

<i>HACCEuropa.com</i>	<b>QUALITY SYSTEMS MANUAL</b>	<i>Issue: 1</i>	<i>Ref No:</i>
		<i>Issued by:</i>	
	<b>Labelling Management</b>	<i>Approved by:</i>	
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**PURPOSE:** To ensure all precautions are taken to prevent misleading customer.

**RESPONSIBILITY:** The Department Manager is responsible for ensuring this procedure is communicated and adhered to by all staff.

### **INSTRUCTIONS:**

### **LABELLING**

#### **Labelling must not mislead the consumer**

The principle underlying the labelling of food is that the **purchaser must not be misled**. The information on the label must be clear and unambiguous and must not be such as could mislead the consumer to a material degree:

- as to the characteristics of the foodstuff and, in particular, as to its nature, identity, properties, composition, quantity, durability, origin or provenance, method of manufacture or production
- by attributing to the foodstuff, effects or properties which it does not possess
- by suggesting that the foodstuff possesses special characteristics when in fact all similar foodstuffs possess such characteristics

For example, it is not permitted to state that a food is 'free from....' or 'without...' something where all similar foodstuffs have similar properties. Such expressions may not be used either where a substance is not normally present in a certain type of foodstuff or where the use of a certain additive is not permitted.

Information provided on the label of a food must not be false or misleading to the consumer. The onus is on the manufacturer/packager of a food to be able to demonstrate that all the information provided on a label (whether compulsory or provided voluntarily) is true.

#### **Size of information**

Labelling information must be easy to understand, marked in a conspicuous place in such a way as to be easily visible, clearly legible and indelible. It cannot be hidden, obscured or interrupted by other written or pictorial matter or by price labels, sealing tapes etc.

The size of the text must not be too small in relation to other information and decorations and the text should be in contrast to the background. There is no prescribed font or text size under the legislation but this issue is being considered under the review of the labelling legislation.

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### **Compulsory labeling**

The following mandatory information must appear on the packaging of a pre-packaged food or on a label attached:

- the name under which the product is sold
- the list of ingredients
- the quantity of certain ingredients
- the net quantity
- the date of minimum durability
- any special storage instructions or conditions of use
- the name or business name and address of the manufacturer or packager, or of a seller within the European Union
- place of origin of the foodstuff if its absence might mislead the consumer to a material degree
- instructions for use where necessary
- beverages with more than 1.2% alcohol by volume must declare their actual alcoholic strength

### **Name under which the product is sold**

The name of the foodstuff must be stated in order to inform the purchaser of the true nature of the product.

The legal name of the food must be used where one exists.

In its absence its customary name or a description of the foodstuff may be given.

### **Details of physical condition**

Details of the physical condition of the foodstuff or processes it has undergone must accompany the legal name of the food such as powdered, freeze-dried, deep-frozen, concentrated, sterilised and smoked. Foodstuffs that have been frozen and that are retailed without further processing should be labelled as frozen products.

Fruit and vegetables which have simply been cut in portions such as sliced melon and which are sold to the consumer in transparent packaging are exempt and need not indicate this treatment unless they are otherwise further processed such as shredded cabbage.

### **Ingredients**

An 'ingredient' is defined as any substance, including additives, used in the manufacture or preparation of a foodstuff and still present in the finished product even if in an altered form. If an ingredient of a foodstuff is made up of a number of other ingredients, the latter (i.e. the individual ingredients of the compound ingredient) is regarded as the ingredients of the foodstuff in question.

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The following are not considered as ingredients:

- The constituents of an ingredient which have been temporarily separated during manufacturing, which are later added to a foodstuff but not in excess of their original quantity. For example, the yolk and white of an egg need not be considered as separate ingredients and identified separately in the ingredients list if they are separated during manufacture. The ingredients list of the final food would simply need to declare 'egg' as the ingredient, provided they are not in excess of the original amounts
- Additives serving no technological function in the final food where their presence in food is only because they were contained in one or more of the ingredients of that foodstuff. For example, sulphur dioxide used as a preservative in dried fruit such as raisins (to prevent them browning) will have no function when the dried fruit is added to a cake mix
- Additives used purely as processing aids such as enzymes, alcohols and acids. For example, alcohols used to speed up the reactions of certain additives or enzymes such as rennet used in cheese production. However, if they leave residues and perform a technological function they must be considered as additives and fall under the definition of an ingredient
- Substances only used in quantities required as solvents or media for the functioning of additives or flavourings. For example, diethyl ether which is used in the preparation of flavourings from natural flavouring materials
- Substances which are not additives but are used in the same way and with the same purpose as processing aids and are still present in the finished product, even if in altered form

### **List of ingredients**

There must be a list of all the ingredients in descending order of weight as recorded during the manufacturing of the foodstuff often referred to as "the mixing bowl stage".

The list must start with a heading that includes the word 'ingredients'.

The list of ingredients must be easy to understand by the consumer and such that similar products can be easily distinguished from each other depending on the ingredients, e.g., consumers must be able to readily distinguish between a 'strawberry' or 'raspberry' fruit yoghurt.

There are some additional requirements when listing the ingredients on the label:

- Added water and volatile ingredients (i.e. substances that quickly evaporate such as alcohol), shall be listed in the list of ingredients by their weight in the final product and not their weight as added at the mixing bowl stage. The amount of water added as an ingredient is calculated by subtracting the total

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weight of other ingredients from the weight of the finished product.

However, the amount of added water need not be listed as an ingredient if it does not exceed 5% by weight of the finished product (see also sub section on declaration of water content below)

(In addition water need not be declared in the list of ingredients if it is added to frozen or quick frozen chicken carcasses in accordance with Commission Regulation (EC) No. 1906/90 (as implemented by Regulation (EC) No. 1538/91 as amended) on certain marketing standards for poultry

- concentrated or dried ingredients that are reconstituted at the time of manufacture may be listed according to their weight before their original concentration or dehydration such as milk powder
- in the case of concentrated or dried foods which are to be reconstituted by the addition of water by the consumer, such as powdered soup or sauces, the ingredients may be listed by the order of their proportion after the reconstitution of the product provided that this is indicated, e.g. ‘ingredients of the reconstituted product’ or ‘ingredients of the ready-to-use product’
- where fruit, vegetables or mushrooms, none of which significantly predominates in terms of weight and which are used in proportions that are likely to vary, are used in a mixture as ingredients of a foodstuff, they may be grouped together in the list of ingredients under the designation “**fruit**”, “**vegetables**” or “**mushrooms**” followed by the phrase “in varying proportions”, immediately followed by a list of the fruit, vegetables or mushrooms present; in such cases, the mixture shall be included in the list of ingredients in descending order of weight on the basis of the total weight of the fruit, vegetables or mushrooms present
- in the case of mixtures of herbs and spices, where none significantly predominate, those ingredients may be listed in another order provided it is accompanied by an expression such as ‘in variable proportion’
- ingredients constituting less than 2% of the finished product may be listed in a different order after the other ingredients and
- where ingredients which are similar or mutually substitutable are likely to be used in the manufacture or preparation of a foodstuff without altering its composition, its nature or its perceived value, and in so far as they constitute less than 2% of the finished product, they may be referred to in the list of ingredients by means of the phrase “**contains ... and/or ...**”, where at least one of no more than two ingredients is present in the finished product. This provision shall not apply to additives or to allergenic ingredients.

#### **Foodstuffs that do not require a list of ingredients**

The following foodstuffs are not required to indicate a list of their ingredients:

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- fresh fruit and vegetables including potatoes (unless they have been somehow processed, e.g. peeled or chopped)
- carbonated water provided that it can be understood from the name that carbon dioxide has been added to the water for example 'sparkling' water
- fermentation vinegars derived from a single basic product (where no other ingredient has been added)
- cheese, other than fresh or processed cheese, where no other ingredient has been added except those that are required for its manufacture (i.e. salt, lactic acid products, enzymes and microorganism cultures) such as cheddar and edam cheese
- butter, fermented milk and fermented cream where no other ingredient has been added (except for lactic acid products, enzymes and microorganism cultures essential to their manufacture)
- products comprising a single ingredient where the trade name is the same as the ingredient name, or the trade name enables the nature of the ingredient to be clearly defined, for example, pepper
- beverages that contain more than 1.2% volume of alcohol

### **Net quantity**

All pre-packaged foodstuffs 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. The net quantity must be expressed using the metric system i.e. liters or milliliters for liquids or kilograms or grams for solids.

Goods that are not sold in pre-packaged constant quantities and are sold using a measuring instrument such as fruit and vegetables must contain or have delivered the minimum quantity stated.

It is not necessary to indicate the net quantity in the case of:

- foodstuffs that are normally sold by number, such as a tray of apples, provided the number of items can clearly be seen and easily counted or it is written on the label
- foodstuffs which are less than 5gm or 5ml in weight (except herbs and spices) and
- foodstuffs that are subject to considerable losses in their weight and which are sold by number (or are weighed in the presence of the purchaser).

### **Date of minimum durability**

All foods must be date marked unless exempt in legislation.

There are two types of date markings, a 'best-before' and a 'use-by' date:

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- a 'best-before' date is not defined under the Directive but can be described as the date up until which the foodstuff can reasonably be expected to retain its optimum condition i.e. the specific properties that are normally associated with that foodstuff. Most foods fall into this category
- a 'use-by' date is defined in the Directive is required for foods which from a microbiological point of view are highly perishable and are therefore likely after a short period to constitute an immediate danger to human health.

For 'best-before' declarations, the actual date of minimum durability should be preceded by the words 'best-before' where the day is indicated, otherwise 'Best-before end' can be declared where the month or year is indicated.

#### **Special storage instructions or conditions of use**

The label should outline any special storage conditions to enable the consumer to maintain the quality of the product. Details on how the product should be stored once the packaging is opened should be outlined such as refrigerate after opening, store in a cool dry place. Other options for the storage of the food can also be detailed in order to maintain the specific properties of the opened food such as suitable for freezing.

#### **Name and address**

The label must declare the name or business name and address of the manufacturer or packager, or of a seller established within the Community.

The contact details of the manufacturer, packager or seller must be precise enough to enable a complainant to contact the named agent where necessary i.e. a full postal address.

A web address is not an acceptable address on its own but could be provided in addition to the postal address.

#### **Origin**

On the label an indication of the place of origin or provenance of the foodstuff is required only where its absence might mislead the consumer to a material degree as to the true origin or provenance of the foodstuff. In other words the requirement to provide details on the place of origin, not necessarily the country, should be indicated where the consumer might be otherwise misled.

The country or place of origin of a foodstuff could be considered as the place in which it last underwent a substantial change i.e. the country of manufacture where processing or treatment takes place and not where the food is grown. For example, potatoes grown in Cyprus but processed into crisps in Ireland could bear the indication 'Made in Spain'.

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### **Instructions for use**

The label must contain instructions on how to use the product if it is necessary so the consumer can make appropriate use of the food, e.g. cook, reheat, mix, not suitable for frying (see following, the instructions indicated for a packet of dried soup).

### **Alcoholic beverages**

The labelling of alcoholic beverages containing more than 1.2% by volume of alcohol must indicate the actual alcoholic strength by volume on the label where it is for sale to the ultimate consumer.

### **Introduction to batch identification**

The lot identification should appear on the label of a prepackaged food. Food that is sold without pre-packaging, the lot number can appear on the packaging or on the container or, failing that, on the relevant commercial documents. The lot identification must be easily visible, clearly legible and indelible.

It is the responsibility of the producer, manufacturer or packager (or the first seller established within the Community) to determine the lot and affix the corresponding indication. The concept of a lot implies that several sales units of a food have almost identical production, manufacture or packaging characteristics.

The requirements therefore do not apply to bulk products or products which due to their diverse nature are not considered as forming an identical batch.

The durability date can double up as a lot mark provided it is sufficiently precise to identify a particular batch i.e. the day and the month. An indication merely of the month and year would not be sufficient.

## **COMPOSITIONAL STANDARDS**

### **COCOA AND CHOCOLATE PRODUCTS**

#### ***European legislation***

*Directive 2000/36/EC relating to cocoa and chocolate products intended for human consumption.*

The labelling requirements for cocoa and chocolate products are as follows:

- the prescribed names for cocoa and chocolate products as listed and defined in the Directive must be used in trade as their sales names such as '**chocolate**', '**milk chocolate**', '**drinking chocolate**', '**couverture chocolate**', '**plain chocolate**', '**cocoa butter**', '**cocoa powder**', '**filled chocolate**' etc. However, these names can be used for other products in accordance with

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custom provided these other products cannot be confused with the products defined in the Directive such as ‘chocolate’ cakes.

- the labelling of chocolate products which contain vegetable fats other than cocoa butter must be supplemented by the statement ‘**contains vegetable fat in addition to cocoa butter**’. This statement must be conspicuous, clearly legible and in the same field of vision as the list of ingredients and clearly separated from this list. This statement must be in lettering at least as large and in bold with the sales name nearby (the sales name of the product may also appear elsewhere on the label)
- where certain chocolate products are sold in assortments the sales name may be replaced by ‘**assorted chocolates**’ or ‘**assorted filled chocolates**’. In this case, there may be a single list of ingredients for all the products in the assortment
- for specific products (such as powered chocolate, drinking chocolate, chocolate, milk chocolate, family milk chocolate, chocolate a la taza and chocolate familiar a la taza) an indication of the total dry cocoa content must be given by a declaration ‘**cocoa solids.....% minimum**’
- fat-reduced cocoa and sweetened cocoa/drinking chocolate must indicate the cocoa butter content the sales names ‘**chocolate**’, ‘**milk chocolate**’ and ‘**couverture chocolate**’ may be supplemented by declarations or adjectives relating to quality provided the product contains the following:
  - a) chocolate: not less than 43% total dry
  - b) milk chocolate: not less than 30% total dry cocoa solids and not less than 18% dry milk solids obtained by partly or wholly dehydrating whole milk, semi- or full-skimmed milk, cream, or from partly or wholly dehydrated cream, butter or milk fat, including not less than 4.5% milk fat
  - c) couverture chocolate: not less than 16 % of dry non-fat cocoa solids.

## **COFFEE AND CHICORY EXTRACTS**

### ***European legislation***

*Directive 1999/4/EC regulates coffee extracts and chicory extracts.*

The following labelling provisions apply to coffee and chicory extracts:

- the product names ‘**coffee extract**’, ‘**soluble coffee extract**’, ‘**soluble coffee**’ or ‘**instant coffee**’, or in the case of chicory extracts, ‘**chicory extract**’, ‘**soluble chicory**’ or ‘**instant chicory**’ apply only to the products defined in the Directive and must be used in trade to designate them. These names must be supplemented by the words ‘**paste**’ or ‘**in paste form**’ or ‘**liquid**’ or ‘**in liquid**

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**form**’ as appropriate. The names may also be supplemented by the term ‘concentrated’ as follows:

- a) liquid coffee extract: the coffee based dry matter content is more than 25% by weight or
- b) the liquid chicory extract: the chicory based dry matter content is more than 45% by weight
- the labelling must include the term ‘decaffeinated’ if the product meets the specified requirements. This information must be written within the same field of vision as the sales description
- for particular products with added sugars (such as liquid coffee extract and liquid chicory extract) the labels must include the terms ‘**with....**’, ‘**preserved with....**’, ‘**with added....**’ or ‘**roasted with....**’ followed by the name of the types of sugar(s) used. This information must also appear within the same field of vision as the sales description
- the dry matter content must be expressed as a percentage by weight of the finished product in the case of dried coffee extract, coffee extract paste, dried chicory extract and chicory extract paste.

## **FRUIT JUICES AND FRUIT NECTARS**

### ***European legislation***

*Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption.*

The following labelling provisions apply to fruit juices and similar products intended for consumption:

- the prescribed names for fruit juices and similar products as listed and defined in the Directive must be used in trade as the name of the product such as ‘**fruit juice**’, ‘**fruit juice from concentrate**’, ‘**fruit nectar**’ etc. However, by way of derogation, certain designations have been recognised as the product name in the language and under the conditions laid down such as ‘vruchtendrank’ for fruit nectars in German.

Where the product comes from a single kind of fruit, the name of the fruit must be substituted for the word ‘fruit’ such as ‘orange’ juice. For products manufactured from two or more fruits the product names shall be supplemented by a list of the fruits used, in descending order of the volume of the fruit juices or purées included. However, in the case of products manufactured from three or more fruits, the indication of the fruits used may be replaced by the words ‘**several fruits**’ or a similar wording, or by the number of fruits used

- fruit juices which have been sweetened by the addition of sugars, the sales name shall include the word ‘**sweetened**’ or ‘**with added sugar**’, followed by

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an indication of the maximum quantity of sugar added, calculated as dry matter and expressed in grams per liter

- the restoration of fruit juices and similar products to their original state, by means of the substances strictly necessary for this operation, shall not entail an obligation to enter on the labels a list of the ingredients used for this purpose. However, the addition to fruit juice of extra pulp or cells shall be indicated on the labelling
- without prejudice to QUID requirements (Directive 2000/13/EC, Section 2.1.5.3), for mixtures of fruit juice and fruit juice from concentrate, and for fruit nectar obtained entirely or partly from one or more concentrated products, the labelling shall bear the words '**made with concentrate(s)**' or '**partially made with concentrate(s)**', as appropriate. That information shall be entered close to the product name, standing out well from any background, in clearly visible characters

As 'fruit juice' and 'fruit juice from concentrate' are considered two separate products (having their own legal names) where they are ingredients in a composite product, they must appear in the list of ingredients under their own designation.

- for fruit nectars, the labelling shall indicate the minimum content of fruit juice, fruit purée or any mixture of those ingredients, by the declaration '**fruit content: ... % minimum**'. That information shall be located in the same field of vision as the product name
- the labelling of concentrated fruit juice not intended for delivery to the final consumer shall bear a reference indicating the presence and quantity of added sugars, or added lemon juice or acidifying agents (as permitted by Directive 95/2/EC on food additives other than colours and sweeteners). This reference shall appear on the packaging, on a label attached to the packaging or on an accompanying document.

## **CASEINS AND CASEINATES**

### ***European legislation***

*Council Directive 83/417/EEC relating to certain lactoproteins (caseins and caseinates) intended for human consumption.*

The product names '**edible acid casein**', '**edible rennet casein**' and '**edible caseinates**' are reserved for the products defined in the Directive. These names must be used in trade as the name of the product. It is unlawful to use them for any product unless it complies with the prescribed heat-treatment process and technological adjuvants and bacterial cultures.

Casein and caseinates must declare the following on the package, containers or label:

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- a) the reserved name as above and in the case of caseinates an indication of the cation or cations.
- b) products marketed as mixtures:
  - the words '**mixture of .....**' followed by the names of the different products which make up the mixture, in decreasing order of weight,
  - an indication of the cation or cations in the case of caseinate(s),
  - the protein content in the case of mixtures containing caseinates.
- c) the quantity in metric (or where specifically authorized in imperial units until December 2009)
- d) the name or business name and the address of the manufacturer or packager, or of a seller established within the Community. In the case of national production Member States may maintain national provisions requiring details of the manufacturing or packaging establishment to be mentioned.
- e) country of origin where the products have been imported from third countries
- f) the date of manufacture or similar marking to identify the batch.

Certain particulars a), b), e) and f) must be in language easily understood by the purchaser. In addition, certain particulars need only appear on the accompanying documents. Further derogations are also provided for products transported in bulk. All of the labelling requirements must be clearly visible, easily legible and in indelible characters.

## **HONEY**

### ***European legislation***

*Directive 2001/110/EC relating to honey*

*Corrected by: Corrigendum to Council Directive 2001/110/EC of 20 December 2001 relating to honey.*

Products can only be marketed as '**honey**' if they comply with the definition and compositional requirements as set out in the Directive.

The following information must appear on the package, container or label of honey and the information must be conspicuous, clearly legible and indelible:

- the prescribed names as listed and defined in the Directive such as '**blossom honey**' must be used in trade to designate the product or the simple product name '**honey**' may replace the prescribed name (except in the case of 'filtered honey', 'comb honey', 'chunk honey' or 'cut comb in honey' and 'baker's honey')

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- for baker's honey, the words 'intended for cooking only' shall appear on the label in close proximity to the product name
- for filtered honey and baker's honey, under certain circumstances the product names may be supplemented by information on:
  - its floral or vegetable origin,
  - regional, territorial or topographical origin,
  - specific quality criteria.
- where baker's honey has been used as an ingredient in a compound foodstuff, the term 'honey' may be used in the product name only of the compound food instead of the term 'baker's honey' (however, this exemption does not apply to the list of ingredients)
- the country or countries of origin where the honey has been harvested shall be indicated on the label.

However, if the honey originates in more than one Member State or third country, that indication may be replaced with one of the following, as appropriate:

- 'blend of EC honeys'
- 'blend of non-EC honeys'
- 'blend of EC and non-EC honeys'.

## **SUGARS**

### ***European legislation***

*Directive 2001/111/EC relating to certain sugars intended for human consumption.*

The following labelling provisions apply to sugars:

- the prescribed names as listed and defined in the Directive such as '**semi-white sugar**' must be used in trade to designate the products. The prescribed name '**sugar**' or '**white sugar**' can also be used as the name for '**extra-white sugar**'.

Qualifying terms that are commonly used are also permitted in addition to the compulsory products name.

In addition, the prescribed names may also be used in product names made up to designate other products, in accordance with custom. In both cases, the 'names' must not be liable to mislead the consumer.

- pre-packaged products weighing less than 20g are not required to declare net weight.

The following information must also appear on the label:

- the dry matter and invert sugar content of sugar solution, invert sugar solution and invert sugar syrup

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- the qualifying term ‘crystallised’ for invert sugar syrup incorporating crystals in the solution
- where glucose syrup or dried glucose syrup contain fructose in proportions greater than 5% on a dry matter basis, they shall, in respect of their product name and as ingredients, be labelled as ‘glucose-fructose syrup’ or ‘fructose-glucose syrup’ and ‘dried glucose-fructose syrup’ or ‘dried fructose-glucose syrup’, respectively, to reflect whether the glucose component or the fructose component is in greater proportion.

## DEHYDRATED PRESERVED MILK

### *European legislation*

*Council Directive 2001/114/EC relating to certain partly or wholly dehydrated preserved milk for human consumption.*

The prescribed names as listed and defined in the Directive such as ‘**condensed milk**’ and ‘**whole milk powder**’ must be used in trade to designate the products. However, a number of other prescribed names have been permitted for use as trade names across the various Member States.

For labelling in English:

- the term ‘**evaporated milk**’ denotes the product ‘condensed milk’ where it contains, by weight, at least 9% fat and 31% total milk solids
- the term ‘**evaporated semi-skimmed milk**’ denotes the product ‘condensed partly skimmed milk’ where it contains, by weight, between 4% and 4.5% fat and not less than 24% total solids
- the term ‘**semi-skimmed milk powder**’ or ‘**dried semi-skimmed milk**’ denotes the product ‘dried partly skimmed milk’ with a fat content of between 13% and 26%.

The labelling must state the percentage of milk fat, expressed by weight in relation to the finished product.

This requirement is not applicable to unsweetened and sweetened condensed skimmed milk and skimmed milk powder. The percentage fat-free dried milk extract must also be given for partly dehydrated milk products. Both of these labelling particulars must be appear near the trade name.

Totally dehydrated milk products must state:

- the recommendations as to the method of dilution or reconstitution, including details of the fat content of the product when diluted or reconstituted
- that the product is ‘**not intended as a food for infants under 12 months**’.

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Products weighing less than 20kg per unit that are packaged in outer packaging, the mandatory particulars above need only appear on the outer package except for the reserved name.

### **FRUIT JAMS, JELLIES, MARMALADES AND SWEETENED CHESNUT PURÉE**

#### ***European legislation***

*Directive 2001/113/EC relating to fruit jams, jellies and marmalades and sweetened chestnut puree intended for human consumption.*

The prescribed names as listed and defined in the Directive such as ‘**jam**’ and ‘**marmalade**’ must be used in trade to designate the products. Products cannot be marketed unless they comply with the definitions for these products. However, these prescribed product names may be used to designate other products in accordance with custom such as ‘jelly’ provided it cannot be confused with ‘jelly’ as defined in the Directive.

The product names shall be supplemented by an indication of the fruit or fruits used, in descending order of weight of the raw materials used. However, for products manufactured from three or more fruits, the indication of the fruits used may be replaced by the words ‘mixed fruit’ or a similar wording, or by the number of fruits used.

The following must also appear on the label:

- the fruit content\* by including the words ‘**prepared with ... g of fruit per 100g**’ of the finished product, after deduction of the weight of water used in preparing the aqueous extracts, if appropriate
- the total sugar content\* by the words ‘**total sugar content ... g per 100g**’, the figure indicated representing the value determined by refractometer at 20°C for the finished product, subject to a tolerance of  $\pm 3$  refractometric degrees. The sugar content need not, however, be indicated where a nutrition claim is made for sugars on the labelling pursuant to Directive 90/496/EEC on nutrition labelling.
- where the residual content of sulphur dioxide is more than 10mg/kg, its presence shall be indicated on the list of ingredients.

### **NATURAL MINERAL WATERS, SPRING WATERS AND OTHER BOTTLED WATERS**

#### ***European legislation***

*Council Directive 80/777/EEC regarding the exploitation and marketing of natural mineral waters*

*Amended by: Council Directive 96/70/EC.*

*Commission Directive 2003/40/EC on establishing the list, concentration limits and labelling requirements for the constituents of natural mineral waters and the*

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*conditions for using ozone-enriched air for the treatment of natural mineral waters and spring waters*  
*Council Directive 98/83/EC on the quality of water intended for human consumption.*

The packaging or container of a natural mineral water must be fitted with closures designed to avoid adulteration and contamination.

The label of a natural mineral water must state the following:

- the label must declare the sales description '**natural mineral water**' as defined in the Directive or for effervescent natural mineral waters the sales names:
  - '**naturally carbonated natural mineral water**' i.e. any water whose carbon dioxide content is the same from the spring after decanting and bottling as it is at source or
  - '**natural mineral water fortified with gas from the spring**' i.e. any water whose carbon dioxide content from the spring after decanting and bottling is greater than that at source or
  - '**carbonated natural mineral water**' i.e. any water to which carbon dioxide has been added other than the spring from which the water comes.

Natural mineral waters which have undergone total or partial elimination of free carbon dioxide exclusively by physical methods must supplement the sales description with the words '**fully de-carbonated**' or '**partially de-carbonated**' as appropriate.

- a statement of the analytical composition detailing the characteristic constituents of the natural mineral water
- the place where the spring is exploited and the name of the spring. The place where the natural mineral water spring is exploited or the name of the locality may appear in the trade description provided the spring is exploited at that place and this does not mislead the consumer with regard to the place of exploitation of the spring.

Where the trade description is different from the name of the spring or its place of exploitation, the name of the spring on the label or anywhere during its advertisement must be one and half times the height and width of the letters of the trade description.

- details of certain permitted treatments undergone.

It is not permitted for labels, packaging or advertising of natural mineral waters to use designations, proprietary names, trade marks, brand names, illustrations etc. which suggest the natural mineral water has characteristics which the water does not possess especially regarding its origin, date of authorisation of exploitation, results of analysis or guarantees of authenticity.

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It is prohibited to market more than one natural mineral water from the same source under a different trade description.

In addition, and in accordance with Directive 2003/40/EC the label of a natural mineral water with a fluoride concentration exceeding 1.5mg/l must declare:

- the words '**contains more than 1.5mg/l of fluoride: not suitable for regular consumption by infants and children under 7 years of age**'. This information must be in the immediate proximity to the trade name in clearly visible characters and
- the actual fluoride content in relation to the physicochemical composition in terms of its essential constituents (as per point (ii) above).

The labelling of natural mineral waters which have been treated with ozone-enriched air shall bear the words '**water subjected to an authorised ozone-enriched air oxidation technique**' in proximity to the analytical composition of characteristic constituents.

#### **BEEF AND BEEF PRODUCTS (INCLUDING MINCED BEEF)**

##### ***European legislation***

*Council Regulation (EC) No. 1760/2000 establishes a system of identification and registration of bovine animals and the labelling of beef and beef products*

*Commission Regulation (EC) No. 1825/2000 laying down detailed rules for the application of Regulation (EC) No. 1760/2000 as regards the labelling of beef and beef products*

*Amended by: Commission Regulation (EC) No. 275/2007 as regards the labelling of beef and beef products.*

Compulsory beef labelling requires operators or organisations to label beef with specific information at all stages of marketing up to and including the point of sale to the consumer. It should be noted that where the 'name of country' is required on the label this means that either the name of the Member State or the name of the third country (a country outside the European Union) must be provided.

Operators or organisations are required to label beef with the following information:

- a) the **reference number** or **code** of the animal or group of animals from which the beef was derived
- b) the **country of the slaughterhouse and approval number**. The indication should read:- 'Slaughtered in (name of country) (approval number)'.
- c) the **country of the cutting hall and approval number**. The indication should read:- 'Cutting in (name of country) (approval number)'.
- d) **Origin** of the beef.

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- If the beef is derived from animals born, raised and slaughtered in the same country, the indication on the label may be given as “**Origin: (name of country)**”. For example, ‘Origin: Spain’
- If the beef is derived from animals from different countries the label must indicate:
  - country of birth
  - country (or countries) of fattening
  - country of slaughter
e.g. ‘Born in France’ ‘Reared in France’ ‘Slaughtered in Spain’.

### **Minced meat**

There is an exception to the compulsory beef labelling system for minced beef. An operator or organisation preparing minced beef can indicate on the label:

- ‘**prepared in (name of country)**’ depending on where the meat was prepared
- ‘**origin (name of country)**’ where the country or countries of origin are not the same as the country of preparation
- a **reference number** or reference code ensuring the link between the meat and the animal or group of animals and
- the name of the country where the animal was **slaughtered**.

In addition, an operator or organisation preparing minced beef may add the following to the label:

- one or more of the compulsory indications above for beef if they wish, such as where fattening took place and
- the date on which it was prepared.

Operators and organisations involved in the production and marketing of beef, when implementing the requirements of the compulsory beef labelling system should ensure that a system is in place to guarantee the accuracy of the information on the labels.

### **SPREADABLE FATS**

#### ***European legislation***

*Council Regulation (EC) No. 2991/94 laying down the standards for spreadable fats  
Implemented by: Commission Regulation (EC) No. 445/2007 laying down certain detailed rules for the application of Council Regulation (EC) No. 2991/94 laying down standards for spreadable fats and of Council Regulation (EEC) No. 1898/87 on the protection of designations used in the marketing of milk and milk products - Codified version.*

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Only milk fats, fats and fats composed of plant and/or animal products adhering to the prescribed compositional requirements are covered by this Regulation. The spreadable fats must declare the following information in the labelling and presentation of the products:

- the sales description as defined in the Regulation such as **‘Butter’**, **‘Margarine’** and **‘Dairy Spread X%’** Derogations to the sales descriptions for spreadable fats are permitted for traditional products or where the designations are used to describe characteristic qualities of a product, including the following English language terms:

‘Brandy butter’, ‘sherry butter’ or ‘rum butter’: for a sweetened alcoholic product with a minimum milk-fat content of 20%; and

‘Buttercream’: for a sweetened product with a minimum milk-fat content of 22.5%.

- the total percentage fat content by weight at the time of production (the average fat content must be declared without the use of decimals),
- the vegetable, milk or other animal fat content in decreasing order of weighted importance as a percentage by total weight at the time of production for compound fats composed of plant and/or animal products and
- the percentage salt content in a legible manner in the list of ingredients.

The information provided on the label must be easy to understand and marked in a conspicuous place in such a way as to be easily visible, clearly legible and indelible.

The following may be provided on the label in addition to the mandatory requirements:

- the sales description may be used in conjunction with one or more terms to define the plant and/or animal species from which the product originates, or the intended use of the product or the production methods used as long as these terms are not in contradiction with other Community provisions such as Protected Geographical Indication.
- the term **‘vegetable’** may be used in addition to the sales description of certain fats provided that the product contains only fat of vegetable origin with a tolerance of 2% of the fat content of animal fats
- the sales description **‘minarine’** or **‘halvarine’** may be used for half-fat margarine products
- the term **‘reduced fat’** may be used to replace the term **‘three-quarter-fat’** or used for products where the fat content is between 41% and 62% and
- the term **‘low fat’** or **‘light’** may be used to replace the term **‘half-fat’** or used for products where the fat content is less than 41%.

## MILK AND MILK PRODUCTS

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### ***European legislation***

*Council Regulation (EEC) No. 1898/1987 on the protection of designations used in marketing of milk and milk products*

*Amended by: Commission Regulation (EEC) No. 222/1988.*

*Implemented by: Commission Regulation (EC) No. 445/2007 laying down certain detailed rules for the application of Council Regulation (EC) No. 2991/94 laying down standards for spreadable fats and of Council Regulation (EEC) No 1898/87 on the protection of designations used in the marketing of milk and milk products - Codified version.*

The term '**milk**' can only be used in marketing where:

- milk is treated without altering its composition or has undergone fat standardization
- the term is used in association with words used to describe the milk in relation to its type, grade, origin and/or intended use or to describe the physical treatment or the modification in composition to which it has been subjected provided that the modification is restricted to an addition or removal of natural milk constituents.

The following terms are reserved exclusively for milk products:

- the designations: **whey, cream, butter, buttermilk, butteroil, caseins, anhydrous milkfat (AMF), cheese, yoghurt, kephir, and koumiss** and
- designations or names used for milk products according to the Labelling Directive 2000/13/EC (see Appendix II).

However, this provision does not apply to the designation of products the exact nature of which is clear from traditional usage and/or when the designations are clearly used to describe a characteristic quality of the product.

The term 'milk' and the designations used for milk products may also be used in association with other words to describe composite products where the milk constituents are not replaced and where milk or milk products form an essential part of the product (in terms of quantity or characterization of the product).

The origin of milk and milk products must be stated if it is not from a bovine source such as '**goats milk**'.

Products other than milk and the reserved designations above may not claim, imply or suggest in the labelling, advertising or presentation of a product that it is a dairy product. However, in the case of a product containing milk or a milk product, the name 'milk' or the reserved designations above may only be used to describe the raw materials as would be listed in the list of ingredients.

### **Drinking milk**

#### ***European legislation***

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*Council Regulation (EC) No. 2597/1997 lays down additional rules on the common organisation of the market in milk and milk products for drinking milk  
Amended by: Council Regulation (EC) No. 1602/1999 laying down additional rules on the common organisation of the market in milk and milk products for drinking milk.*

The following sales descriptions shall be used for drinking milk, which is intended for delivery to the consumer without further processing:

- **‘Raw milk’** – milk that is not heated at above 40°C or treated otherwise but having an equivalent effect
- **‘Whole milk’** – heat treated milk which is either
  - fat standardised whole milk with a minimum 3.5% milk fat or
  - non fat standardised whole milk with a minimum 3.5% milk fat where the milk fat content has not been altered since the milking stage
- **‘Semi-skimmed milk’** – heat treated milk with its fat content reduced to a minimum of 1.5% and a maximum 1.8%
- **‘Skimmed milk’** – heat treated milk with a fat content reduced to a maximum of 0.5%.

The following modifications to drinking milk are permitted:

- a) modification of the natural fat content by the addition or removal of cream or the addition of whole, semi skimmed or skimmed milk in order to meet the milk fat criteria set out above
- b) enrichment of the milk with milk proteins, mineral salts or vitamins and
- c) reduction of the lactose content by conversion to glucose and galactose.

Modifications to drinking milk according to b) and c) above are only permitted if the modification is indelibly indicated on the packing of the product so it can be easily seen and read.

It should be noted that the provisions of Directive 90/496/EEC on nutrition labelling apply along with the provisions of the general labelling Directive 2000/13/EC, where milk or milk products are enriched and/or make a nutrition claim (see Section 2).

## **QUICK FROZEN FOODS**

### ***EU Legislation***

*Council Directive 89/108/EEC relating to quick-frozen foodstuffs for human consumption.*

The following must appear on the label of quick-frozen foods intended to supply without further processing the consumer, restaurants, hotels, mass caterers, etc:

- the term **‘quick-frozen’** added to the sales name

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- the date of minimum durability (defined as the period during which quick-frozen products may be stored by the purchaser), the storage temperature and/or the type of storage equipment required
- a reference number or an equivalent mark in order to identify a batch and
- a clear declaration: **‘do not refreeze after defrosting’**.

Quick frozen foodstuffs intended for supply to the ultimate consumer must be packed by the manufacturer or packer in suitable pre-packaging which protects them from microbial or other external contamination and against drying.

## **EGGS**

### **EU Legislation**

*Council Regulation (EC) No. 1028/2006 on marketing standards for eggs*

*Implemented by: Commission Regulation (EC) No. 557/2007 on marketing standards for eggs.*

#### Marking of eggs

1. Class A eggs must be marked with the producer code.
2. Class B eggs must be marked with the producer code and/or with another indication. Member States may exempt
3. Class B eggs from this requirement where those eggs are marketed exclusively on their territory. The marking of eggs must take place at the production site or at the first packing centre to which the eggs are delivered.
4. Eggs sold by the producer to the final consumer on a local public market in the region of production must be marked with the producer’s distinguishing code. However, Member
5. States may be exempt from this requirement for producers with up to 50 laying hens, provided that the name and address of the producer are indicated at the point of sale.
6. It is the responsibility of packing centers to grade and pack eggs and label their packs.
7. The producer code (as detailed in the Annex to Directive 2002/4/EC on the registration of establishments keeping laying hens) must be easily visible and clearly legible and be at least 2mm high. Where it is not possible for technical reasons to mark cracked or soiled eggs, marking with the producer code shall not be compulsory.

#### Indications on Class B eggs

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The markings on Class B eggs shall be a circle at least 12mm in diameter around the letter 'B' at least 5mm high, or an easily visible colour spot of at least 5mm in diameter.

Packs marked as 'extra'

The words 'extra' or 'extra fresh' may be used as an additional quality indication on packs containing Class A eggs until the ninth day after laying of the eggs. However, the laying date and the time limit of nine days shall be shown on the pack in such a way as to be easily visible and clearly legible.

Time limits

Eggs must be graded, marked and packed within ten days of laying. 'Extra' or 'extra fresh' Class A eggs must be graded, marked and packed within four days of laying.

Weight grading

The weight grading shall be indicated by the corresponding letters or terms as detailed above or by a combination of both, which may be supplemented by the corresponding weight ranges, e.g. XL-very large: weight <sup>3</sup> 73g.

Other additional indications may also be used, provided that such indications are not likely to be mistaken for the weight grading letters or terms and they comply with the general labelling Directive 2000/13/EC (see Section 2.1).

Where Class A eggs of different sizes are packed together in the same pack, the minimum net weight of the eggs shall be given in grams and the indication '**Eggs of different sizes**' or equivalent terms shall appear on the outer surface of the pack.

Marking of egg packs

Packs containing Class A eggs shall bear on the outer surface in easily visible and clearly legible type:

- a) the packing centre code
- b) the quality grading: packs shall be identified either by the words 'Class A' or the letter 'A' whether alone or in combination with the word 'fresh'
- c) the weight
- d) the date of minimum durability
- e) the wording 'washed eggs' where appropriate
- f) the following special storage condition: an indication advising consumers to keep eggs chilled after purchase.

In addition, packs containing Class A eggs shall indicate:

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- the farming method on the outer surface which must be easily visible and clearly legible

For the identification of the farming method, only the terms listed in Annex I of Regulation (EC) No. 557/2007 are permitted in accordance with specific conditions. Terms for organic production are also permitted in accordance with Council Regulation (EEC) No. 2092/91 on organic production

The farming method may be complemented by one of the indications listed in Annex I of Regulation (EC) No. 557/2007 in accordance with certain requirements

- the meaning of the producer code shall be explained on or inside the pack.

Packs containing Class B eggs shall bear on the outer surface in easily visible and clearly legible type:

- a) the packing centre code
- b) the quality grading: packs shall be identified either by the words 'Class B' or the letter 'B'
- c) the packing date.

Member States may require, for packs of eggs produced on their territory, that the labels be affixed in such a way so as to be broken when opening the packs.

Indication of the date of minimum durability

The date of minimum durability is set at not more than 28 days after laying. Where the period of laying is indicated, the date of minimum durability shall be determined from the first day of that period.

Information to be displayed for loose egg sales

For loose egg sales, the following information shall be given in such a manner as to be easily visible and clearly legible to the consumer:

- a) the quality gradings
- b) the weight grading
- c) an indication of the farming method
- d) an explanation of the meaning of the producer code
- e) the date of minimum durability.

Industrial eggs

Industrial eggs shall be marketed in packaging containers with a red band or label.

Those bands and labels shall show:

- a) the name and address of the operator for whom the eggs are intended
- b) the name and address of the operator who has dispatched the eggs
- c) the words 'industrial eggs' in capital letters 2cm high, and the words 'unsuitable for human consumption' in letters at least 8mm high.

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## **OLIVE OIL**

### ***EU legislation***

*Commission Regulation (EC) No.1019/2002 on the marketing standards for olive oil*

*Amended by:*

*Commission Regulation (EC) No. 1176/2003,*

*Commission Regulation (EC) No. 406/2004 and*

*Commission Regulation (EC) No. 1044/2006 on the marketing standards for olive oil.*

*Council Regulation (EEC) No.136/1966 on the establishment of a common organisation of the market in oils and fats and its amendments*

*Implemented by:*

*Commission Regulation (EEC) No. 2568/1991 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis and its numerous amendments.*

In addition to the trade description (as set out in Article 35 of Regulation (EC) No. 136/1966) **'extra virgin olive oil'**, **'virgin olive oil'**, **'olive oil'** and **'olive-pomace oil'** must indicate, in clear and indelible lettering, the following information on the category of oil:

- a) extra virgin olive oil: **'superior category olive oil obtained directly from olives and solely by mechanical means'**
- b) virgin olive oil: **'olive oil obtained directly from olives and solely by mechanical means'**
- c) olive oil composed of refined olive oils and virgin olive oils: **'oil comprising exclusively olive oils that have undergone refining and oils obtained directly from olives'**
- d) olive-pomace oil: **'oil comprising exclusively oils obtained by treating the product obtained after the extraction of olive oil and oils obtained directly from olives'** or **'oil comprising exclusively oils obtained by processing olive pomace oil and oils obtained directly from olives.'**

Only extra virgin and virgin olive oils may bear a designation of origin (i.e. reference to a geographical area) on the packaging or the label under certain conditions (in accordance with Regulation (EEC) No. 2081/1992).

Where a designation of origin mentions a Member State or the Community, the designation of origin must correspond to the geographical area in which the olives concerned were harvested or in which the mill, where the oil was extracted from the olives, is situated.

If the olives have been harvested in a Member State or third country other than that in which the mill where the oil was extracted from the olives is situated, the designation of origin shall indicate both the area where the olives were harvested

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and the area where the oil was obtained using the following wording: **‘(extra) virgin olive oil obtained in** (the Community or the name of the Member State concerned) **from olives harvested in** (the Community or the name of the Member State or country concerned)‘.

In the case of blends of extra virgin olive oils or virgin olive oils in which more than 75% originated in the same Member State or in the Community, the main origin (the geographical area in which the olives concerned were harvested or in which the mill, where the oil was extracted from the olives, is situated) may be designated followed by an indication of the minimum percentage (75% or more) which is actually from the main place of origin.

Extra virgin olive oil, virgin olive oil, olive oil and olivepomace oil may also indicate the following on the label as appropriate under certain conditions:

- **‘first cold pressing’** for virgin or extra virgin olive oils
- **‘cold extraction’** for virgin or extra virgin olive oils
- indications of organoleptic properties
- indication of the acidity or maximum acidity.

In a blend of olive oil (or olive-pomace oil) and other vegetable oils where the presence of olive oils (or olivepomace oils) is highlighted on the labelling elsewhere than in the list of ingredients, using words, images or graphics, the blend concerned must bear the following trade description:

- **‘Blend of vegetable oils** (or the specific names of the vegetable oils concerned) **and olive oil (or olivepomace oil)’**, directly followed by the percentage of olive oil (or olive-pomace oil) in the blend.

The presence of olive oil (or olive-pomace oil) may be highlighted by images or graphics on the labelling of a blend only where it accounts for more than 50% of the blend concerned.

Generally, where the presence of olive oil (or olive-pomace oil) in a foodstuff (other than in a blend as detailed above) is highlighted on the labelling elsewhere than in the list of ingredients, using words, images or graphics, the trade description of the foodstuff shall be directly followed by the percentage of olive oil (or olive-pomace oil) relative to the total net weight of the foodstuff.

The percentage of added olive oil (or olive-pomace oil) relative to the total net weight of the foodstuff may be replaced by the percentage of added olive oil (or olivepomace oil) relative to the total weight of fats, adding the words **‘percentage of fats’**.

Extra virgin olive oil, virgin olive oil, olive oil and olivepomace oil must be presented to the final consumer in packaging of a maximum capacity of five litres. The packaging shall be fitted with an opening system that can no longer be sealed after the first time it is opened.

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## **FISHERY AND AQUACULTURE PRODUCTS**

### ***EU Legislation***

*Council Regulation (EC) No. 104/2000 on the common organisation of the markets in fishery and aquaculture products.*

*Implemented by: Commission Regulation (EC) No. 2065/2001 laying down the rules for the application of Council Regulation*

*(EC) No. 104/2000 as regards informing consumers about fishery and aquaculture products.*

The labelling requirements of the Regulations apply only to raw fish and aquaculture products to which no other ingredients have been added (except salt) and include:

- live fish
- fresh, chilled and frozen fish
- fish fillets and other fish meat (whether minced or not)
- dried, salted or brined fish
- smoked fish (whether hot or cold smoked fish)
- crustaceans (except those which are both cooked and peeled)
- molluscs (except when cooked).

Processed products such as breaded fish fillets, crab sticks, ready-to-eat dishes or tinned fish are not covered by the Regulations.

The fishery and aquaculture products listed above which are offered for retail sale to the final consumer must indicate on the label:

- a) the commercial designation of the species of fish,
- b) the production method, whether farmed or caught at sea or in freshwater and
- c) the catch area.

These requirements apply only to products for 'retail sale to the final consumer'. In other words, these rules apply to products which are sold at retail level whether they are pre-packaged or sold loose over the counter. Where the products are sold loose, this information could be stated clearly at the point of sale on a notice or sign near the food.

These provisions do not apply to fishery products sold by mass caterers such as in restaurants and takeaways.

However, this information must be passed throughout the marketing chain i.e. from producer, to processor, wholesaler and caterer, either on the labelling or packaging of the product or on the commercial documents accompanying the food.

These labelling requirements do not apply to small quantities of fishery products sold directly to consumers by either fishermen or producers provided these products

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do not exceed the value of EUR 20 for each purchase. The source of these small quantities may only be the sellers own business.

## **POULTRYMEAT**

### ***EU Legislation***

*Council Regulation (EC) No. 1906/1990 on certain marketing standards for poultry meat*

*Amended by: Council Regulation (EEC) No. 317/1993, Council Regulation (EC) No. 3204/1993, Council Regulation (EC) No. 1101/1998 and Council Regulation (EC) No. 1029/2006.*

*Commission Regulation (EEC) No. 1538/1991 introducing detailed rules for implementing Regulation*

*1906/1990/EEC on certain marketing standards for poultrymeat and its numerous amendments.*

The following labelling requirements apply only to poultrymeat as defined in these Regulations and include:

- fresh
- frozen and quick frozen cuts and carcasses of chickens
- ducks
- geese
- turkeys
- guinea fowl.

The requirements do not apply to:

- New York Dressed (NYD) Poultry (i.e. poultry which is not eviscerated immediately after slaughter and is sold in carcass form to the retailer or consumer)
- poultry meat preparations, e.g. chicken nuggets, chicken burgers, chicken sausages.

Where poultry is packaged, the required information below must be indicated on each pack. In the case of unpackaged poultry, the following information must be displayed in a notice or sign, visible to the consumer, near the product:

- a) the name under which the product is sold:
  - whole carcasses must indicate the species (**'chicken'**, **'broiler'**, **'turkey'** etc) and the form of presentation (**'partially eviscerated'**, **'with giblets'** or **'without giblets'**)
  - cuts of poultry must indicate the species and the cut (**'chicken breast fillet'**, **'turkey drumstick'** etc)

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- b) a 'use-by' date for fresh poultry meat, a 'best-before' date for frozen poultry meat
- c) class (poultry meat must be graded into Class A or Class B)
- d) in the case of fresh poultry meat, the total price and the price per weight unit at the retail stage
- e) condition (i.e. fresh, frozen or quick-frozen) and recommended storage temperature
- f) approval number of the slaughterhouse or cutting plant (as per Article 4 of Regulation (EC) No. 853/2004) except in the case of cutting and boning at the place of sale
- g) in the case of poultry meat imported from third countries, an indication of the country of origin.

It is not necessary to classify poultry meat or to indicate the particulars above in the case of deliveries to cutting or processing establishments.

Where claims concerning types of farming, e.g. free range, are made on poultry labels, it is necessary that the producer and processor of the poultry be registered for this purpose with the Department of Agriculture, Fisheries and Food.

Regulation (EC) No. 1538/1991 as amended allows for the use of following terms on the labelling of poultry meat under certain conditions as appropriate:

- a) 'Fed with ... % of ...'
- b) 'Extensive indoor' ('Barn reared')
- c) 'Free range'
- d) 'Traditional free range'
- e) 'Free range — total freedom'.

These terms may be supplemented by indications referring to the particular characteristics of the respective types of farming.

When free-range production (points c, d and e) is indicated on the label for meat coming from ducks and geese kept for the production of 'foie gras', the term '**from foie gras production**' shall also be indicated.

Intra-trade sales of poultry ymeat (such as supply to wholesalers) and food sold to mass caterers must indicate the following information on the commercial documents accompanying the food in addition:

- the class of poultry ymeat and
- the condition in which the poultry meat is marketed, e.g. fresh, frozen, and the recommended storage temperature.

## **FRESH FRUIT AND VEGETABLES**

### ***EU legislation***

*Council Regulation (EC) No. 2200/1996 on the common organisation of the market in fruit and vegetables and its numerous amendments.*

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Fresh fruit and vegetables of all quality classes must be sound, clean and of marketable quality, and that each container or display of produce is clearly marked with the correct information regarding quality class, origin and in certain cases, variety.

The main requirements of the Regulations relate to quality classification and information labelling of the produce. Only the labelling requirements are detailed below.

The label of all fruit and vegetables are required to state the following:

- nature of produce (if not visible)
- origin of produce
- quality class
- packer and/or dispatcher identification
- official control marking (optional).

It is the responsibility of the retailer to ensure that produce on display is labelled properly. The labelling information required is usually marked on the packages in which the fresh produce is supplied. However, if the produce is unlabelled when received the retailer still has responsibility to ensure the produce is labelled when put on display for sale.

Variety-marking requirements exist for some products such as apples, avocados and oranges classified as 'Extra', 'Class 1' and 'Class 2'. Additional information on the nature of produce and/or commercial specification is required for some marketing standards. The relevant Regulation should be consulted in this regard.

#### **Produce displayed loose**

Products may be presented unpackaged, provided that the retailer displays with the goods offered for sale, a card showing prominently and legibly the information particulars specified in the quality standards relating to variety, origin of the product and class.

#### **Produce sold in original packaging**

All packages shall be labelled with all the information required, i.e. nature of produce, origin of produce, quality class and packer and/dispatcher identification. In the case of packer and/dispatcher identification it is acceptable to use either:

- a) the name and address of the packer and/or the dispatcher or
- b) an officially issued or accepted code representing the packer and/or dispatcher, indicated in close connection with "packer and/or dispatcher".

#### **Produce sold in pre-packs**

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Produce that is offered for sale in pre-packs must display all the information required, i.e. nature of produce, origin of produce, quality class and packer and/dispatcher identification. In addition, the net weight or number (if not clearly visible) must be stated.

The packer and/or dispatcher must be identified on the pre-pack using either:

- a) the name and address of the packer and/or the dispatcher or
- b) the name and address of a seller established within the Community indicated in close connection with the mention "Packed For".

An officially issued code representing the packer's name and address shall also be included.

## **ORGANIC FOOD**

### ***EU legislation***

*Council Regulation (EC) No. 2092/1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs and its many amendments.*

An organic product produced according to the Regulations should bear the indication 'organic' in the labelling, advertising material or commercial documents. Packaged organic food, which must remain closed from packaging until point of retail sale, must indicate the name and/or code number of the organic certification body. The words "Certified Organic" or "Organic Certification" should appear on the product label followed by the codes of private inspection body certifying the produce.

Whilst not required by Regulation, each of the certification bodies may also include their own name and/or logo on the product label.

The Community logo may be provided in addition on the label indicating that products are covered by the specific inspection scheme. The provision of the logo is voluntary but where it is provided the technical reproduction rules must be adhered to (such as colours, size, background etc.) and certain conditions must be met (such as an indication of the name and/or business name of the producer, preparer or vendor).

The Community logo in black and white:

The provisions of the general labelling rules (Council Directive 2000/13/EC Section 2.1) also apply to packaged organic food. No claim may be made on the label or advertising material that suggests to the purchaser that the product constitutes a guarantee of superior organoleptic, nutritional or salubrious quality.

The above labelling provisions apply to organic produce at point of sale only.

However, for intra-trade, the producers or processors details or license number must

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be provided on all 'internal' documentation such as delivery dockets, invoices, etc. so that full traceability is maintained.

Organic products imported from outside the EU (i.e. third country imports) must be produced in conformity to EU standards. At present, the following countries are recognised by the European Commission as having equivalent organic production and inspection rules to those of the European Community:

- Argentina, Australia, Hungary, Israel, Switzerland and the Czech Republic.

Where a third country does not have equivalence recognition, the Department, as the competent authority, must satisfy itself that the product being imported was produced in accordance with production rules equivalent to those in the EU.

Products prepared partially from ingredients of organic origin may only make reference on the label to the organic production method provided they adhere to the conditions set out in Article 5 of Council Regulation (EC) No. 2092/91 as amended.

**MONITORING:**

Regular audits / inspections of manufacturing areas and controls must be in place to ensure that procedures are effective and working.

**VERIFICATION AND RECORD KEEPING:**

Regular audits / inspections of manufacturing areas and controls must be in place to ensure that procedures are effective and working.

Internal audits records must be completed, which will include:

- non-conformances
- corrective action
- responsibility
- date of completion

**RECORDS APPLIED TO THIS PROCEDURE:**

- Internal Audit records
- Label Audit records

**DOCUMENTATION RETENTION:**

The records applied to this procedure are to be kept on file for a minimum of 3 years.