



EU legislation on Food Information to Consumers

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EU legislation on food information to consumers

	General food labelling	Nutrition labelling	Health and nutrition claims
Legislation currently applicable	Directive 2000/13/EC	Directive 90/496/EEC	Regulation (EC) 1924/2006
Legislation entering into force 13/12/2014	Regulation (EU) 1169/2011 ↓	Regulation (EU) 1169/2011 (format)	↓
Legislation entering into force 13/12/2016		Regulation (EU) 1169/2011 (mandatory)	

General food labelling

- ☐ **Scope**
- ☐ **Definitions**
- ☐ **Fair information practices**
- ☐ **Mandatory labelling: items**
- ☐ **Mandatory labelling: modalities**
- ☐ **Country of origin**

General food labelling

Scope

- ☐ Food information to consumers
- ☐ By business operators (not private persons)
- ☐ Supply:
 - To the ultimate consumers
 - To mass caterers (restaurants, canteens, hospitals...)
 - To international passengers?
 - To other businesses?
 - By distance selling?
- ☐ Non-prepacked food?
 - Mandatory labelling of allergenic substances
 - Under Member States responsibility
- ☐ Without prejudice to specific EU legislation

General food labelling

Definitions

- ☐ Refer to other legislation (e.g. R 178/2002)
- ☐ Definition of '**ingredient**':
 - Includes additives, flavourings, enzymes
 - Includes any constituent of a compound ingredient,
 - Used in the manufacture or preparation of a food
 - Still present in the finished product, even if in an altered form;
 - Residues are not considered as 'ingredients'
- ☐ Definition of '**primary ingredient**'
 - More than 50 % of the food, or
 - Usually associated with the food
- ☐ Definition of '**engineered nanomaterial**'

General food labelling

Fair information practices

- ❑ Obligations 'not to do'
- ❑ Food information may not:
 - a) mislead the consumer 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) attribute to the food effects or properties which it does **not** possess
 - c) suggest that the food possesses special characteristics when in fact **all similar food possess such characteristics**
 - d) attribute to any food the property of **preventing, treating** or **curing** a human disease, nor refer to such properties

General food labelling

Mandatory labelling **items**

- ☐ Name of the food (+ e.g. 'concentrated', 'irradiated', 'defrosted')
- ☐ List of ingredients
- ☐ Quantitative ingredient description (QUID)
- ☐ Net quantity
- ☐ Date of durability: 'best before...' or 'use by...' + date
- ☐ Storage conditions or instructions for use
- ☐ Name and address of manufacturer/importer
- ☐ **Country of origin**
- ☐ **Nutrition declaration**

General food labelling

Mandatory labelling modalities

- ☐ Legibility
- ☐ Language
- ☐ Minimum font size
 - Minimum size for mandatory information:
 - 1.2mm ('x-height ')
 - 0.9mm if largest surface of pack < 80 cm²
 - Minimum size for voluntary nutrition labelling:
 - 1.2mm (irrespective of pack size)
- ☐ Contrast: possibility of delegated acts

General food labelling

Country of origin: **what's new?**

❑ Definitions:

- **Country of origin**: where the goods were wholly obtained or produced or, if produced in more than one country, where they last went substantial change
- **Place of provenance**: any place that a food is indicated to come from which is not the country of origin

❑ Two new mandatory origin labelling requirements:

- For fresh, chilled or frozen meat from **pigs, sheep, goats** and poultry
- For **primary ingredient(s)** in all foods for which origin is given **voluntarily** and where this origin is **different** from the origin of such primary ingredient(s), i.e.: "Peeled Spanish tomatoes with tomatoes from China"

General food labelling

Country of origin: **what's next?**

- ❑ Mandatory indication for origin of:
 - **Fresh meat** not already covered by mandatory rules (e.g. **horse**, **rabbit**...)
 - All types of **meat** used as an **ingredient**
 - **Milk**
 - **Milk** used as an **ingredient** in **dairy** products
 - **Unprocessed** foods
 - **Single ingredient** products (fruit juice)
 - Ingredients that represent **more than 50%** of the food

Nutrition labelling

- ☐ **Overview**
- ☐ **Nutrition declaration: items**
- ☐ **Nutrition declaration: order**
- ☐ **Nutrition declaration: expression**
- ☐ **Nutrition declaration: per 100 g/ml**
- ☐ **Reference intakes**
- ☐ **Additional forms of presentation**

Overview

❑ Currently:

- Nutrition labelling is **voluntary**
- It however becomes **compulsory** if a **nutrition claim** is made.
- Where nutrition labelling is provided, either on a voluntary basis, or because a nutrition claim is made, it must conform with the **format** laid down in Directive 90/496/CE.

❑ On 13 December 2014:

- Nutrition labelling **remains voluntary**
- It remains compulsory when a nutrition claim is made
- Where it is provided (voluntary or because a nutrition claim is made) it must conform with the format in Regulation 1169/2011.

❑ On 13 December 2016:

- Nutrition labelling **becomes compulsory** across the EU for all prepacked food (derogations apply).

Nutrition labelling

Nutrition declaration: **items**

Mandatory

Energy

Fat

Saturated fat

Carbohydrate

Sugar

Protein

Salt

Voluntary

Mono-unsaturates

Polyunsaturates

Polyols

Starch

Fiber

Vitamins

Minerals

Nutrition labelling

Nutrition declaration: **order**

New nutrient order:

- **Energy**
- **Fat** of which:
 - **Saturates**
 - Mono-unsaturates
 - Polyunsaturates
- **Carbohydrate** of which:
 - **Sugars**
 - Polyols
 - Starch
- **Fibre**
- **Protein**
- **Salt**
- **Vitamins and minerals**

Nutrients for which a claim is made and which are **not** part of mandatory or voluntary nutrients should be provided in the same field of vision as the nutrition declaration **but not** directly in the nutrition declaration, even if they are a component of a declared nutrient.

Nutrition labelling

Nutrition declaration: **expression**

Expression of the nutrition declaration:

Per 100 g or 100 ml

Mandatory

On a per **portion basis** or per
consumption unit

Voluntary

As % of the **reference intakes**
(of an average adult) in relation
to per 100 g or 100 ml

Voluntary

Nutrition labelling

Nutrition declaration: **per 100 g/ml**

Tabular format	Per 100 g
Energy	1610 kJ or 380 kcal
Fat	21 g
- of which Saturates	11 g
Carbohydrate	16 g
- of which Sugars	7 g
Protein	4 g
Salt	2 g

Linear format, if space does not permit tabular format

Per 100 g : energy 1610 kJ or 380 Kcal, fat 21 g of which saturates 11 g, carbohydrate 16 g of which sugar 7 g, protein 4 g, salt 2g.

Non-prepacked food:

Voluntary nutrition declaration may be limited:

- to energy, or
- to energy, fat, saturates, sugars, and salt

Beverages < 1,2 % by vol. of alcohol:

Voluntary nutrition declaration may be limited:

- to energy

Nutrition labelling

Reference intakes

Annex XIII of Regulation (EU) No 1169/21011

Energy or nutrient	Reference intake
Energy	8.400 kJ / 2.000 kcal
Total fat	70 g
Saturates	20 g
Carbohydrate	260 g
Sugars	90 g
Proteins	50 g
Salt	6 g

Note

Indication of % of reference intake
may be limited to energy

Nutrition labelling

Additional forms of presentation

	Per 100 g	Reference intake (RI)	% RI				
Energy	1610 kJ 380 kcal	8400 kJ 2000 kcal	19 %	MEDIUM		MEDIUM	19 %
Total fat	21 g	70 g	30 %	HIGH		HIGH	30 %
Saturates	11 g	20 g	55 %	HIGH		HIGH	55 %
Carbohydrate	16 g	260 g	6 %	LOW		LOW	6 %
Sugars	7 g	90 g	8 %	LOW		LOW	8 %
Proteins	4 g	50 g	8 %	LOW		LOW	8 %
Salt	2 g	6 g	33 %	HIGH		HIGH	33 %

Nutrition labelling

Additional forms of presentation

- ☐ Extensively discussed during the negotiations
- ☐ Lack of evidence across the EU on how the average consumer understands and uses such information
- ☐ Aim is to allow further developments within a frame
- ☐ Concerns for the operation of the EU internal market
- ☐ Experience will show if further harmonisation is needed, which should be:
 - ☐ based on sound and scientifically valid consumer research
 - ☐ preceded by stakeholder consultation
 - ☐ objective and non-discriminatory
 - ☐ without hindrance to the free movement of goods

Nutrition labelling

Additional forms of presentation

In the meantime:

- ☐ Food business operators can use their own schemes
 - Member States may require food business operators notification of additional forms of expression or presentation and provision of justifications regarding compliance with the criteria
- ☐ Member States may recommend to businesses one or more schemes which best fulfill the criteria, and provide the Commission with details
- ☐ Commission shall facilitate and organise the exchange of information between Member States, itself and stakeholders
- ☐ By 31 December 2017, the Commission will report on the need for further harmonisation
- ☐ Implementing acts will ensure uniform application (no deadline)

Health and nutrition claims

- ☐ **Definitions**
- ☐ **Typology**
- ☐ **Nutrition claims**
- ☐ **Function claims**
- ☐ **Disease risk reduction claims**

Health and nutrition claims

Definitions

- ❑ A **claim** means: any message or representation, which is not mandatory under EU or national legislation, including pictorial, graphic or symbolic representation, in any form, which states, suggests or implies that a food has particular characteristics
- ❑ A **nutrition claim** means any claim which states, suggests or implies that a food has particular beneficial nutritional properties due to:
 - the energy (calorific value) it provides, provides at a reduced or increased rate, or does not provide; and/or
 - the nutrients or other substances it contains, contains in reduced or increased proportions, or does not contain.
- ❑ A **health claim** means any claim that states, suggests or implies that a relationship exists between a food category, a food or one of its constituents and health.

Health and nutrition claims

Typology

- ❑ Nutrition claims
 - ❑ Health claims:
 - Claims referring to children's development and health
 - Reduction of disease risk claims: a claim that states, suggest or imply that the consumption of a food category, a food or one of its constituents significantly reduces a risk factor in the development of a human disease.
 - Function claims: health claims other than those referring to the reduction of disease risk and to children's development and health
- There are three kinds of 'function claims':
- those describing or referring to the role of a nutrient or other substance in growth, development and the functions of the body,
 - those describing or referring to psychological and behavioural functions ;
 - those describing or referring to slimming or weight control or a reduction in the sense of hunger or an increase in the sense of satiety or to the reduction of the available energy from the diet

Health and nutrition claims

Examples

- ❑ Nutrition claim:
 - "this product is high in **calcium**"
- ❑ Function claim:
 - "**calcium** plays an important role in strengthening the bones"
- ❑ Disease risk reduction claim:
 - "regular consumption of **calcium** may help reduce the risk of osteoporosis"

Health and nutrition claims

Nutrition claims

- ❑ Only authorised if:
 - they are listed in Regulation (EC) No 1924/2006 (Annex)
 - they conform with the conditions laid down in the Regulation.
- ❑ Exemple:

LOW FAT

A claim that a food is low in fat, and any claim likely to have the same meaning for the consumer, may only be made where the product contains:

- no more than **3 g** of fat **per 100 g** for solids or
- no more than **1,5 g** of fat **per 100 ml** for liquids (1,8 g of fat per 100 ml for semi-skimmed milk).

Health and nutrition claims

Nutrition claims

- ❑ List of authorised nutrition claims can be updated by the Commission:

'SOURCE OF OMEGA-3 FATTY ACIDS

A claim that a food is a source of omega-3 fatty acids, and any claim likely to have the same meaning for the consumer, may only be made where the product contains at least 0,3 g alpha-linolenic acid per 100 g and per 100 kcal, or at least 40 mg of the sum of eicosapentaenoic acid and docosahexaenoic acid per 100 g and per 100 kcal.

HIGH OMEGA-3 FATTY ACIDS

A claim that a food is high in omega-3 fatty acids, and any claim likely to have the same meaning for the consumer, may only be made where the product contains at least 0,6 g alpha-linolenic acid per 100 g and per 100 kcal, or at least 80 mg of the sum of eicosapentaenoic acid and docosahexaenoic acid per 100 g and per 100 kcal.

HIGH MONOUNSATURATED FAT

A claim that a food is high in monounsaturated fat, and any claim likely to have the same meaning for the consumer, may only be made where at least 45 % of the fatty acids present in the product derive from monounsaturated fat under the condition that monounsaturated fat provides more than 20 % of energy of the product.

Health and nutrition claims

Function claims

- ❑ History:
 - Member States (2008): 44.000
 - European Commission (2009): 5.000
 - EFSA finalised its evaluation in June 2011.
 - Regulation (EU) No 432/2012: 222 authorised function claims.
- ❑ Additional claims can be submitted to EFSA, and authorised by the European Commission.
- ❑ These can be used on foods, provided that the conditions laid down in the Regulation are met.

Claim	Condition
Melatonin contributes to the alleviation of subjective feelings of jet lag	The claim may be used only for food which contains at least 0,5 mg of melatonin per quantified portion. In order to bear the claim, information shall be given to the consumer that the beneficial effect is obtained with a minimum intake of 0,5 mg to be taken close to bedtime on the first day of travel and on the following few days after arrival at the destination.

Health and nutrition claims

Disease risk reduction claims

- ☐ Prohibited before Regulation 1924/2006
- ☐ Under Regulation 1924/2006 : have to be **expressly authorised**
- ☐ Mandatory statement:
 - that the disease to which the claim is referring has **multiple risk factors**
 - that altering one of these risk factors **may or may not** have a beneficial effect .
- ☐ Data exclusivity: 5 years from the date of authorisation.

Claim	Condition
Plant sterols have been shown to lower/reduce blood cholesterol. High cholesterol is a risk factor in the development of coronary heart disease.	Information to the consumer that the beneficial effect is obtained with a daily intake of 1,5-2,4 g plant sterols. Reference to the magnitude of the effect may only be made for foods within the following categories: yellow fat spreads, dairy products, mayonnaise and salad dressings. When referring to the magnitude of the effect, the entire range "7 to 10 %" and the duration to obtain the effect "in 2 to 3 weeks" must be communicated to the consumer.



Thank you!