

# The new food information regulation

THE NEW FOOD INFORMATION REGULATION CAME INTO FORCE AT THE END OF 2011. IT INTRODUCES SOME IMPORTANT CHANGES FOR THE BAKING INDUSTRY



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## The most important new features

- + Minimum size for mandatory information – font size with an x-height of 1.2 mm
- + Mandatory “1 plus 6” nutritional value labelling
- + Allergen labelling – for loose goods as well
- + Food imitations must be recognizable as such
- + Statement of the vegetable origin of vegetable oils and fats
- + Place of provenance labelling for sheep, swine, goat and poultry meat, and optionally other meat types and foods (e.g. milk)
- + Labelling of frozen foods +++

**+** After negotiations lasting almost three years, the European Parliament adopted the Food Information Regulation (FIR) on 6 July 2011. The regulation came into force on 12 December 2011. What are the reasons for introducing this new regulation, and what objectives does it pursue? What are the resulting changes, and what are the transitional periods for the implementation of the provisions?

### The background to the new regulation

The purpose of the FIR is to standardise and simplify the labelling of foodstuffs throughout the EU. Until now the labelling rules were defined in two EU directives (the Labelling Directive 2000/13/EC and the Nutrition Labelling Directive 90/496/EEC). These were each transposed into national law in the EU member states. Alternatively, the FIR, because it is an EU regulation, is immediately valid and applicable accordingly in all of the EU’s member states.

The new regulation takes into account topical themes such as mandatory nutrient labelling and place of provenance labelling, together with the identification of imitations.

The aim of the new FIR is to give consumers comprehensive, easy to understand and uniform information regarding foods – the package should provide accurate information about what the food really contains. The regulation focuses mainly on packaged goods, but its scope of application also includes loose goods. When choosing foods, consumers should be put into a position to make soundly based decisions whereby they can take health, economic, environmentally related, social and ethical aspects into account.

### The main emphases of the regulation

#### + *Minimum font size for mandatory information*

All of the mandatory information should be presented in an easily visible position, clearly legible and in a font size with an x-height of at least 1.2 mm. There are special rules for small packages.

#### + *Compulsory nutrient labelling*

After rejecting traffic light labelling, agreement was reached on the “1 plus 6” labelling. This contains the following mandatory statements: energy value, fat, saturated fatty acids, carbohydrates, sugar, protein and salt. The information must be in tabular form if there is enough space for it.

To ensure good comparability, the energy value and nutrient amounts must be stated per 100 g or 100 ml as the case may be. Manufacturers also have the option to present the nutrient values per portion or consumption unit as well – known as GDA statements (Guideline Daily Amount – guideline values for the daily supply of energy and other nutrients). The following information can also be repeated on the packaging: the energy value or energy value together with the amounts of fat, saturated fatty acids, sugar and salt. This additional information must be stated in what is called the main field of vision of the pack.

In addition to the mandatory information, it is permissible for other nutritional values to be advertised: mono- and poly-unsaturated fatty acids, polyols, starch, fibre, vitamins and minerals. As the law stands at present, statements about trans-fatty acids are not allowed. However, within three years the European Commission will submit a report on the basis of which a decision is planned on the inclusion of trans-fatty acids in the nutritional information.

#### + *Allergen labelling*

Up to now the statutory rules for allergen labelling were included in the Food Labelling Regulation. The new ruling is firstly that the allergens must be visually highlighted in the ingredients list. This can be done by using a different typeface, background colour or a different font style.

Secondly the obligation to provide information now also applies not only to packaged goods but also to loose goods. Member states can enact national regulations as to the way and form in which the information must be stated.

#### + Food imitations

Information about foods must not mislead consumers. Therefore food imitations must be stated in the immediate vicinity of the product name and in a specified font size. Food imitations are products that are very similar to other foods, but were not manufactured using the “value defining” ingredients of these foods. An example of this is the so-called “cheese analogue” in which milk fat is replaced by another fat. Meat or fish products reconstituted from smaller pieces and giving the impression that they are a whole piece of meat/fish must carry the notice “formed meat” (“reconstituted from meat pieces”) or “formed fish” (“reconstituted from fish pieces”).

#### + Broadening of the information for fats and oils

All refined oils and fats of vegetable origin can be summarised under the description vegetable oils/fats. In addition, after this statement, the exact vegetable origin of the oil/fat must now also be stated (e.g. rapeseed, sunflower or palm).

#### + Indication of provenance

As is already mandatory for beef today, in future, information about the provenance must also be given for sheep, swine, goat and poultry meat. If the provenance of foods is stated, and when the “primary ingredient” does not have this same origin, information about the provenance of the primary ingredient is necessary. An investigation is also currently being carried out as to whether, in the long term, the declaration of provenance should be introduced as a mandatory statement for other types of meat and foods, for example, milk and unprocessed foodstuffs.

#### + Labelling frozen foods

Foods that have been (deep) frozen and thawed out before being sold, must carry the declaration “defrosted” (thawed). It is mandatory that the date of freezing and the defrosted declaration are stated for meat and fish products. Exceptions to this ruling are applicable:

- to ingredients contained in the end product
- to foods for which freezing is a technological step in the manufacturing process
- when the freezing does not have any adverse effect on the safety or quality of the food

#### + Labelling nano-materials

Ingredients present in foods in the form of industrially manufactured nano-materials must be clearly stated in the ingredients list. The name must be followed by the word “nano” in brackets.

#### Transitional periods

Due to the transitional periods, the regulation has practical relevance for three years after it comes into force. The currently valid statutory regulations remain in force until 13 December 2014. The new information obligations for nutritional values must be implemented after five years (December 2016). If nutrient value labelling already takes place

### Current nutrient value labelling

**“Big Four” (the first 4 statements) or “Big Eight” – mandatory for statements relating to nutrient value and health:**

- + Energy value
- + Protein
- + Carbohydrates
- + Sugar
- + Fat
- + Saturated fatty acids
- + Fibre
- + Sodium

#### Voluntary nutritional information:

- + Starch
- + Polyols
- + Mono-unsaturated fatty acids
- + Poly-unsaturated fatty acids
- + Cholesterol
- + Vitamins and minerals +++

### Future nutrient value labelling

**According to the FIR: “1 plus 6” – absolutely mandatory:**

- + Energy value
- + Fat
- + Saturated fatty acids
- + Carbohydrates
- + Sugar
- + Protein
- + Salt

#### Voluntary nutritional information:

- + Mono-unsaturated fatty acids
- + Poly-unsaturated fatty acids
- + Polyols
- + Starch
- + Fibre
- + Vitamins and minerals +++

today on a voluntary basis, the nutrient value information must already comply with the new rulings from 13 December 2014 onwards.

#### Future outlook

As to whether the new FIR will lead to more understandable and simpler consumer information remains to be seen. For those subject to the legislation, this regulation has not led to a simplification of the labelling rules, as shown in particular by the wording of the regulation concerning nutrient value labelling. +++