The EU legal framework on food labelling

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Food Information to Consumers (FIC) - Philosophy

- From food labelling to **food information to consumers**

- **Objectives**: High level of consumer protection in relation to food information while ensuring the smooth functioning of the internal market
Principles governing mandatory food information (1)

Mandatory food information when required by food information law must concern information that falls within 3 categories:

a) Information on the identity/composition/properties/other characteristics of the food

b) Information on the protection of consumers' health and the safe use of a food. That could concern compositional attributes that may be harmful to the health of certain groups of consumers, durability, storage and safe use as well as the health impact of a food

c) Nutrition information
Principles governing mandatory food information (2)

When considering the need for mandatory food information, account shall be taken of the widespread need on the part of the majority of consumers for certain information to which they attach significant value or of any generally accepted benefits to the consumer.
Main elements of FIC - (1) Presentation

- Availability, placement and presentation of mandatory food information
  - On a package or label attached thereto
    - Possibility to express certain mandatory information by other means
  - Information shall appear in words and numbers
    - Possibility to use pictograms or symbols instead
  - Minimum font size
- Distance selling
  - Information before the purchase is concluded and information at the moment of delivery
Main elements of FIC - (2) Nutrition declaration

Mandatory

- Energy (kilojoules and kilocalories)
- Fat
- Saturates
- Carbohydrate
- Sugars
- Protein
- Salt

Information related to 100g or 100ml; Voluntary labelling per portion and/or per reference intake
Main elements of FIC - (2) Nutrition declaration

Voluntary front-of-pack labelling for
- energy alone OR
- energy, fat, saturates, sugars and salt
Main elements of FIC - (2) Nutrition declaration

The declared values shall be average values based on:

- the analysis of the food;
- a calculation from the known or actual average values of the ingredients used; or,
- generally established and accepted data.
Main elements of FIC - (2) Nutrition declaration

Exemptions:

• Unprocessed foods (rice, flour)
• Salt, herbs, spices
• Table top sweeteners
• Coffee
• Food in small pack (<25cm²)
• Handcrafted food
• Alcoholic beverages
Main elements of FIC - (3) Allergens

• Better and clearer presentation (emphasis by font, style or background colour)
• Extending the scope – mandatory allergen information for non-prepacked food, including restaurants
• Possibility for a harmonised approach to the adventitious presence of allergens in food ('may contain')
Main elements of FIC - (3) Allergens

- Cereals containing gluten
- Crustaceans
- Eggs
- Fish
- Peanuts
- Soybeans
- Milk
- Nuts
- Celery
- Mustard
- Sesame seeds
- Sulphur dioxide
- Lupin
- Molluscs

- Amendment through delegated acts following EFSA opinion
- Possibility for urgency procedure in cases of emerging risks to consumers' health
Main elements of FIC - (3) Allergens

The clear reference to the allergen must be given in the ingredients list

- Emphasised through a different typeset, e.g \textit{font style} or \textcolor{red}{colour} or \textcolor{blue}{background colour}
- For every allergen derivative, even if forms of the same allergen (e.g. '...Casein (\textit{milk}) ... Whey protein (\textit{milk})...')
Main elements of FIC - (3) Allergens

- The presence of substances causing allergy or intolerance must be indicated with the word 'contains', where no list of ingredients is required.

- Labelling not required when name of the food refers to the substance causing allergy/intolerance.
Main elements of FIC - (3) Allergens

Extension of the scope

• Obligation to provide information on substances causing allergy/intolerance in non prepacked foods, including food served in restaurants

• Information on allergens also in case of distance selling of food before the purchase is concluded
Main elements of FIC - (4) Origin

Main principles

• Maintains the main principle that origin is voluntary unless its omission could mislead the consumer.

• Definitions of 'country of origin' and 'place of provenance'
Main elements of FIC - (4) Origin
(Mixture of horizontal and vertical approach)

- Mandatory origin of fresh meat from poultry, pigs, sheep and goat (H)
- Rules for voluntary origin indication (H)
- Reports on:
  - single ingredient products (SIF)
  - unprocessed foods (UF)
  - ingredients representing >50% of a food (>50%)

- meat as an ingredient
- milk
- milk as an ingredient in dairy products
- other meats
Main elements of FIC - (4) Origin

Voluntary origin labelling

- Mandatory origin labelling for primary ingredient(s) in all foods for which origin is given and where this origin is different from the origin of such primary ingredient(s)

- Modalities: subject to an implementing act (not yet adopted – not yet applicable)
National measures

• Mandatory provisions for specific categories of foods

• Based on certain grounds (protection of public health, protection of consumers, prevention of fraud and others)

• Additional requirements for national measures on origin
FIC application deadlines
- Useful info

- From 13 December 2014...
- ...with the exception of nutrition labelling, which apply from 13 December 2016
- Voluntary nutrition labelling after 13 December 2014 shall comply with FIC
- Exhaustion of stocks