

Food Information Regulation:

Implementation into national legislation Stephen Pugh

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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



- 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



- 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.

nutrit	tional in	format	tion
typical values		100g as sold s	45g ærving*
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 saturated		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 125n	ป	

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).

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 shell or fruit stone may sneak past our ecks and into your bowl. C

est enjoyed

rve with milk, yoghurt or fruit juice a delicious and nutritious breakfast.

orage instructions

re in a cool, dry place. Some of the best a may have settled at the bottom of the ck, so please shake gently before opening. r best before end date, see base of pack.

Begistered obsrity in Ingland no 204344 and Cooland no 20038-00

oodland trust

're supporting the Woodland ust's Jubilee Woods project, lich is helping people across WOODLAND e UK plant 6 million trees. 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

Image: 18 optional actionsImage: Guidance Q&A



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



- 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)





Report on alcoholic beverages
 (with legislative proposal)

(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



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

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





- 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).







- 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 permitte 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



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

- 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?

What does it tell us?



- <u>Motivation</u>
 - Women
 - Those with young children
 - Dieters
 - Those with special dietary requirements
 - Higher income, higher education
 - First time purchases
- Directive versus non-directive hybrid preferred
- <u>Market penetration</u> 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





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

Per portion as consumed

\square	\bigcap	\bigcap	\bigcap	\bigcap	$\overline{}$
FAT	SAT FAT	SUGAR	SALT	ENERGY kJ/kcal 438/105	ENERGY kJ/kcal 284/1008
6.7g	1.8g	1.2g	0.69g	150/105	204/1000
				\square	\square
		per sausage			Per 100g

Per portion as sold

FAT 6.7g	SAT FAT	SUGAR	SALT 0.69g	ENERGY kJ/kcal 438/105	ENERGY kJ/kcal 756/213
		per sausage			Per 100g

Per 100g as sold

ĺ	\frown	$\overline{\qquad}$	\bigcap	\bigcirc	ENERGY
	FAT	SAT FAT	SUGAR	SALT	kJ/kcal 756/213 Per 100g
	14.9g/100g	4.1g/100g	2.7g/100g	1.53g/100g	Fei 100g

Per 100g as consumed

FAT	SAT FAT	SUGAR	SALT	ENERGY kJ/kcal
19.9g/100g	5.5g/100g	3.6g/100g	2.04g/100g	1008/284 Per 100g

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

of an adult's guideline daily amount





Each 1/2 pack serving contains



This is where we are:







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?



- 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:









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



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

And then.....



Motivation.....











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



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



Example – chicken Jalfrezi





Spiced Samosas





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
 <u>II shall be emphasised through a typeset that clearly</u>
 <u>distinguishes it from the rest of the list of ingredients</u>, for
 example by means of the font, style or background colour.





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

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



- 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





- 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.



What is covered

SCHEDULE 2

Regulation 4(1) and (2)

RESERVED DESCRIPTIONS

Column 1	Column 2		Column 3		
Name of Food	Meat or Cured Meat Content Requirements		Additional Requirements		
	The food shall contain not less than the indicated percentage of meat, where the meat ingredient consists of the following:				
	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		
1. 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%	1.	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

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



PORK RIDS Pork ribs with added water in a sweet tomato, garlic and five spice glaze COOKING INSTRUCTIONS: For best results cook from chilled. Remove all packaging. TO GRILL from chilled: Pre-heat the grill. Place onto a wire trivet. Grill on a medium heat for 15-20 minutes. Turn Chosen bu you occasionally. TO BBQ from chilled: Cook on a pre-heated, non-flaming barbecue. Cook thoroughly using the grill times as a guide. Alternatively, cook under the grill and finish cooking for the CHINESE STYLE last few minutes on the BBQ, turning occasionally. **Check product is piping hot before serving. Do not re-heat.** We have given you these cooking instructions as a guide PORK RIBS SUCCULENT PORK WITH DED WATER, MARINATED IN only. A SWEET TOMATO, GARLIC AND FIVE SPICE GLAZE. **INGREDIENTS:** Basted Pork Belly Ribs with added water IDEAL FOR THE BARBECUE (92%) [Pork Ribs (90%), Water, Tapioca Starch, Dried Glucose Syrup, Dextrose, Malt Vinegar Powder (Barley)], Chinese OR GRILLING Style Seasoning [Sugar, Tomato Powder, Salt, Maltodextrin, Style Seasoning Logar, Fornate Five Spice [Fennel, Anise, Cinnamon, Clove, Black Pepper], Aniseed], Garlic Powder, Beetroot Powder, Yeast Extract, Spice Extract [Paprika, Aniseed], Onion Powder]. Contains barley. NO ARTIFICIAL COLOURS, FLAVOURS OR HYDROGENATED FAT. NUTRITION: As a guide, we recommend this product provides: 4 servings. Typical values (grilled) per 100g: Energy 1086kJ/260kcal, Protein 23.4g, Carbohydrate 6.0g, of which sugars 4.4g, Fat 14.9g, of which saturates 5.6g, Fibre 1.4g, Sodium 0.46g, equivalent as salt 11g. STORAGE: Keep refrigerated. Once opened, keep refrigerated and consume within one day. Suitable for freezing. Freeze on day of purchase and consume within 23APR 23 APR one month. Defrost thoroughly before cooking. Once defrosted, do not re-freeze. Do not exceed the Use By date. I WARNING: Contains bones. www.asda.com Source: Cambridge Market Research 2010 SLEEVE CARD widely recycled TRAY PLASTIC 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









- 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



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



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

Conclusions



