the panel for claims about *cholesterol, fatty acids, fibre, sugars or carbohydrates*.

Nutrition claims about *polyunsaturated, monounsaturated or omega fatty acids, low joule foods, lactose, gluten, salt, sodium or potassium* may not be made unless the claims comply with conditions defined in the Code. [1.2.8]

9. Characterising ingredients (percentage labelling)

Characterising ingredients or components must be declared on the label as a percentage of the final food.

The example label in this guide shows a percentage declaration in the ingredient list.

An ingredient or component is a characterising ingredient or component if:

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

Where a food must be reconstituted the percentage may be declared as a percentage of the reconstituted food provided that is clearly indicated.

The percentage must be declared as either the actual or the minimum percentage provided that where the minimum percentage is used that is clearly indicated.

The requirement for a packaged food to show the percentage of characterising ingredient does not apply to:

- > food packaged in the presence of the purchaser;
- > food for catering purposes;
- > food delivered packaged and ready for immediate consumption at the express order of the purchaser;
- > prepared filled rolls, sandwiches, bagels and similar products;
- > food sold at fund raising events;
- > food in small packages;
- > infant formula;
- > cured dried meat flesh;
- > flavouring ingredients used in small quantities;
- > single ingredient foods; and
- > alcoholic beverages. [1.2.10]

10. Country of origin

A label must include a separate statement identifying the country of origin of the food. The form of words is not defined but "Product of", "Made in" and similar terms have the following meaning:

- > "Product of", "Produced in" and similar terms mean that the origin of each significant ingredient is from the country identified and all or virtually all the processes of production or manufacture were done in that country; and
- > "Made in", "Manufactured in", "Australian made" and similar terms mean that the nature of the food was substantially transformed in the country claimed to be the origin and at least 50% of the production cost was in that country. If this rule cannot be met then a qualified claim may be made, for example:
Made in Australia from imported ingredients
or
Packaged in Australia from local and imported ingredients

Other label information including pictures and graphics must not mislead or conflict with the country of origin statement.

Whole or cut fresh fruit and vegetables in a package that does not obscure the nature or quality of the food must display on the package or on signs in connection with the food the country or countries of origin or that the food is a mix of local and imported product. [1.2.11]

What Must Not Appear

A label must not include words, statements, claims, pictures or graphics that represent a food or its characteristics in a way that is false, misleading or deceptive. For example, pictures or graphics on a label suggesting how the food can be prepared may need to be accompanied by qualifying information such as "RECIPE", "SERVING SUGGESTION" or other statement to ensure the consumer is not misled about the contents of the package.

Except as permitted by the Code the following health related claims are prohibited:

- > claims for therapeutic and prophylactic action or any similar claims;
- > words, statements, claims and expressions which could be interpreted as advice of a medical nature from any person;
- > the word "health" or any other similar words when used as part of, or in conjunction with the name of a food; and
- > the name of, or any reference to any disease or physiological condition. [1.1A.2]

Regulated Statements

In addition to the information set out previously, the following are some regulated claims and statements that may apply:

- > The use of the terms “nonalcoholic”, “non-intoxicating” and “low alcohol” or similar representations are regulated;
- > Foods, including alcoholic beverages that contain more than 1.15% alcohol must be labelled “CONTAINS X% ALCOHOL BY VOLUME” or with words of similar effect;
- > Low alcohol beverages containing more than 0.5% but less than 1.15% alcohol must be labelled “CONTAINS NOT MORE THAN X% ALCOHOL” or with words of similar effect;
- > A beverage that contains more than 0.5% alcohol must be labelled with a statement showing the number of standard drinks. More information is provided in the guideline “Standard drinks labelling requirements for alcoholic beverages”.
- > Claims or statements about a vitamin or mineral may not be made except as permitted by the Code. Where a permitted claim or statement is made the label must show additional information about the vitamin or mineral using the format defined in the Code;
- > Claims about electrolyte drinks, infant formulas, foods for infants, formulated supplementary sports foods are regulated;
- > Additional labelling statements defined in the Code must be shown on the labels of:

Food containing meat offal

Minced meat (where reference is made to the fat content)

Fermented comminuted processed and manufactured meats

Formed meat or formed raw fish products

Fruit or vegetable juice blends

Edible oils

Electrolyte drink

Kava

Formulated caffeinated beverages

Foods for infants and Infant and

Follow-on formulas

Formulated meal replacements, supplementary foods and supplementary sports food Reduced sodium salt.

- > Food that has been irradiated must include a statement that the food has been treated with ionising radiation, for example:

Treated with Ionising Radiation

or

Irradiated (name of food)

Further information

User guides and fact sheets that provide a more detailed interpretation of the Code with examples can be found under the Assistance for Industry heading on the FSANZ website. www.foodstandards.gov.au

These guides cover:

- > Country of origin labelling (including unpackaged products);
- > Representations about food;
- > Ingredient labelling;
- > Percentage labelling;
- > Information required for foods exempt from bearing a label;
- > Food additives;
- > Warning and advisory statements;
- > Legibility requirements;
- > Date marking;
- > Nutrition information panels;
- > Genetically modified foods;
- > Flavouring and flavour enhancers; and
- > Small packages.

Information can also be obtained from:

The Food Policy and Programs Branch,
Department of Health,
Citi Centre Building,
Level 1, 11 Hindmarsh Square,
Adelaide 5000
Telephone: 8226 7100
www.health.sa.gov.au/pehs

A copy of Standard drinks labelling requirements for alcoholic beverages is available from this web site.

Other labelling legislation

For enquiries concerning:

Weights and measures

Contact:
Trade Measurement,
8 West Thebarton Road, Thebarton
Telephone: 8234 2036

Beverage container deposit legislation

Contact:
Environmental Protection Authority,
77 Grenfell Street, Adelaide
Telephone: 8204 2004

The Label

Where a label includes statements, claims or other information that is in addition to the information required by the Code then reference must be made to the Code for the rules or prohibitions that may apply.

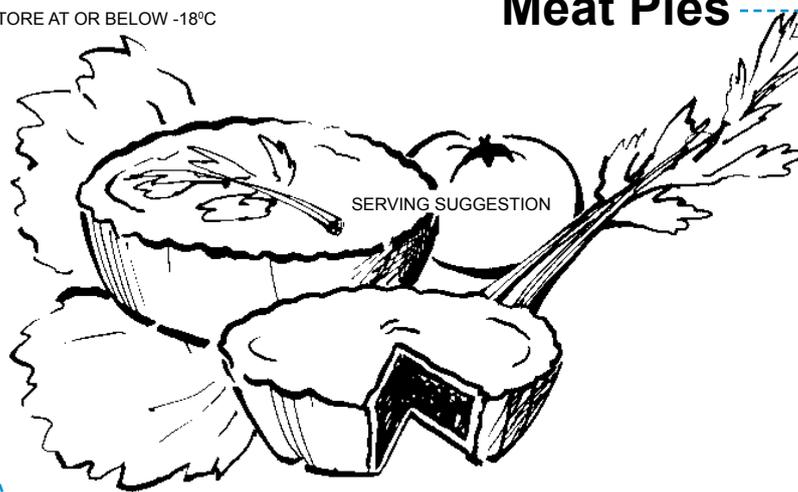
Date Mark and storage conditions

Where a food is packed using variable weights or volumes the number of servings per package can be replaced with servings per kilogram or other appropriate unit

The word serving may be replaced with the word *slice*, *pack*, or *package* or other common unit of measure including *metric cup* or *metric tablespoon*

BEST BEFORE 9 DEC 07
STORE AT OR BELOW -18°C

Meat Pies



NUTRITION INFORMATION		
SERVINGS PER PACKAGE – 4		
SERVING SIZE - 175g		
	QUANTITY PER 175g SERVING	QUANTITY PER 100g
ENERGY	1615kJ	923kJ
PROTEIN	25.9g	14.8g
FAT - Total	20.6g	11.8g
- Saturated	10.0g	5.76g
CARBOHYDRATE	23.6g	13.5g
- Sugars	1.2g	0.7g
SODIUM	471mg	269mg

All values are average quantities

INGREDIENTS
WHEAT FLOUR, MEAT (MINIMUM 25%), WATER, ANIMAL AND VEGETABLE FAT, ONION POWDER, HYDROLYSED VEGETABLE PROTEIN, EGG, THICKENER (410), SUGAR, MINERAL SALT (450), SALT, COLOUR (150a), HERBS, PRESERVATIVE (223).

FINEFOOD CO,
20 MAIN ST,
ADELAIDE,
SOUTH AUSTRALIA.

PRODUCT OF AUSTRALIA **700g**

Name of the food

A statement of ingredients in descending order of ingoing weight showing the percentage of the characterising ingredient

Weights and measures

The nutrition information panel information must clearly indicate that the values are average quantities or if some are minimum or maximum quantities indicate those values that are minimum or maximum quantities

Name and business address in Australia or New Zealand and a separate *Country of Origin* statement

Legibility and Print size

All required words, statements or expressions must be in the English language. Information in other languages is permitted if it does not negate or contradict the information in English.

With the exception of required warning statements no specific print size is defined. However, the information must be legible, set out prominently and be in a distinct contrast to the background.

Warning statements required by the Code must be in a type size of not less than 3mm or 1.5mm on small packages. [1.2.9]

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For more information

**The Food Policy and Programs Branch,
Department of Health,
Citi Centre Building, Level 1,
11 Hindmarsh Square, Adelaide 5000
Telephone 8226 7100
www.health.sa.gov.au/pehs**

**A copy of Standard drinks labelling requirements for
alcoholic beverages is available from this web site.**

Non-English speaking:
for information in languages other than English, call the Interpreting
and Translating Centre and ask them to call The Department of Health.
This service is available at no cost to you, contact (08) 8226 1990.

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