

Food Information on Prepacked Foods



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This booklet is not intended to be a comprehensive guide to the requirements of Regulation (EU) No 1169/2011 on the provision of food information to the consumer neither does it purport to constitute legal or other professional advice.

Introduction

The purpose of this booklet is to provide key information on the requirements set out in Regulation (EU) No 1169/2011 on the provision of food information to the consumer (FIC) for prepacked foods on sale in Ireland. Prepacked foods are defined as:

‘any single item for presentation as such to the final consumer and to mass caterers, consisting of a food and the packaging into which it was put before being offered for sale, whether such packaging encloses the food completely or only partially, but in any event in such a way that the contents cannot be altered without opening or changing the packaging; ‘prepacked food’ does not cover foods packed on the sales premises at the consumer’s request or prepacked for direct sale’

The provision of detailed food information provides consumers with key information on the nature and characteristics of a foodstuff and enables them to make an informed choice when purchasing food.

General Requirements

Food information must be accurate, clear and easy to understand for the consumer. It must not be misleading, particularly:

- (a) As to the characteristics of the food and, in particular, as to its nature, identity, properties, composition, quantity, durability, country of origin or place of provenance, method of manufacture or production;
- (b) By attributing to the food, effects or properties which it does not possess;
- (c) By suggesting that the food possesses special characteristics when in fact, all similar foods possess such characteristics, in particular by specifically emphasising the presence or absence of certain ingredients and/or nutrients;
- (d) By suggesting, by means of the appearance, the description or pictorial representations, the presence of a particular food or an ingredient, while in reality a component naturally present or an ingredient normally used in that food has been substituted with a different component or a different ingredient

In Ireland, food information must be in English or in Irish and English. Information in other languages may be included in addition to English.

AVAILABILITY AND PLACEMENT OF MANDATORY FOOD INFORMATION

In the case of prepacked foods, mandatory food information must appear directly on the package or on a label attached to the packaging. The information must be in a conspicuous place in such a way as to be easily visible, clearly legible and, where appropriate, indelible. It must not in any way be hidden, obscured, detracted from or interrupted by any other written or pictorial matter or any other intervening material. Voluntary information must not be displayed to the detriment of the space available for mandatory food information.

MINIMUM FONT SIZE

Mandatory information must be printed on the package or on the label in such a way as to ensure clear legibility, in characters using a font size where the x-height is equal to or greater than 1.2mm (as defined in Annex IV to FIC).

In case of packaging or containers, the largest surface of which has an area of less than 80cm², the x-height of the font size must be equal to or greater than 0.9mm.

DISTANCE SELLING

In order to ensure the provision of food information, it is necessary to consider all ways of supplying food to consumers and FIC includes references to food which is sold by means of distance communication, e.g. internet sales. Any food supplied through distance selling must meet the same information requirements as food sold in a physical premises, e.g. shops.

The Regulation clarifies that in the case of distance selling of prepacked food, mandatory food information must be available before the purchase is concluded, with the exception of a date of minimum durability/‘use-by’ date. The definition of ‘mandatory food information’ includes all information that must be provided to the final consumer by EU food law in general, and is not just limited to FIC. The mandatory information must appear on the material supporting the distance selling or be provided through other appropriate means clearly identified by the food business operator. When other appropriate means are used, the mandatory food information must be provided without the food business operator charging consumers supplementary costs. All mandatory particulars must be available at the moment of delivery.

For non-prepacked foods offered for sale by means of distance communication, the information that must be provided to the consumer and its format will be set out in national legislation.

Mandatory Information

For prepacked foods, the following mandatory information must appear directly on the package or on an attached label:

1. The name of the food*
2. The list of ingredients
3. Any ingredient or processing aid listed in Annex II of FIC or derived from a substance or product listed in Annex II of FIC causing allergies or intolerances used in the manufacture or preparation of a food and still present in the finished product, even if in an altered form
4. The quantity of certain ingredients or categories of ingredients
5. The net quantity of the food*
6. The date of minimum durability or the 'use-by' date
7. Any special storage conditions and/or conditions of use
8. The name or business name and address of the food business operator
9. The country of origin or place of provenance where its absence may mislead the consumer as to the true origin or provenance of the food or where country of origin is specifically required under legislation
10. Instructions for use where it would be difficult to make appropriate use of the food in the absence of such instructions
11. With respect to beverages containing more than 1.2% by volume of alcohol, the actual alcoholic strength by volume*
12. A nutrition declaration (note date of application)

*Must appear in the same field of vision¹

¹ 'Field of vision' means all the surfaces of a package that can be read from a single viewing point

1. NAME OF THE FOOD

The name of the food must be stated in order to inform the purchaser about the true nature of the product. The legislation requires that where a product has a legal name, then it must be used. A legal name is the name set out in legislation for products that must meet particular specifications, e.g. 'milk', 'chocolate', 'butter'.

If a legal name does not exist, a customary name may be used, i.e. a name that has come to be accepted by consumers without needing further explanation such as 'fish fingers' or 'spaghetti'. In certain circumstances, in order to avoid confusion, a description may be required to indicate the true nature of the product and to distinguish it from other foods. This information must appear in proximity to the name of the food.

The use of a brand name, sales name, fancy name or trademark is permitted in addition to the product's legal or customary name.

Mandatory information that must accompany the name of the food

Treatments

The name of the food must include or be accompanied by particulars as to the physical condition of the food or the specific treatment which it has undergone (for example, powdered, refrozen, freeze-dried, quick-frozen, concentrated, smoked) in all cases where the absence of such information could mislead the purchaser.

Defrosted foods

In the case of foods (other than poultrymeat and fishery and aquaculture products²) that have been frozen before sale and which are sold defrosted, the name of the food must be accompanied by the designation 'defrosted'.

This requirement does not apply to the following:

- (a) Ingredients present in the final product, i.e. ingredients which have been frozen and defrosted before being incorporated into the final product;
- (b) Foods for which freezing is a technologically necessary step of the production process;
- (c) Foods for which the defrosting has no negative impact on the safety or quality of the food

Irradiated foods

Foods treated with ionising radiation must bear one of the following indications: 'irradiated' or 'treated with ionising radiation', and other indications as stated in Directive 1999/2/EC on the approximation of the laws of the Member States concerning foods and food ingredients treated with ionising radiation.

Substituted ingredients

In the case of foods in which a component or ingredient that consumers expect to be normally used or naturally present has been substituted with a different component or ingredient, the labelling must bear — in addition to the list of ingredients — a clear indication of the component or the ingredient that has been used for the partial or whole substitution:

- (a) In close proximity to the name of the product; and
- (b) Using a font size which has an x-height of at least 75% of the x-height of the name of the product and which is not smaller than the minimum font size set out in the legislation

² There are product specific rules governing these foods which set out criteria regarding 'defrosted' in the case of these products

Products with meat or fish as an ingredient

In the case of meat products³, meat preparations⁴ and fishery products⁵ containing added proteins of a different animal species, the name of the food must bear an indication of the presence of those proteins and of their species.

For meat products and meat preparations which have the appearance of a cut, joint, slice, portion or carcase of meat, the name of the food must include an indication of the presence of added water if the added water makes up more than 5% of the weight of the finished product. The same rules apply in the case of fishery products and prepared fishery products which have the appearance of a cut, joint, slice, portion, fillet or of a whole fishery product.

Meat products, meat preparations and fishery products which may give the impression that they are made of a whole piece of meat or fish, but actually consist of different pieces combined together by other ingredients, including food additives and food enzymes, must indicate 'formed meat' or 'formed fish'.

Minced meat

Minced meat has to meet certain limits for fat and collagen/meat protein ratio depending on the species it is from. In addition to meeting these criteria, the labelling of the minced meat must indicate the following:

'Percentage of fat content under ...',

'Collagen/meat protein ratio under ...'

Sausage casings

If the casing used in a sausage is not edible, this must be indicated.

³ 'Meat products' means processed products resulting from the processing of meat or from the further processing of such processed products, so that the cut surface shows that the product no longer has the characteristics of fresh meat.

⁴ 'Meat preparations' means fresh meat, including meat that has been reduced to fragments, which has had foodstuffs, seasonings or additives added to it or which has undergone processes insufficient to modify the internal muscle fibre structure of the meat and thus to eliminate the characteristics of fresh meat.

⁵ 'Fishery products' means all seawater or freshwater animals (except for live bivalve molluscs, live echinoderms, live tunicates and live marine gastropods, and all mammals, reptiles and frogs) whether wild or farmed and including all edible forms, parts and products of such animals.

2. LIST OF INGREDIENTS

Prepacked foods with two or more ingredients must have a list of all the ingredients used in its' production. A limited number of foods are exempt from this obligation (see Appendix I to this document). The list of ingredients must be headed or preceded by a heading which consists of or includes the word 'ingredients'. All ingredients must be listed in descending order of weight as recorded during the manufacture of the foodstuff, often referred to as 'the mixing bowl stage'.

The name of an ingredient should be their legal name. In the absence of a legal name, a customary name or a 'descriptive name' should be used (see Section 1 for more details). The ingredient name used must be specific enough to accurately describe the ingredient used. In certain cases, the use of a category name (listed in Annex VII to FIC) is permitted in place of a specific name, e.g. spices not exceeding 2% by weight of the food can be indicated as 'spice(s)' or 'mixed spices' rather than naming the individual spices in the list of ingredients.

Ingredients of a compound ingredient must be declared in the list of ingredients, for example, the list of ingredients of a trifle made using a sponge cake must detail the ingredients of the sponge cake and not just indicate 'sponge cake' in the ingredient list.

Additives performing technological functions in the final food must be declared in the list of ingredients by firstly indicating the category (function) of the additive immediately followed by the specific name of the additive or its E number, e.g. Monosodium glutamate is often used as a flavour enhancer in food and must be declared in the list of ingredients as: Flavour Enhancer: E621 or Flavour Enhancer: Monosodium glutamate (see example below showing additives declared with their category in the list ingredients).



3. ALLERGENS/INTOLERANCES

Based on scientific review, the EU has identified certain foods which are considered as common food allergens or foods which individuals in the general population may have an intolerance to. See Appendix II of this document for the list of allergens. Where any of these 14 identified substances are used as an ingredient in a food, they must be indicated in a particular manner on the label:

- (a) They must be indicated in the list of ingredients with a clear reference to the name of the substance or product as listed in Annex II to FIC
- (b) The name of the substance or product must be emphasised through a typeset that clearly distinguishes it from the rest of the list of ingredients, for example by means of the font, style or background colour

Indication of allergens in an 'allergen box' or allergen panel is not permitted under FIC.

Where the product does not require a list of ingredients, the indication of the allergen must comprise the word 'contains' followed by the name of the allergen.

The following are examples of the way in which allergens could be highlighted in the list of ingredients.

Examples



or



4. QUANTITY OF CERTAIN INGREDIENTS

In certain circumstances, it is necessary to state on the label the quantity of an ingredient which is used in the manufacture or preparation of a foodstuff.

The quantity is calculated at mixing bowl stage and must be declared in percentage terms. It should appear in or next to the name of the food or be in the list of ingredients. This is known as quantitative ingredient declaration or QUID. QUID is designed to help consumers compare the composition of similar products.

For example, the quantity of an ingredient as a percentage must be declared on the label where the ingredient is:

- Included in the name of the food such as 'Fish Finger' where the fish must be quantified
- Associated with the name of the food such as 'Shepherd's pie' where the meat content must be quantified or
- Emphasised in words, e.g. 'with butter' or by use of pictures or graphics

5. NET QUANTITY

All prepacked foodstuffs, with limited exceptions, must be labelled with information on the net quantity of the foodstuff, i.e. its weight or volume, which does not include the packaging material. Where food is presented in a liquid medium, the drained net weight of the food must also be given. Net quantity must be expressed using the metric system, i.e. litres or millilitres for liquids or kilograms or grams for solids.

6. DATE OF MINIMUM DURABILITY OR THE 'USE-BY' DATE



The date of minimum durability of a foodstuff is the date until which a foodstuff retains its specific properties when properly stored, usually indicated on a label by a 'best-before' date. Typically, a 'best-before' date is used for food products such as canned, dried, ambient and frozen foods where quality is an issue rather than safety.

A 'use-by' date however, is required for foods which, from a microbiological point of view, are highly perishable and are therefore, likely after a short period, to be an immediate danger

to human health. Foods with a short shelf-life that require refrigeration fall into this category, such as milk, minced meat, fish, and ready-to-eat salads. Once the 'use-by' date has passed, a food must not be sold as it is deemed to be unsafe in accordance with general food law⁶.

Certain product specific legislation requires that the food must indicate a 'use-by' date, e.g. fresh poultrymeat or a 'best-before' date, e.g. eggs.

Most foods must be date marked, however, there are some exemptions, e.g. an indication of the date of minimum durability is not required for beverages with greater than 10% volume of alcohol, vinegar or salt (see Annex X of FIC for full list of exemptions).

Where necessary, the 'best-before' date must be followed by a description of the storage conditions which must be observed if the product is to keep for the specified period. Products which carry a 'use-by' date must follow the indication with a description of the storage conditions which must be observed, e.g. keep refrigerated.

Foods that are frozen must carry a 'best-before' date and in addition, frozen meat, frozen meat preparations and frozen unprocessed fishery products must also indicate 'Frozen on ...' and include in this indication the day, month and year that the food product was frozen.

⁶ Article 14(2) to (5) of Regulation (EC) No 178/2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety

7. SPECIAL STORAGE CONDITIONS AND/OR CONDITIONS OF USE

The label should outline any special storage conditions to enable the consumer to maintain the quality and safety of the product. Details on how the product should be stored once the packaging is opened should be outlined, such as 'refrigerate after opening' or 'store in a cool dry place' and where appropriate, the time limit for consumption should be indicated, e.g. 'Refrigerate after opening and use within 3 days'.

8. NAME AND ADDRESS OF THE FOOD BUSINESS

The name or business name and address of the food business operator under whose name or business name the food is marketed must appear on the label. If that operator is not established in the EU, the name or business name and address of the importer into the EU market must be provided on the label. The contact details must be precise enough to enable a complainant to contact the named business where necessary.

9. COUNTRY OF ORIGIN OR PLACE OF PROVENANCE

A limited number of foods must provide country of origin information, e.g. fresh fruit and vegetables, honey, olive oil and fish. Meat such as beef and beef products must indicate where the animal was born, raised and slaughtered. From 1 April 2015, meat from pigs, sheep, goats and poultry must indicate the EU Member State or the country outside the EU where the animal was reared and slaughtered (more detailed information on these requirements can be found in Regulation (EU) No 1337/2013).

For other foods, an indication of the place of origin or provenance of the food must be declared where its absence might mislead the consumer as to the true origin or provenance of the foodstuff, in particular if the information accompanying the food or the label as a whole would otherwise imply that the food has a different country of origin or place of provenance.

10. INSTRUCTIONS FOR USE

If necessary, the label must contain instructions on how to use the product to enable the consumer to make appropriate use of the food, such as cooking, reheating or preparation instructions.

11. ALCOHOLIC BEVERAGES

The labelling of alcoholic beverages containing more than 1.2% by volume of alcohol must indicate the actual alcoholic strength by volume to not more than one decimal place. This indication must be followed by the symbol '%' and may be preceded by the word 'alcohol' or the abbreviation 'alc.' e.g. 'Alcohol 4.5% vol.' or 'Alc. 4.5% vol.'

Alcoholic beverages with more than 1.2% by volume alcohol are exempted from the requirement to provide a list of ingredients or a nutrition declaration.

12. NUTRITION DECLARATION

Under FIC, a nutrition declaration becomes mandatory for prepacked foods from 13 December 2016. The list of foods which are exempt from the mandatory requirement to provide nutrition information can be found in Appendix III to this document. Foods which provide nutrition information on a voluntary basis or which make a nutrition or health claim on the label, must provide the nutrition information in the prescribed format set out in FIC from 13 December 2014.

Mandatory Information

The nutrition information of a food which must be declared is:

- (a) The energy value; and
- (b) The amounts of fat, saturates, carbohydrate, sugars, protein and salt

Table 1. Mandatory Nutrition Declaration

| Nutrient | Per 100g/ml |
|--------------------|-------------|
| Energy | kJ/kcal |
| Fat | g |
| of which saturates | g |
| Carbohydrate | g |
| of which sugars | g |
| Protein | g |
| Salt | g |

Where appropriate, a statement indicating that the salt content is exclusively due to the presence of naturally occurring sodium may appear in close proximity to the nutrition declaration.

In cases where the energy value or the amount of nutrient(s) in a product is negligible, the information on those elements may be replaced by a statement such as 'Contains negligible amounts of ...'. This information must be indicated in close proximity to the nutrition declaration.

Supplementary Information

The content of the mandatory nutrition declaration may be supplemented with an indication of the amounts of one or more of the following (Table 2):

- (a) Monounsaturates
- (b) Polyunsaturates
- (c) Polyols
- (d) Starch
- (e) Fibre
- (f) Any of the vitamins or minerals listed in point 1 of Part A of Annex XIII to FIC, and present in significant amounts as defined in point 2 of Part A of Annex XIII to FIC

Table 2. Mandatory Nutrition Declaration with Supplementary Nutrients

| Nutrient | Per 100g/ml |
|--------------------------|---|
| Energy | kJ/kcal |
| Fat | g |
| of which saturates | g |
| of which monounsaturates | g |
| of which polyunsaturates | g |
| Carbohydrate | g |
| of which sugars | g |
| of which polyols | g |
| of which starch | g |
| Fibre | g |
| Protein | g |
| Salt | g |
| Vitamins and Minerals | Units specified in Annex XIII & % RI Values |

Green = Mandatory

Purple = Supplementary

Format and Presentation

Nutrition information must be presented in tabular format with the numbers aligned. Where space does not permit, the declaration may appear in linear format. The energy value must be expressed in Kilo Joules (kJ) and Kilo Calories (kcal) and the amount of the nutrients must be expressed in grams (g). Information must be provided per 100g or per 100ml.

If declaring vitamins or minerals, they must be expressed as a percentage (%) of the reference intakes (RI) set out in point 1 of Part A of Annex XIII to FIC in addition to a numerical declaration (microgram (µg) or milligram (mg)).

Table 3. Mandatory Nutrition Declaration with Supplementary Information on Vitamins and Minerals

| Nutrient | Per 100g/ml |
|--------------------|-------------|
| Energy | kJ/kcal |
| Fat | g |
| of which saturates | g |
| Carbohydrate | g |
| of which sugars | g |
| Protein | g |
| Salt | g |
| Vitamin A | µg (..%) |
| Vitamin C | mg (..%) |
| Iron | mg (..%) |
| Calcium | mg (..%) |

Green = Mandatory

Purple = Supplementary

Per Portion

In addition to the mandatory nutrition declaration per 100g/ml, the amount of nutrients per portion, e.g. 2 biscuits, and/or per consumption unit, e.g. per biscuit, may be declared, provided that these are easily recognisable by the consumer purchasing the product. The label must also indicate the size of the portion or consumption unit and that the number of these portions/consumption units contained in the product (Table 4). The portion or unit used must be indicated in close proximity to the nutrition declaration.

Table 4. Mandatory Nutrition Declaration with 'per portion' Information

| Nutrient | Per 100g | Per 2 Biscuits* (10g) |
|--------------------|----------|-----------------------|
| Energy | kJ/kcal | kJ/kcal |
| Fat | g | g |
| of which saturates | g | g |
| Carbohydrate | g | g |
| of which sugars | g | g |
| Protein | g | g |
| Salt | g | g |

*This pack contains 10 portions (20 biscuits)

Green = Mandatory

Purple = Voluntary/Optional

Reference Intakes

Along with the mandatory nutrition declaration shown in Table 1, the % RI values of these nutrients (listed in Annex XIII to FIC) may also be provided on a voluntary basis. This optional declaration can be given per 100g/ml or per portion.

Where the % RI is provided, the following statement must be indicated in close proximity: 'Reference intake of an average adult (8,400kJ/2,000kcal)'.

Table 5. Mandatory Nutrition Declaration with Voluntary % RI per 100g

| Nutrient | Per 100g | % Reference Intake* Per 100g |
|--------------------|----------|------------------------------|
| Energy | kJ/kcal | kJ/kcal |
| Fat | g | % |
| of which saturates | g | % |
| Carbohydrate | g | % |
| of which sugars | g | % |
| Protein | g | % |
| Salt | g | % |

* Reference intake of an average adult (8,400kJ/2,000kcal)

Green = Mandatory

Purple = Voluntary/Optional

Repeating the Nutrition Information on the Front of Pack

Where the mandatory nutrition information is declared on the label, certain nutrients may be repeated in the 'principal field of vision', i.e. the front of pack. This repeated information is a voluntary measure but where manufacturers choose to repeat this information, only the following information can be provided:

- Energy only or
- Energy along with fat, saturates, sugar and salt

This repeated information may be provided:

- Per 100g/ml only
- Per 100g/ml and per portion or
- On a per portion basis only

Energy must always be indicated per 100g/ml.

It can also be expressed per portion.

The repeated information may also be given as % RI per 100g/ml and/or % RI per portion.

Additional Labelling Requirements

The following foods must provide additional mandatory information on the label (details of these particulars are given in Appendix IV to this document):

- Food packed in certain gases
- Foods containing sweeteners
- Foods containing glycyrrhizic acid or its ammonium salt
- Beverages with high caffeine content or foods with added caffeine
- Foods with added phytosterols, phytosterols esters, phytostanols or phytostanol esters
- Frozen meat, frozen meat preparations and frozen unprocessed fishery products
- Foods containing food colours sunset yellow (E 110), quinoline yellow (E 104), carmoisine (E 122), allura red (E 129), tartrazine (E 102) or ponceau 4R (E 124)

Product Specific Labelling Requirements

Certain products require the provision of additional information on the label under product specific legislation, e.g. poultrymeat, spreadable fats, chocolate products, jams, honey. Check the FSAI website for additional rules, www.fsai.ie/legislation.html.

Transitional Arrangements

FIC applies from 13 December 2014, with the exception of point (l) of Article 9(1) (mandatory nutrition declaration), which will apply from 13 December 2016.

The Regulation has the following transitional measures:

FOODS PLACED ON THE MARKET OR LABELLED PRIOR TO 13 DECEMBER, 2014

Foods placed on the market or labelled prior to 13 December 2014 which comply with Directive 2000/13/EC on the labelling, advertisement and presentation of foods, but which do not comply with the requirements of FIC, may be marketed until the stocks of the foods are exhausted.

NUTRITION LABELLING

Foods placed on the market or labelled prior to 13 December, 2014 which comply with Directive 90/496/EEC on nutrition labelling for foodstuffs but which do not comply with the nutrition declaration of the new Regulation may be marketed until the stocks of the foods are exhausted.

Foods placed on the market or labelled prior to 13 December 2016, which do not comply with the requirement to provide a nutrition declaration as set out in Article 9(1)(l) of FIC may be marketed until the stocks of food are exhausted.

Foods which provide nutrition information whether on a voluntary basis or because a nutrition or health claim is made on the product, must provide nutrition information in accordance with FIC from 13 December 2014.

Appendix I.

Foods which are exempt from the requirement to have an ingredients list*

1. Fresh fruit and vegetables, including potatoes, which have not been peeled, cut or similarly treated
2. Carbonated water, the description of which indicates that it has been carbonated;
3. Fermentation vinegars derived exclusively from a single basic product, provided that no other ingredient has been added
4. Cheese, butter, fermented milk and cream, to which 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
5. Foods consisting of a single ingredient, where:
 - (i) The name of the food is identical to the ingredient name; or
 - (ii) The name of the food enables the nature of the ingredient to be clearly identified

* This information comes from Article 19 of FIC

Appendix II.

List of allergens from Annex II to FIC

These are the foods that the EU has identified as common food allergens or foods which individuals in the general population may have intolerance to.

1. Cereals containing gluten, namely: wheat (such as spelt and khorasan wheat), rye, barley, oats or their hybridised strains, and products thereof, except:
 - (a) wheat based glucose syrups including dextrose;
 - (b) wheat based maltodextrins⁷;
 - (c) glucose syrups based on barley;
 - (d) cereals used for making alcoholic distillates including ethyl alcohol of agricultural origin;
2. Crustaceans and products thereof;
3. Eggs and products thereof;
4. Fish and products thereof, except:
 - (a) fish gelatine used as carrier for vitamin or carotenoid preparations;
 - (b) fish gelatine or Isinglass used as fining agent in beer and wine;
5. Peanuts and products thereof;
6. Soybeans and products thereof, except:
 - (a) fully refined soybean oil and fat⁷;
 - (b) natural mixed tocopherols (E306), natural D-alpha tocopherol, natural D-alpha tocopherol acetate, and natural D-alpha tocopherol succinate from soybean sources;
 - (c) vegetable oils derived phytosterols and phytosterol esters from soybean sources;
 - (d) plant stanol ester produced from vegetable oil sterols from soybean sources;
7. Milk and products thereof (including lactose), except:
 - (a) whey used for making alcoholic distillates including ethyl alcohol of agricultural origin;
 - (b) lactitol;
8. Nuts, namely: almonds (*Amygdalus communis L.*), hazelnuts (*Corylus avellana*), walnuts (*Juglans regia*), cashews (*Anacardium occidentale*), pecan nuts (*Carya illinoensis* (Wangenh.) K. Koch), Brazil nuts (*Bertholletia excelsa*), pistachio nuts (*Pistacia vera*), macadamia or Queensland nuts (*Macadamia ternifolia*), and products thereof, except for nuts used for making alcoholic distillates including ethyl alcohol of agricultural origin;
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 10 mg/kg or 10 mg/litre in terms of the total SO₂ which are to be calculated for products as proposed ready for consumption or as reconstituted according to the instructions of the manufacturers;
13. Lupin and products thereof;
14. Molluscs and products thereof.

⁷ And the products thereof, in so far as the process that they have undergone is not likely to increase the level of allergenicity assessed by the European Food Safety Authority for the relevant product from which they originated

Appendix III.

Foods which are exempted from the requirement to provide the mandatory nutrition declaration

ANNEX V to Regulation (EU) No 1169/2011

1. Unprocessed products that comprise a single ingredient or category of ingredients;
2. Processed products which the only processing they have been subjected to is maturing and that comprise a single ingredient or category of ingredients;
3. Waters intended for human consumption, including those where the only added ingredients are carbon dioxide and/or flavourings;
4. A herb, a spice or mixtures thereof;
5. Salt and salt substitutes;
6. Table top sweeteners;
7. Products covered by Directive 1999/4/EC of the European Parliament and of the Council of 22 February 1999 relating to coffee extracts and chicory extracts (1), whole or milled coffee beans and whole or milled decaffeinated coffee beans;
8. Herbal and fruit infusions, tea, decaffeinated tea, instant or soluble tea or tea extract, decaffeinated instant or soluble tea or tea extract, which do not contain other added ingredients than flavourings which do not modify the nutritional value of the tea;
9. Fermented vinegars and substitutes for vinegar, including those where the only added ingredients are flavourings;
10. Flavourings;
11. Food additives;
12. Processing aids;
13. Food enzymes;
14. Gelatine;
15. Jam setting compounds;
16. Yeast;
17. Chewing-gums;
18. Food in packaging or containers the largest surface of which has an area of less than 25cm²;
19. Food, including handcrafted food, directly supplied by the manufacturer of small quantities of products to the final consumer or to local retail establishments directly supplying the final consumer

Appendix IV.

Foods for which the labelling must include one or more additional particulars

ANNEX III TO FIC AND ANNEX V TO REGULATION (EC) NO 1333/2008 ON FOOD ADDITIVES

| Type or Category of Food | Particulars |
|--|---|
| 1. Foods packaged in certain gases | |
| 1.1 Foods whose durability has been extended by means of packaging gases authorised pursuant to Regulation (EC) No 1333/2008 | 'packaged in a protective atmosphere' |
| 2. Foods containing sweeteners | |
| 2.1 Foods containing a sweetener or sweeteners authorised pursuant to Regulation (EC) No 1333/2008 | 'with sweetener(s)' this statement shall accompany the name of the food |
| 2.2 Foods containing both an added sugar or sugars and a sweetener or sweeteners authorised pursuant to Regulation (EC) No 1333/2008 | 'with sugar(s) and sweetener(s)' this statement shall accompany the name of the food |
| 2.3 Foods containing aspartame/aspartame-acesulfame salt authorised pursuant to Regulation (EC) No 1333/2008 | 'contains aspartame (a source of phenylalanine)' shall appear on the label in cases where aspartame/aspartame- acesulfame salt is designated in the list of ingredients only by reference to the E number. 'contains a source of phenylalanine' shall appear on the label in cases where aspartame/ aspartame-acesulfame salt is designated in the list of ingredients by its specific name |
| 2.4 Foods containing more than 10% added polyols authorised pursuant to Regulation (EC) No 1333/2008 | 'excessive consumption may produce laxative effects' |

| Type or Category of Food | Particulars |
|---|---|
| 3. Foods containing glycyrrhizic acid or its ammonium salt | |
| 3.1 Confectionery or beverages containing glycyrrhizic acid or its ammonium salt due to the addition of the substance(s) as such or the liquorice plant <i>Glycyrrhiza glabra</i> , at concentration of 100mg/kg or 10mg/l or above | 'contains liquorice' shall be added immediately after the list of ingredients, unless the term 'liquorice' is already included in the list of ingredients or in the name of the food. In the absence of a list of ingredients, the statement shall accompany the name of the food |
| 3.2 Confectionery containing glycyrrhizic acid or its ammonium salt due to the addition of the substance(s) as such or the liquorice plant <i>Glycyrrhiza glabra</i> at concentrations of 4g/kg or above | 'contains liquorice – people suffering from hypertension should avoid excessive consumption' shall be added immediately after the list of ingredients. In the absence of a list of ingredients, the statement shall accompany the name of the food |
| 3.3 Beverages containing glycyrrhizic acid or its ammonium salt due to the addition of the substance(s) as such or the liquorice plant <i>Glycyrrhiza glabra</i> at concentrations of 50mg/l or above, or of 300mg/l or above in the case of beverages containing more than 1.2% by volume of alcohol ⁸ . | 'contains liquorice – people suffering from hypertension should avoid excessive consumption' shall be added immediately after the list of ingredients. In the absence of a list of ingredients, the statement shall accompany the name of the food |
| 4. Beverages with high caffeine content or foods with added caffeine | |
| 4.1 Beverages, with the exception of those based on coffee, tea or coffee or tea extract where the name of the food includes the term 'coffee' or 'tea', which: — are intended for consumption without modification and contain caffeine, from whatever source, in a proportion in excess of 15mg/l, or, — are in concentrated or dried form and after reconstitution contain caffeine, from whatever source, in a proportion in excess of 15mg/l | 'high caffeine content. Not recommended for children or pregnant or breast-feeding women' in the same field of vision as the name of the beverage, followed by a reference in brackets to the caffeine content expressed in mg per 100ml |
| 4.2 Foods other than beverages, where caffeine is added with a physiological purpose | 'contains caffeine. Not recommended for children or pregnant women' in the same field of vision as the name of the food, followed by a reference in brackets to the caffeine content expressed in mg per 100g/ml. In the case of food supplements, the caffeine content shall be expressed per portion as recommended for daily consumption on the labelling. |

⁸ The level shall apply to the products as proposed ready for consumption or as reconstituted according to the instructions of the manufacturers.

| Type or Category of Food | Particulars |
|---|--|
| 5. Foods with added phytosterols, phytosterol esters, phytostanols or phytostanol esters | |
| 5.1 Foods or food ingredients with added phytosterols, phytosterol esters, phytostanols or phytostanol esters | <ol style="list-style-type: none"> (1) 'with added plant sterols' or 'with added plant stanols' in the same field of vision as the name of the food; (2) the amount of added phytosterols, phytosterol esters, phytostanols or phytostanol esters content (expressed in % or as g of free plant sterols/plant stanols per 100g or 100ml of the food) shall be stated in the list of ingredients; (3) a statement that the product is not intended for people who do not need to control their blood cholesterol level; (4) a statement that patients on cholesterol lowering medication should only consume the product under medical supervision; (5) an easily visible statement that the food may not be nutritionally appropriate for pregnant or breastfeeding women and children under the age of 5 years; (6) advice that the food is to be used as part of a balanced and varied diet, including regular consumption of fruit and vegetables to help maintain carotenoid levels; (7) in the same field of vision as the statement required under point (3) above, a statement that the consumption of more than 3g/day of added plant sterols/plant stanols should be avoided; (8) a definition of a portion of the food or food ingredient concerned (preferably in g or ml) with the amount of the plant sterol/plant stanol that each portion contains. |

| Type or Category of Food | Particulars |
|---|--|
| 6. Frozen meat, frozen meat preparations and frozen unprocessed fishery products | |
| 6.1 Frozen meat, frozen meat preparations and frozen unprocessed fishery products | <p>The date of freezing or the date of first freezing in cases where the product has been frozen more than once. Information shall be preceded by the words 'Frozen on ...' accompanied by:</p> <ul style="list-style-type: none"> – the date itself, or, – a reference to where the date is given on the labelling <p>The date shall consist of the day, the month and the year, in that order and in uncoded form.</p> |
| 7. Foods containing one or more of the following food colours | |
| Sunset yellow (E 110) ⁹ | <p>'Name or E number of the colour(s)': may have an adverse effect on activity and attention in children</p> |
| Quinoline yellow (E 104) ⁹ | |
| Carmoisine (E 122) ⁹ | |
| Allura red (E 129) ⁹ | |
| Tartrazine (E 102) ⁹ | |
| Ponceau 4R (E 124) ⁹ | |

⁹ With the exception of: (a) foods where the colour(s) has been used for the purposes of health or other marking on meat products or for stamping or decorative colouring on eggshells; and (b) beverages containing more than 1.2% by volume of alcohol





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