

Food Information Regulation:

Implementation into national legislation

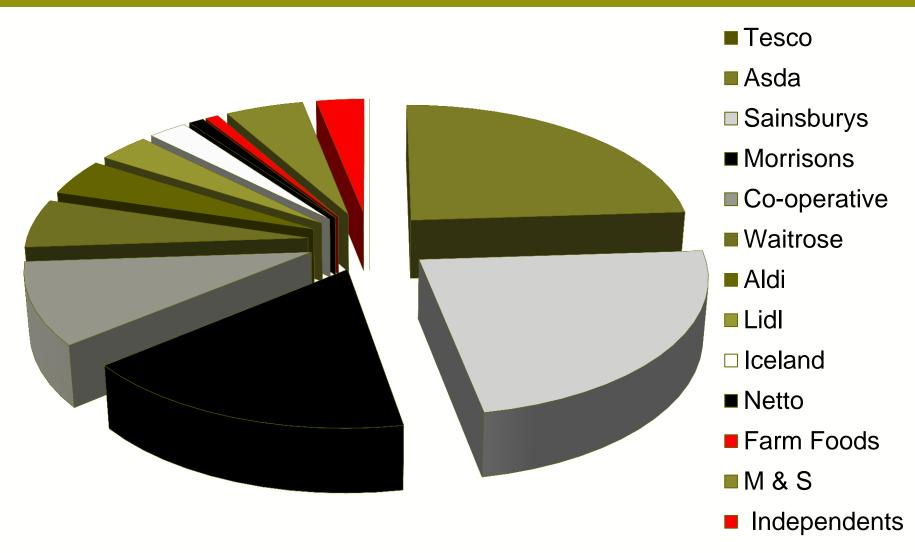
Stephen Pugh

Head of Food Labelling Team

Department for Environment Food and Rural Affairs (Defra) UK

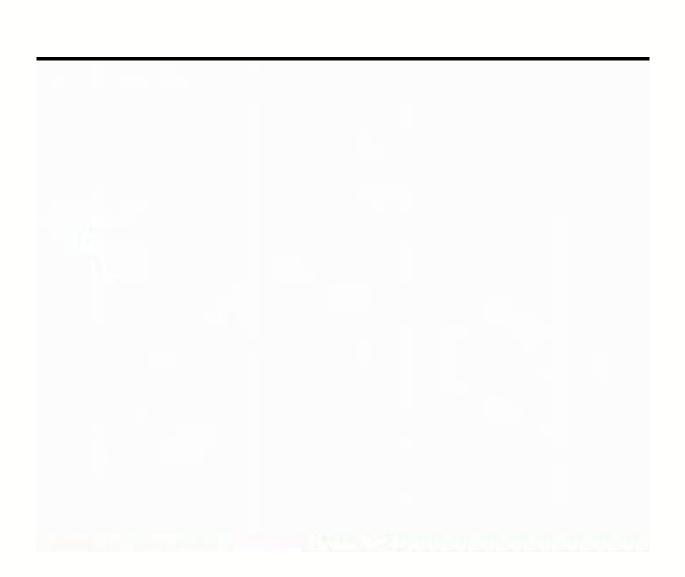
Market share for major stores





Eyetracking – seeing and touching







UK Implementation

FOOD INFORMATION TO CONSUMERS

Development of the enforcement legislation:



- Consultation
 - Statutory instrument
 - Impact Assessment
 - Guidance on SI
- Publish(ed) Nov 2012
- Completed end of Jan 2013

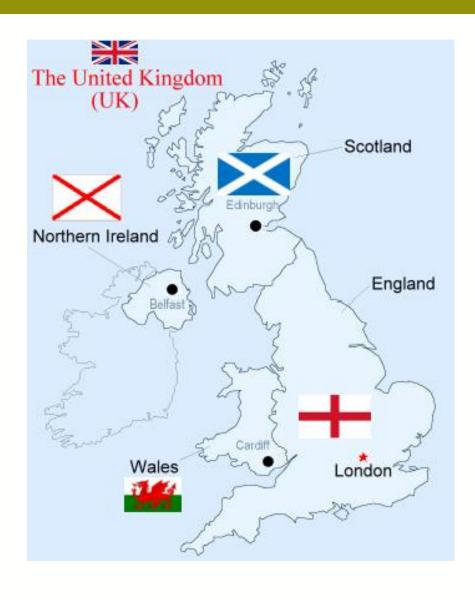
Revised enforcement system



- Changes to the current system
 - Non-criminal (only for the non-food safety aspects)
 - Civil penalties (improvement notices)
 - Appeals through First Tier Tribunals
- Red Tape Challenge deregulatory whenever possible

National political landscape - Different governments in UK





National political landscape (England)



- Split between
 - food information (Defra)
 - food safety information (FSA); and
 - nutrition labelling (Department of Health)
- Need for own England legislation enforcement
- Need to amend some legislation on a national basis

National measures Issues under discussion



- Revoking of national provisions on Cheese and cream standards
- Ice cream standards
- Low alcohol Drinks
- Additive class on loose foods not required
- Name of food for loose foods
- QUID in meat products

New packaging?



Nutrients are in a different order and salt rather than sodium

simply fruity muesli

A blend of multigrain flakes with dried and sweetened dried fruit.

good to know

- ✓ High in fibre
- ✔ Contains wholegrains
- ✔ A low sodium food
- Low in fat
- ✓ Low in saturated fat
- ✓ Vegetarian Society approved

nutritional information

typical values		100g	45g
		as sold	serving*
Energy	kJ	1,410	881
	kcal	334	209
Protein		7.4g	7.3g
Carbohydrate		66.4g	35.6g
- of which sugars		29.0g	18.6g
Fat		2.6g	3.1g
- of which saturates		0.5g	1.5g
- monounsaturates		0.8g	0.9g
- polyunsaturates		1.0g	0.6g
Fibre		7.7g	3.0g
Sodium		0.03g	0.10g
- equivalent as salt		0.08g	0.25g

*a serving includes 125ml of semi-skimmed milk

ingredients

Dried and sweetened dried fruit (30%)
[sultanas, sweetened dried papaya (10%)
(sugar, papaya, preservative: sulphur dioxide),
raisins, sweetened dried pineapple (5%)
(sugar, pineapple, citric acid, preservative:
sulphur dioxide)], barley flakes, oat flakes,
wheat flakes, toasted & malted wheat flakes
(wheat, barley malt extract).

\Lambda allergy advice

Please see ingredients for allergens. May contain nuts and milk.

We use only the best, natural ingredients and this means sometimes a stray piece

- c'shell or fruit stone may sneak past our
- clecks and into your bowl.

est enjoyed

- Strve with milk, yoghurt or fruit juice for a delicious and nutritious breakfast.
- orage instructions
- ore in a cool, dry place. Some of the best
- s may have settled at the bottom of the
- ck, so please shake gently before opening.
- F r best before end date, see base of pack.

oodland trust

- We're supporting the Woodland
- T ust's Jubilee Woods project,
- which is helping people across WOODLAND
- t e UK plant 6 million trees.
- I find out more just waite

www.dorsetcereals.co.uk/trees

Allergens highlighted, Advice Box refers to ingredients list

Minimum font size

National provisions under discussion in the consultation



- Minced meat
 - National mark to cover minced meat not within the criteria of Annex VI, Part B (1):
 - For UK market or For national market
- Loose food
 - Provision of allergen information
 - Verbal presentation
 - Notification to the Commission

New areas of legislation from the European Commission



35 implementing acts, delegated acts or reports in FIC

- □17 obligatory actions
 - 9 with deadline and 8 without deadline
- □18 optional actions
- □Guidance Q&A

Political agreements of the Commission Statements



- Information on method of slaughtering animals
- Colouring foods
- Food prepacked for direct sale
- Aspartame

Commission actions



Origin reports for 6 categories of food

(by 13 December 2014)

- (a) types of meat other than beef (AGRI)
- (b) milk (AGRI)
- (c) milk in dairy products (AGRI)
- (d) unprocessed foods (AGRI)
- (e) single ingredient products (AGRI)
- (f) ingredients that represent more than 50 % of a food (SANCO)

Commission actions



Report on alcoholic beverages

(with legislative proposal)

Report on trans fats

(with legislative proposal)

By 13 December 2014

 Report on the use of additional forms of expression

(With legislative proposal)

By 13 December 2017

Commission actions with no deadline



General labelling

- Rules on expression by means of pictograms
- Alternative presentation of mandatory information
- List of products exempted from ingredients list
- Re-examination and updating of the list of substances causing allergies or intolerances
- Alternative manner for expressing the net quantity for certain specified foods
- Uniform minimum durability date
- Detailed rules on the instructions for use for certain foods

Commission actions with no deadline



Nutrition

- Conversion factors for vitamins and minerals
- Nutrition tolerances
- Negligible energy value or amount of nutrients
- presentation of the nutrition declaration
- Amend list of nutrients to be included in the voluntary nutrition declaration

Issues requiring some interpretation



- Transitional period and anticipation of the new labelling rules
- Origin labelling
- Responsibilities
- Distance selling of food
- Legibility
- Allergen labelling
- Information on defrosted
- Added water



Nutrition labelling

NUTRITION DECLARATION

Key nutrition issues



- Mandatory nutrition labelling for prepacked foods
- Voluntary front of pack nutrition labelling
- Voluntary nutrition labelling for non prepacked foods
- Exemption from mandatory nutrition labelling for alcoholic drinks
- Transition periods

Mandatory nutrition labelling for prepacked foods



- Information required on energy, fat, saturates, carbohydrates, sugars, protein and salt
- Voluntary information can be given for monounsaturates, polyunsaturates, polyols, starch, fibre and any of the permitted vitamins & minerals*
- Information required on a per 100g/ml basis, with additional 'per portion' information allowed voluntarily
- %GDA information may be provided voluntarily on a per 100g/ml or per portion basis

Changes to 'back of pack'



- Re-ordering to emphasise the nutrients important to public health
- Sodium no longer permitted, although statement can be added explaining salt is due to naturally-occurring sodium
- Trans fats cannot be declared, pending a report by the Commission within 3 years



Nutrition table changes



Group 2 nutrition labelling

	Per 100g	
Energy	1500 kJ/ 356 kcal	
Protein	9.9g	
Carbohydrates	58.1g	
of which		
Sugars	16.8g	
Fat	7.4g	
of which		
Saturates	1.1g	
Fibre	8.9g	
Sodium	Below 0.1g	

FIR nutrition labelling

	Per 100g
Energy	1500 kJ/ 356 kcal
Fat	7.4g
of which	
Saturates	1.1g
Carbohydrates	58.1g
of which	
Sugars	16.8g
Protein	9.9g
Salt	Below 0.1g

NB: fibre can also be declared voluntarily

Front of pack



- Voluntary FOP information permitted on either:
 - energy-only, or
 - energy plus fat, saturates, sugars & salt
- Information can be provided on a per portion basis for energy + 4 nutrients, provided that energy is also provided on a per 100g/ml basis.
- % GDA information can be given on a per 100g/ml or per portion basis
- Additional forms of expression and presentation are permitted, subject to certain requirements.

Non-prepacked foods



- Voluntary information can be limited to:
 - energy only; or
 - energy, plus fat, saturates, sugars & salt; or
- Information can be provided on a per portion-only basis:
- Member states can introduce national rules to mandate certain aspects of the nutrition declaration if they wish.
- % GDA information, as well additional forms of expression are permitted (subject to fulfilling criteria).





Alcoholic drinks



- All alcoholic drinks over 1.2%abv are exempt from the mandatory nutrition declaration
- Voluntary energy-only declarations are permitted, as well as the option to display declaration (energy + 6)
- Information would be required on a per 10 basis, with per portion information permitter addition.
- The Commission will write a report within three years on the suitability of nutrition labelling for alcohol, as well as considering the need for a definition of 'alcopops'.



Additional Work by Commission



Commission given further work and powers in a number of areas. relation to nutrition these include (but are not limited to):

- Trans fats
- Nutrition tolerances
- When levels of nutrients can be considered 'negligible'
- GDAs for subgroups of the population
- Harmonisation of the use of AFEs
- Use of pictograms and symbols for mandatory labelling information.
- Rules on the declaration of certain mandatory information other than on the label.
- Rules for formats of presentation of nutrition labelling



MINIMUM FONT SIZE









Minimum font size



- If the largest surface is less than 80 cm²
 - the x-height greater than 0,9 mm
- If the largest surface is greater than 80 cm2
 - the x-height greater than 1.2 mm



Appendix 6 7

Legend

- 1 Ascender line
- 2 Cap line
- 3 Mean line
- 4 Baseline
- 5 Descender

line

- 6 x-height
- 7 Font size



Nutrition Labelling

TRAFFIC LIGHTS

What research is available?



- Overall, the research tends to focus on:
 - Consumer preferences for front of pack labelling
 - Consumer understanding of front of pack labelling
 - Consumer self-reported use of front of pack labelling

- There is <u>limited evidence</u> on:
 - Consumers' actual use of front of pack labelling
 - Impact of front of pack labelling on consumers' diet

What does it tell us?



- Widely used, particularly in the UK
- Consumers pay more attention to <u>nutrition</u> <u>information FoP</u>
- Consumers can make correct health inferences from common forms of FoP – most people can make simple calculations. However, accuracy decreases as complexity increases
- Evidence of confusion where multiple schemes co-exist on the market -strong consumer preference for single scheme -<u>Consistency</u>
- Larger numbers report using FoP than are observed doing do in real life -attention to labelling is measured in milliseconds



What does it tell us?



Motivation

- Women
- Those with young children
- Dieters
- Those with special dietary requirements
- Higher income, higher education
- First time purchases
- Directive versus non-directive hybrid preferred
- Market penetration gaining familiarity increases attention
- Label's influence on choice small (price, habit, brand exert more influence)

Policy Implications



- It is important to have nutrition information on the front of pack
- Consistency in front of pack labelling schemes is key (over and above the specific type of scheme)



- It is important to have a large market penetration in order to raise awareness in consumers
- Motivation.....

EU FIC - Front of pack



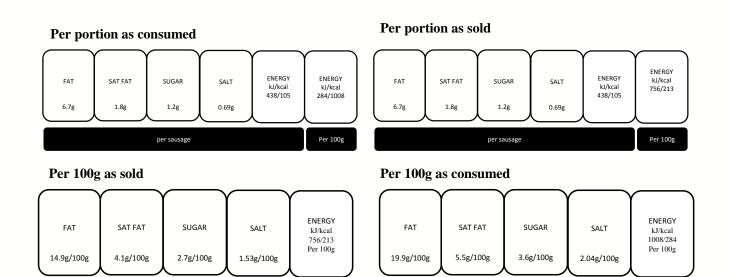
- Voluntary FOP information permitted on either:
 - energy only, or
 - energy plus fat, saturates, sugars & salt
- Legibility and font size requirements apply.
- In 'principal field of vision' seen at first glance by consumers likely to be front of pack
- Information can be provided on a per portion basis for energy + 4 nutrients, provided that energy is also provided on a per 100g/ml basis.
- % GDA information can be given on a per 100g/ml and/or per portion basis
- Where GDA information provided on a per 100g basis, the additional statement 'reference intake of an average adult (8400kJ/2000kcal)' is required.
- Where no GDA per 100g is present, then voluntary information such as '%
 of an Adults GDA' can be used alone otherwise only in addition to statutory
 statement above.
- Reference intakes based on average woman's intake. MS and Commission have powers to set GDAs for other sub groups.
- Commission to report on effectiveness of schemes and any need for further harmonisation by end 2017.

EU FIC Options



As sold As consumed p/port'n as consumed p/port'n as sold kJ/kcal kJ/kcal kJ/kcal kJ/kcal kJ/kcal kJ/kcal 756/213 756/213 284/1008 284/1008 672/160 672/160 Per 100g per portion Per 100g per portion Per 100g Per 100g

- Energy or Energy + 4
- As sold/ As consumed
- Per 100g/per portion



Additional forms of expression (AFE)



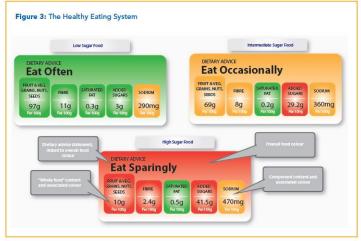
- Possible to express the nutrition information in different ways to just words and numbers.
- Must satisfy a number of requirements, such as:
 - they are based on sound and scientifically valid consumer research
 - their development is the result of consultation with a wide range of stakeholders
 - they aim to facilitate consumer understanding
- Government able to recommend one or more AFE
- Member States must monitor the use of AFE in their territory and report these to the Commission
- The Commission will write a report, with the potential for future harmonisation of AFE across the EU, by end 2017.

Additional Forms of Expression

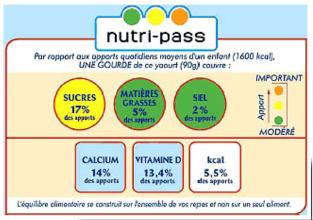
Possible to express the nutrition information in different ways to

just words and numbers.

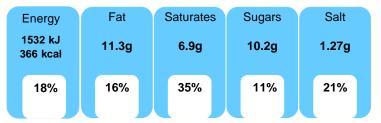








Each portion contains



Of your guideline daily amount



Front of Pack





Each 30g serving contains:

Calories	Sugars	Fat	Saturates	Salt
112	7 g	0.5g	0.2g	0.6g
6%	8%	1%	1%	10%

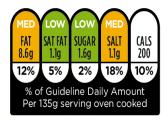
of an adult's guideline daily amount



MED	LOW	MED	HIGH	MED
Calories	Sugar	Fat	Sat Fat	Salt
353	$0.9_{\rm g}$	20.3g	10.8a	1.1 _q
18%	1%	29%		18%
10 /0	1 /0	LJ /0	J 70	10/0

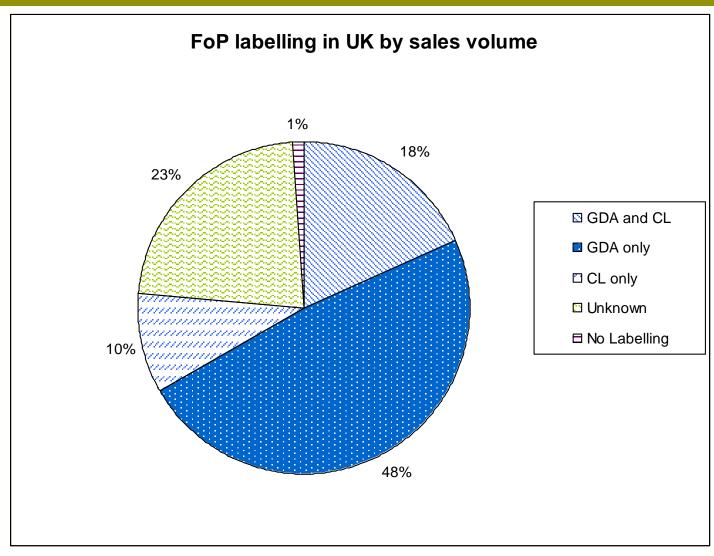
of your guideline daily amount





This is where we are:





Government Consultation



How can greater consistency and clarity be brought to FoP

- In the light of the new EU FIC and the framework of rules that it sets out?
- In a way that maintains and extends use of FoP across widest range of foods and drinks?
- Taking account of the evidence of what form of presentation consumers find most useful in enabling them to make healthier choices?

What did the consultation tell us?

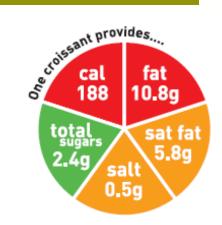


- In some areas the message was clear. In others the answers were more diverse. The following issues were the focus of a stakeholder meeting on 25th October and a subsequent Interested Party letter:
 - HML text
 - Whether calories should be colour coded
 - The basis on which nutrients in foods are colour coded red/amber/green

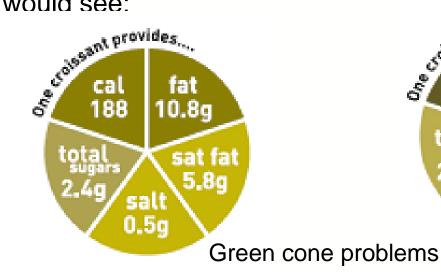
Why include text?

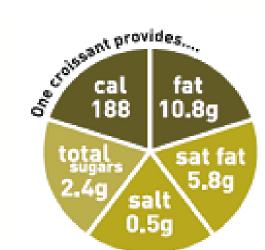


1 in 10 men and 1 in 100 women suffer from colour blindness which means that instead of:



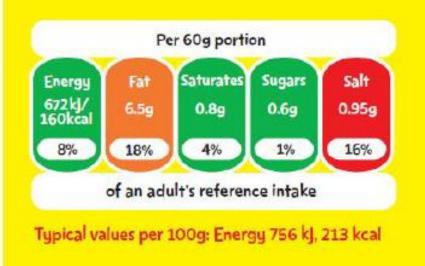
they would see:

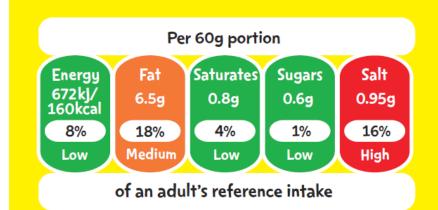




Red cone problems







Typical values per 100g: Energy 756 kJ, 213 kcal

And then.....

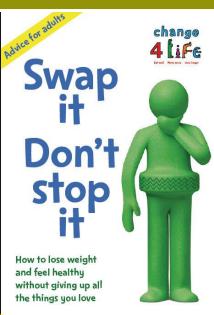














Guidance on FIR with industry



- Some key issues
 - Date of first freezing
 - Aimed at the consumer product
 - Formed meat
 - Highlights the products which might use meat glue
 - Nano labelling
 - Requires labelling of engineered nano ingredients



Allergen Labelling

CURRENT REQUIREMENTS

Communication of Allergen Information



Warning statements

- Should be easily visible and clearly legible, use a simple font, with a minimum size of 10 point
- Should be clear distinction between allergens as ingredients and cross-contaminants

INGREDIENTS

Wheat Flour, Sugar, Vegetable Fat, Golden Syrup, Egg, Ground Ginger, Raising Agents: E450, E500 CONTAINS

Wheat, Egg MAY CONTAIN Peanuts

Example – chicken Jalfrezi





Spiced Samosas





Spiced vegetables in a poppy seed pastry

2000

Great results

Oven cook from chilled but can also be cooked from frozen. This product is not suitable for microwave cooking.

Before cooking: Preheat oven. Remove all packaging. Place on a baking tray on the middle shelf of the oven.

During cooking: Turn halfway through.

After cooking: Check food is piping hot.

All cooking appliances vary. This is a guide only.



Oven cook from chilled 190°C / Fan 170°C / Gas 5 15 mins From trozen 190°C / Fan 170°C / Gas 5 20 mins



For use by date: see top of pack. Keep refrigerated.

Reep refrigerated. Do not exceed the use by date.



Suitable for freezing on day of purchase. Use within 1 month. Do not refreeze if defrosted.

Great to know

Nutrition

Typical values (cooked as per instructions) per 100g: Energy 967 kJ, 231 kcal; Protein 4.2g: Carbohydrate 25.2g of which sugars 2.1g, starch 23.1g; Fat 11.7g of which saturates 0.8g, mono-unsaturates 7.3g, polyunsaturates 3.5g; Fibre 4.1g; Salt 0.83g of which sodium 0.33g.

Per samosa

Energy III kcal | fat 5.6g | sat fat 0.4g | sugars 1.0g | salt 0.40g

The Multiple Traffic Light is based on guideline daily amounts (GDAs).

Our ingredients

Vegetable Samosa Filling (57%); Pastry.

Vegetable Samosa Filling contains: Potato (34%), Onion (22%), Carrot (16%), Peas (16%), Rapessed Oil, Ginger Purée, Coriander, Salt, Green Chilli Purée, Lemon Juice, Cumin Seed, Garam Masala (Coriander, Cumin, Cinnamon, Ginger, Chilli Powder, Black Pepper, Clove, Nutmeg, Cardamom, Bay Leaf), Curry Leaf, Turmeric, Chaat Masala Powder (Mango Powder, Salt, Cumin Powder, Ajwain Seeds, Chilli Powder, Black Pepper, Turmeric, Dried Mint Leaves, White Pepper, Ginger, Star Anise, Asafostida), Black Mustard Seed, Chilli Powder, Cinnamon Powder, Fanugreek Powder, Ajwain Seeds.

Pastry contains: Wheat Flour, Water, Rapeseed Oil, Poppy Seed, Salt.



Allergy advice

Contains mustard and wheat gluten.

Not suitable for peanut, nut or sesame allergy sufferers due to manufacturing methods.

The Provision of Food Information to Consumers Regulation



Article 2(f) (definitions)

'ingredient' means any substance or product, including flavourings, food additives and food enzymes, and any constituent of a compound ingredient, used in the manufacture or preparation of a food and still present in the finished product, even if in an altered form; residues shall not be considered as 'ingredients';

Article 9(c) mandatory particulars

Any ingredient or processing aid listed in Annex II or derived from a substance or product listed in Annex II causing allergies or intolerances and still present in the finished product, even if altered in form.



Allergen labelling

NEW REQUIREMENTS

The Provision of Food Information to Consumers Regulation



Article 21

- (a) they shall be indicated in the list of ingredients in accordance with the rules laid down in Article 18(1), with a clear reference to the name of the substance or product as listed in Annex II; and
- (b) the name of the substance or product as listed in Annex II shall 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.

Differences



Requirement	2000/13	1169/2011
Clear reference to allergen	✓	✓
Name of allergen next to ingredient	Clear reference to allergen	\checkmark
Highlighted in ingredients list	X	✓
Not required if food refers to allergen	✓	\checkmark
Required if no ingredients list	✓	✓
Use of allergy advice boxes	✓	?

Example





Nut advice

Recipe: No nuts.

Ingredients: Cannot guarantee nut free.

Factory: No nuts.

Ingredients

Beef (24%), Cooked Egg Pasta, Milk, Tomato,
Tomato Juice, Water, Tomato Puree, Onion, Mature
Cheddar Cheese, Cornflour, Whipping Cream, Red
Wine, Carrot, Celery, Beef Stock, Wheat Flour,
Garlic Puree, Pasteurised Egg, Butter, Salt,
Vegetable Oil, Oregano, Black Pepper, Bay,
Marjoram, White Pepper, Hutmeg.
Cooked Egg Pasta contains: Durum Wheat,
Semolina, Water, Pasteurised Egg.
Beef Stock contains: Beef, Yeast Extract, Salt.



Allergen Labelling

LOOSE FOODS

Non prepacked foods



- Required to provide information on Annex II allergens used in the preparation of foods.
- Flexibility about how this information is given to reflect the diversity of businesses selling non-prepacked foods.
- The information may be given by ticket labels, menus or via conversations with staff, for example.
- Guidance in the UK considering some of the issues businesses need to think about.
- The FSA already has voluntary guidance on this area

Next steps



- Work with stakeholders for better labels for allergy sufferers
- Work with stakeholders to inform them of the changes and what it means for them
- Work with stakeholders on the development of Guidance documents
- Notify the European Commission



Meat labelling

MEAT MATTERS



Meat matters

Christopher Conder

Higher Executive Officer

Defra

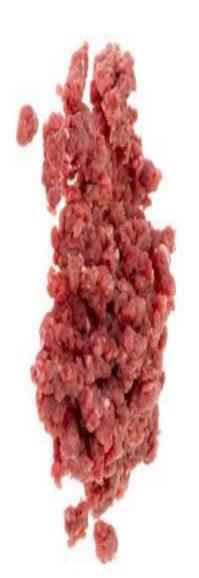
1. The EU definition of meat





 'Skeletal muscles [...] with naturally included or adherent tissue, where the total fat and connective tissue content does not exceed the values indicated'





Desinewed meat (DSM): the result of a common product that removes sinews and tendons via a low pressure machine is considered as mechanically separated meat (MSM) Meat recovered from non-deboned cuts (e.g. wishbones) continues to meet the definition of 'meat'.

Formed and reformed meat





- Formed meats that resemble 'a whole piece of meat or fish, but actually consist of different pieces combined together' must be labelled as such under the FIC.
- 'Reformed' meat is a different product from processed meat, and does not meat the 'meat' definition.

Formed Meat / Fish



Needs labelling as formed No labelling needed





Date of first freezing





 Under the FIC, frozen meat, frozen meat preparations and frozen unprocessed fishery products must all feature the date of freezing or the date of first freezing in cases where the product has been frozen more than once.

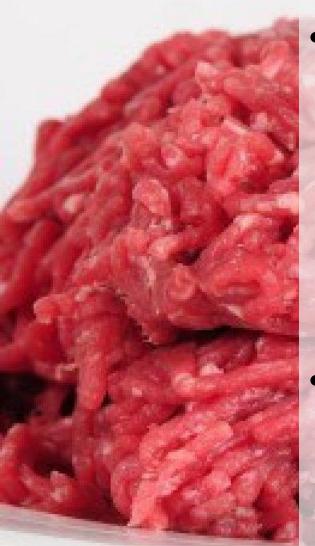
Minced meat





- The FIC gives a derogation option for minced meat to allow different criteria for minced meat sold within a country national mark.
- The UK traditionally uses mince with higher fat and collagen levels as it is cooked; the UK is considering whether to use this derogation.





- If we take up the derogation, it will not be a barrier to free trade – minced meat with the national mark can be imported as well as produced locally.
- EU standard minced meat would also be legal to sell in the UK.

Reserved descriptions





- In the UK, we have 'reserved descriptions' for common meat products that form part of the staple diet. Consumers have expectations for these products.
- The reserved descriptions set minimum meat contents for products using these names.



SCHEDULE 2 RESERVED DESCRIPTIONS

Regulation 4(1) and (2)

Column 1 Column 2			Column 3	
Name of Food	Food Meat or Cured Meat Content Requirements The food shall contain not less than the indicated percentage of meat, where the meat ingredient consists of the following:		Additional Requirements	
	Meat or, as the case may be, cured meat from pigs only	the case may be, cured meat from birds only, rabbits only, or a	may be, cured meat from other	
Burger—whether or not forming part of another word, but excluding any name falling within items 2 or 3 of this Schedule.	67%	55%	62%	Where the name "hamburger" is used, the meat used in the preparation of the food must be beef, pork or a mixture of both.
				2. Where either of the names "burger" or "economy burger" is qualified by the name of a type of cured meat, the food must contain a percentage of meat of the type from which the named

What is covered

- Burgers
- Chopped meat
- Corned meat
- Luncheon meat
- Pies
- Puddings
- Pasties
- Bridies
- Sausage rolls

- Sausages







- The reserved descriptions apply to products made and sold in the UK.
- Meat products lawfully sold and produced in another member State can be sold in the UK.
- However, customer preference means that's most successful exporters to the UK meet the criteria.



Meat Matters

ADDED WATER

Added water required to be labelled as it has the appearance of a piece of carcass meat...

check local recycling FILM PLASTIC not currently recycled





Added water <u>not</u> required, does <u>not</u> have the appearance of a cut, joint, slice, portion or carcase of meat





Added water



- meat products and preparations which have the appearance
 - a cut,
 - joint,
 - slice,
 - portion or carcase of meat,
- if the added water makes up more than 5 %
 of the weight of the finished product

European Commission priorities



- Commission are producing a Q&A
- Amendments to 1169/2011: nano-labelling, gluten-free foods
- Implementing regulations on
 - origin labelling
 - Alcohol labelling

What next in the UK?



- CoOL labelling in catering
- Research
 - Areas for possible investigation
 - Effectiveness of labelling
 - Novel research into hierarchy of information
 - CoOL meat (Isometrics)

Conclusions



