

Guideline to Labelling Requirements for Food Businesses

Relevant to – Food Act 2008, Australia New Zealand Food Standards Code

The purpose of this guideline is to assist you with meeting labelling requirements under the *Australia New Zealand Food Standards Code*. In most circumstances packaged foods for retail sale are required to bear a label however there are some exceptions.



- 4 Please note that in this case a warning and advisory statement is not required as the name of the food clearly indicates the contents.
- 9 Please note that this particular product does not require special directions for use or storage.

General Labelling Requirements What Must Appear?

The following is an example of core labelling requirements that will apply to most foods. See the numbering below for further details.

1 The name of the food [Standard 1.2.2]

Package foods must be labelled with a name or a 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, e.g. honey, formulated supplementary sports food.

2 The lot identification [Standard 1.2.2]

Generally, food labels must contain information identifying the premises where the food was packed or prepared and the lot or batch. The lot is required on packaged food to assist in the event of a food recall. A lot number should identify the batch from which the food was manufactured. These requirements are usually satisfied if the product is properly date marked and shows the business address of the manufacturer.

3 Name and business address in Australia [Standard 1.2.2]

For food recall and contact purposes the label must include the name and business address of the manufacturer, packer, vendor or importer of the food. The address must include the street number, the street name, the town or suburb and, the state or

territory. A post office box address is not sufficient.

4 Mandatory warning and advisory statements and declarations [Standard 1.2.3]

Mandatory advisory statement is required on the labels of the following foods:

- Foods containing added phytosterols 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 the following foods or when present as an ingredient in food:

- Bee pollen or propolis;
- Cereal based beverages;
- Kola drinks with added caffeine;
- Aspartame;
- Quinine;

A full list of warning and advisory statements is available at:

<http://www.foodstandards.gov.au/code/userguide/pages/warningandadvisoryde1403.aspx>

When a complete label is not required but the food contains allergens or substances that require an advisory or warning statement, the information must be displayed alongside the food, or be available if you ask for it.

5 Ingredient listing [Standard 1.2.3, Standard 1.2.4]

The label of a package of food must list all the ingredients and compound ingredients (including food additives) used in the manufacture of the food. A compound ingredient means an ingredient of a food that is itself made up of two or more ingredients, e.g. spaghetti, which is made up of flour, egg and water.

If the food contains compound ingredients (an ingredient that contains more than one ingredient) then all the foods and additives in a compound ingredient that contribute 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 must

be declared.

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.

In the case of some ingredients, a generic listing may be used, e.g. herbs, meat, milk protein, however you must be specific about the species of Crustacea, type of nut and if oils used are of animal or vegetable origin.

Declaration of certain substances [Standard 1.2.4]

Certain ingredients that may cause a reaction in some consumers must be declared as an ingredient, a compound of an ingredient, a food additive or component of an additive, or in a processing aid or component of a processing aid. These ingredients are:

- Gluten(found in wheat, rye, barley ,oats, spelt)
- Lupin
- Crustacea;
- Egg;
- Fish;
- Milk;
- Tree nuts;
- Sesame seed;
- Peanuts;
- Caffeine;
- Soybeans, and
- Sulphite additives when present at more than 10mg/kg.

Listing any of the above foods in the ingredient list is sufficient to satisfy this requirement.

Food additive name must be declared in the ingredient list, in the following format:

- The class name followed by the food additive number e.g. Raising agent (500) or
- The class name followed by the full name of the additive e.g. Raising agent (Sodium bicarbonate).

A full list of food additive names and numbers is available from The Code in Schedule 7 & 8.

The online training and supporting resources can be accessed from the following link:

www.foodallergytraining.org.au

However, in the case of the addition of most flavouring, the word 'flavouring', 'flavour' or the

specific name or Calculator into the search box description of the flavouring may be used.

6 Date marking [Standard 1.2.5]

Generally, all packaged food with a life of 2 years or less must show a date-mark. The date that you use can be determined by laboratory testing or approved literature. 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. If you believe 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.

A date marking tool to know when to use "USE BY" when appropriate is on page 10 of <https://www.foodstandards.gov.au/code/userguide/Documents/Guide%20to%20Standard%201.2.5%20-%20Date%20Marking%20of%20Food.pdf>

7 Nutrition information panel [Standard 1.2.8]

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

The only exceptions to this requirement are: 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 which require a nutrition information panel, the following is an example of a standard format:

The words 'serving size' may be replaced with the words 'slice', 'pack', or 'package' or other common units of measure as appropriate.

The FSANZ website provides an online tool to calculate nutrition information panel values. Go to www.foodstandards.gov.au and type Nutrition Panel

| Packet of 4 frozen pies | | Nutrition information | |
|---|--------------|---------------------------|-------------------|
| Servings per package - 4 Serving size - 175g | | | |
| | | Quantity per 175g serving | Quantity per 100g |
| Example 1 | 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 |

8 Characterising ingredients (percentage labelling) [Standard 1.2.10]

There are some exemptions but generally characterising ingredients must be declared on the label as a percentage of the final food. The 'characterising ingredients' are usually mentioned in the name of the product or highlighted on the label. It is the main ingredient you would expect to find in the food. The percentage declaration is calculated on the basis of the ingoing weight of the characterising ingredient or component.

For example, the characterising ingredient is a 'meat pie' is meat and the food label must state the percentage of meat in the pie, as in the example below:

Example

Ingredient label from a "meat pie"

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).

9 Directions for use or storage [Standard 1.2.6]

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, Store below 5°C , refrigerate after opening, store in a cool dry place.

10 Country of Origin [Standard 1.2.11] replaced

Businesses must continue to comply with the Food Standards Code until 1st July 2018, unless voluntarily adopt the new Australian Consumer Law Standard that commenced in July 2016.

Exemption from country of origin labelling: food sold for immediate consumption (cafes, restaurants and canteens) and food that is made and packaged on the premises it is sold, such as in a bakery.

- Some unpackaged foods for retail sale need a label placed on the food or in connection with the display:
- fish, including fish that has been mixed or coated with one or more other foods
- Pork, beef, veal, lamb, hogget, mutton, chicken
- Fruit and vegetables. This also applies to packaged unprocessed fruit and vegetables displayed in packages that do not obscure the nature or quality of the food

This includes a food that has been:

- Cut, filleted, sliced, minced or diced.
- Pickled, cured, dried, smoked, frozen or preserved by other means marinated cooked.
- The standard mark is optional for non-priority

foods, which will only require a country of origin statement as a label. Non-priority foods include:

- Seasonings, confectionery, biscuits and snack food, bottled water, tea and coffee, alcoholic beverages.
- More information can be found at: <https://www.accc.gov.au/business/advertising-promoting-your-business/country-of-origin-claims/country-of-origin-food-labelling>
- Tool to create country of origin labels available at: <http://www.originlabeltool.business.gov.au/>



Presentation of Food Labels

Legibility [1.2.9]

- All required words, statements, or expressions provided on a food label must be in English and be set out legibly, prominently and in a colour distinct to the background.

8.2 Print sizes [1.2.9]

- No specific print type or size is required, labels however should be large enough so that the text is legible.
- Warning statements must be in a type size of at least 3mm (or 1.5mm on small packages). A print size is defined in the Code for some foods where a required statement must be shown (e.g. infant formula).
- Small package has total surface area less 100cm² e.g. 5cm x 2cm x10cm.

What Retail Foods are Exempt from Some Labelling Requirements?

Food for retail sale is exempt from some labelling requirements where the food is:

- Not in a package;
- In an inner package not designed for individual sale;
- Made and packaged on the premises from which it is sold;
- Packaged in the presence of the purchaser;
- Whole or cut fresh fruit and vegetables in packaging that does not obscure the nature or
 - Quality (does not include sprouting seeds or similar products);
 - Delivered packaged and ready for consumption at the express order of the purchaser;
 - Sold at a fundraising event;
 - Packaged and displayed in an assisted service display cabinet.

Please note even when exempt from some labelling requirements, certain information about a food must be available to the consumer, either verbally or in writing, at the point of sale.

Food for Catering

Food for catering purposes includes food supplied to catering establishments, restaurants, canteens, schools, hospitals where food is prepared for immediate consumption. Label should include:

- Name of food (on package, container)
- Lot identification (dated marked)
- Name and business address of supplier. Can be on documentation accompanying food.

- Mandatory Warning and Advisory Statements and Declarations – if applicable. Can be on documentation accompanying food.
- Directions for use and storage, if applicable.

Catering Food Exempt:

Exemptions to labelling requirements for food for catering purposes apply where the food is:

- Not in a package (fruits/vegetables)
- Whole or cut fresh fruit and vegetables in packages that does not obscure their nature or quality.
- In an inner package not designed for individual sale;

In these instances the information may be provided in documentation accompanying the food.

Food for Wholesale

Packaged food that is not for retail sale, catering purposes and intra company transfer is required to bear a label containing the name food, date marked, name & business address.

This information may be provided in documentation accompanying the food.

Exemptions to label for wholesale:

- unpackaged
- in an inner package and the outer package bears a label with the required information
- in a transportation outer, and the inner package/s bears/bear a label with the required information, which is clearly visible through the transportation outer.

Further Information

This is a guideline only; FSANZ published user guides to food labelling and provides specific and detailed information on labelling requirements at www.foodstandards.gov.au

The Code is amended frequently and it is the responsibility of the food producer to ensure their product is always complying with labelling requirements.

FSANZ advises food businesses should obtain legal advice to ensure they are aware of developments in the law and any implications of such developments including labelling.