

Guide to Labelling Packaged Food

How to Prepare Labels for Food for Retail Sale



September 2017

DHHS acknowledges the work of the SA Health, Government of South Australia in preparing this document

Introduction

Tasmanian councils, in conjunction with the Department of Health and Human Services (DHHS), administer the food labelling provisions of the 'Australia New Zealand Food Standards Code' (the Code) adopted under the Tasmanian *Food Act 2003*.

This guide is designed to help small businesses prepare basic labels for food for retail sale.

This guide does not cover all requirements or exceptions that may apply and is not a substitute for independent legal advice. Food businesses should refer to the Code for more information, particularly if:

- claims or statements that may be regulated are made, or
- the food has specific labelling requirements for additional information.

You can get copies of the Code from Food Standards Australia New Zealand (FSANZ) at: www.foodstandards.gov.au

The labelling provisions of the Code do not address:

- the presence or accuracy of total weights and measures statements
- barcodes
- recycling codes
- composition and labelling of pet food
- therapeutic goods (including dietary aids and supplements) registered by the Therapeutic Goods Administration
- from July 2018, country of origin labelling.

Updated versions of this guide are available at www.dhhs.tas.gov.au/publichealth/food_safety

Notes

A reference in square brackets (e.g. [1.2.1]) refers to the relevant standard in the Code.

A reference in this guide to a 'small package' means a package with a total surface area of less than 100 cm² [1.1.2].

Why We Have Food Labels

Food labels provide information to help us make healthier and safer food choices. They do the following:

- give a description of the food
- tell us which nutrients, in what amounts, are in a product
- warn us if a food contains food allergens
- when necessary, explain how to store, prepare or cook the food we buy
- list product ingredients
- give us information on where the food came from.

Essentially, food labels are there to provide us with basic information about what is in the food we eat and how best to handle it.

What Food Must Be Labelled?

All food for retail sale must be labelled [1.2.1] **except** if the food is:

- unpackaged
- made and packaged on the premises from which it is sold
 - for a food to be considered 'made' on the premises it must have been processed on the premises in a way that has changed the nature of the food. Merely dividing and repackaging portions of food from bulk to smaller pieces does not in itself qualify the food for an exemption.
- packaged in the presence of the purchaser
- displayed in an assisted service cabinet which requires food to be served on request from the purchaser
- whole or cut fresh vegetables and fruit in packaging which displays the nature and quality of the food (sprouting seeds are excluded from this exemption)
- delivered packaged and ready for immediate consumption at the order of the purchaser (e.g. delivered pizza)
- sold at a fundraising event

- in an individual portion pack with a total surface area of less than 30 cm² and not designed for sale without the (labelled) outer package.

Even food exempt from bearing a label must comply with other information requirements under the Code. These include, for example, the requirement to advise the purchaser of the presence of allergens. For more information, see the related fact sheet 'Food exempt from labelling' available by following the information for food businesses link at:

www.dhhs.tas.gov.au/public_health/food_safety

What Must Appear

The information presented on the label must:

- be visible on the outside of the package
- be clear
- not mislead the consumer.

1. The name of the food [1.2.2]

Packaged food must be labelled with a name or description of the food. For some foods the Code defines the name of a food as a prescribed name and that name must appear on the label.

Foods with prescribed names include:

- various fermented processed or manufactured meats [2.2.1]
- formulated meal replacements, formulated supplementary food and formulated supplementary food for young children [2.9.3]
- formulated supplementary sports food [2.9.4]
- infant formula and follow-on formula [2.9.1]
- honey [2.8.2].

Other foods that do not have a prescribed name must show a name or description that indicates the true nature of the food.

2. Lot identification [1.2.2]

Generally, food labels must contain the lot (batch) identification.

The lot usually refers to food prepared or packed under the same conditions and within a period not exceeding 24 hours.

These requirements are usually satisfied if the product is properly date marked and shows the business address of the manufacturer or packer.

Where this is not sufficient identification then additional information that is part of a system devised by the maker or packer must be used.

3. Premises name and address [1.2.2]

For food recall and contact purposes the label must include the name and business address in Australia or New Zealand of the manufacturer, packer, vendor or importer of the food.

A full business address is required, including the street number, street name, town or suburb and state. A post office box or similar postal address is not sufficient.

4. Mandatory advisory, warning and declaration information [1.2.3]

Mandatory advisory statements are required on the labels of the following foods:

- foods containing added phytosterol esters or tall oil phytosterols
- unpasteurised milk and unpasteurised liquid milk products
- unpasteurised egg products
- some milk, evaporated or dried milk and some equivalent beverages or products made from soy or cereals.

Mandatory advisory statements are also required in certain circumstances where the following foods are present:

- bee pollen or propolis
- cereal-based beverages
- cola drinks with added caffeine
- aspartame
- quinine
- guarana or extracts of guarana
- lactitol, maltitol, mannitol, xylitol, erythritol, isomalt, polydextrose and sorbitol above certain limits.

A defined mandatory warning statement is needed on royal jelly or food containing royal jelly.

Certain ingredients or products of those ingredients that may cause a reaction in some consumers must be declared (including when present as a processing aid).

These ingredients are **sulphite additives** when present at more than 10mg/kg, **cereals containing gluten, crustacea, egg, fish, milk, peanuts, soybeans, sesame seeds and tree nuts**. From 26 May 2018, **lupin** will also need to be declared.

Declaration of the above ingredients and their products applies to all foods. This includes foods exempt from needing a statement of ingredients, portion packs contained inside an outer package if the portion pack has a surface area of 30 cm² or greater and any food that is not required to bear a label.

5. Ingredient labelling [1.2.4]

With some exceptions food labels must include a statement of ingredients (including additives).

Exceptions apply to alcoholic beverages, packaged water, small packages, and where the name of the food is a full list of all the ingredients.

All ingredients must be listed in descending order of in-going weight. This means that the

ingredient present in the greatest proportion is listed first and so on.

Added water must be shown in the ingredient list unless it is used to re-hydrate or reconstitute food ingredients, forms part of a broth, brine or syrup already in the ingredient list or represents less than 5% of the final food. The position of water or other volatile ingredients is calculated after allowing for losses during manufacture.

If a food contains a compound ingredient (an ingredient made from other ingredients) the ingredients in that compound ingredient can either be shown individually in the list or listed in descending order immediately after the name of the compound ingredient as in this example: Milk chocolate (sugar, milk solids, cocoa butter, emulsifier 476, flavour).

All foods and additives in a compound ingredient that contributes 5% or more to the final food must be declared. If the compound ingredient contributes less than 5% to the final food then only additives performing a technological function and those ingredients that may cause a reaction in some consumers must be declared.

In the case of some ingredients, it is sufficient to state the generic name of the food. For example, the term “herbs” can be used for a mixture of rosemary, thyme and mint. This generic listing of food ingredients may be used for cheese, cocoa butter, crystallised fruit, fruit, gum bases, herbs, meat, milk protein, milk solids, poultry meat, spices, vegetables and sugar. The term “sugars” must not be used.

Specific conditions apply to the use of the following generic terms:

- The terms “cereals” or “starch” must be accompanied by the specific name of the cereal used.
- The term “nuts” must be accompanied by the specific name of the nut.
- The terms “fats” and “oils” must be identified as being of vegetable or animal origin. If a fat or oil is from peanut, soy, sesame seed or (from 26 May 2018) lupin, that source must be declared.

Diacylglycerol oil must be declared by that name. The source of animal fats used in dairy products must be declared.

- The term “fish” may be used provided the ingredient does not include crustaceans which must be separately declared by the specific crustacea name.

With food additives, the additive must be declared either by reference to its class name followed by the food additive number, or by the class name followed by the prescribed name of the additive, for example: colour (102) or colour (tartrazine).

If a food additive cannot be classified under one of the class names defined in the Code then it must be declared using its prescribed name.

The addition of flavouring must be declared as flavouring or flavour or alternatively using the specific name or description of the flavouring. Where the additives 620, 621, 622, 623, 624, 625, 627, 631 or 635 are used as flavouring their presence must be declared using the code number or additive name.

The addition of caffeine or a vitamin or mineral to any food must also be declared.

Where from time to time a food ingredient or an additive is replaced with another food or another additive serving the same function, both can be listed provided it is clear that a substitute or alternative ingredient or additive is being declared. For example the ingredient list may state “safflower or sunflower oil” as alternative ingredients.

An ingredient, processing aid or additive produced using gene technology may need the declaration “genetically modified” to be shown with the name of the ingredient, processing aid or additive, for example: soy protein isolate (genetically modified).

Exceptions to this requirement apply to highly refined foods, processing aids or additives from which the novel DNA or protein has been removed. It is not necessary to declare flavours produced using gene technology if added in a concentration of less than 1g/kg in the final food [1.5.2].

If a food or ingredient in a food has been irradiated then this must be declared in a separate statement on the label or in the ingredient list, for example: treated with ionising radiation or irradiated (name of food) or herbs (irradiated) [1.5.3].

To decide if an ingredient, processing aid or additive must be identified as genetically modified or irradiated, information must be obtained from the ingredient supplier.

6. Date mark [1.2.5]

Generally, all packaged food with a life of 2 years or less must show a date mark.

The “best before” form of date mark will be used on most packaged foods. A food with a “best before” date mark can be sold after that date has expired, provided it is safe and suitable for consumption.

Examples of where “best before” would be used include shelf-stable foods (such as biscuits, confectionery, canned foods), frozen foods, most raw foods that will be cooked before eaten (meat, chicken, fish) or foods that will noticeably spoil before becoming unsafe.

If a manufacturer or packer believes that for health and safety reasons a food should not be consumed after a certain date the “use by” form of date mark must be used. Foods labelled “use by” cannot be sold after the date shown.

For bread with a shelf life of less than seven days, the “best before” date mark may be replaced by a date mark in the form: baked for (a date not more than 12 hours after baking) or baked on (date).

7. Directions for use and storage [1.2.6]

Any storage conditions necessary to ensure that a food will keep for the period indicated by the date mark must be shown. For example: keep refrigerated or store below 5°C.

If additional directions for storage or use of a food by the consumer are necessary to protect health and safety these directions must be shown. For example: Refrigerate after opening.

The Code defines specific statements that must appear on packaged raw bamboo shoots and sweet cassava.

8. Nutrition information panel [1.2.8]

Generally all packaged food labels must include a nutrition information panel (NIP). However, if **no** nutrition claims are made in relation to the food then some exceptions to the NIP requirement apply – these being:

- foods sold at fundraising events
- small packages
- fruits, vegetables, meat, poultry or fish sold as single ingredients
- alcoholic beverages
- herbs, herbal infusion and spices
- vinegar
- salt
- tea and coffee
- gelatine
- defined additives or processing aids
- water including mineral and spring water
- jam setting compound
- kits for producing alcoholic beverages
- kava
- sandwiches, rolls, bagels and similar products.

The example label at the end of this guide shows the format for a standard nutrition information panel.

The FSANZ website has an online tool to calculate nutrition information panel values for each standard nutritional property, see: www.foodstandards.gov.au/industry/npc/Pages/Nutrition-Panel-Calculator-introduction.aspx

Where a claim is made for a nutritional property that is not listed in the standard panel then the panel must also include information for that claim.

The Code sets out additional information that must be included in the panel for claims about

cholesterol, fatty acids, fibre, sugars or carbohydrates.

9. Characterising ingredients (percentage labelling) [1.2.10]

Generally, characterising ingredients or components must be declared on the label as a percentage of the final food.

The example label at the end of this guide shows a percentage declaration in the ingredient list.

An ingredient or component is a characterising ingredient or component if:

- it is mentioned in the name of the food
- it is usually associated with the food name by the consumer
- it is emphasised on the label in words, pictures or graphics.

Where a food must be reconstituted the percentage may be declared as a percentage of the reconstituted food provided that is clearly shown.

The percentage must be declared as either the actual or the minimum percentage provided that where the minimum percentage is used, it is clearly indicated.

10. Country of origin [1.2.11]

New country of origin labelling laws are being introduced under Australian Consumer Law. The new laws will become mandatory on 1 July 2018. Until then, businesses must comply with the country of origin requirements under the Code, as detailed below, or use the new system. Information about the new country of origin labelling system is available at: www.foodlabels.industry.gov.au

Under the Code, a label must include a separate statement identifying the country of origin of the food. The form of words is not defined but “product of”, “made in” and similar terms have the following meaning:

- “Product of”, “Produced in” and similar terms mean that the origin of each significant ingredient is from the country identified and all, or virtually all, the processes of production or manufacture were done in that country
- “Made in”, “Manufactured in”, “Australian made” and similar terms mean that the nature of the food was substantially transformed in the country claimed to be the origin and at least 50 per cent of the production cost was in that country. If this rule cannot be met then a qualified claim may be made, for example:
 - Made in Australia from imported ingredients
 - Packaged in Australia from local and imported ingredients.

Other label information including pictures and graphics must not mislead or conflict with the country of origin statement.

Whole or cut fresh fruit and vegetables in a package that does not obscure the nature or quality of the food must display on the package or on signs in connection with the food the country or countries of origin or that the food is a mix of local and imported product.

11. Health claims (nutrition, health and related claims) [1.2.7]

Health claims (nutrition, health and related claims) are voluntary statements that may be made by food businesses on food labels (and in advertising).

The following health claims are prohibited:

- claims that are therapeutic in nature
- claims that compare vitamin or mineral content
- nutrition content claims that imply slimming effects
- claims about kava
- claims about infant formula products
- claims about foods that contain >1.15% alcohol by volume other than a nutrition content claim about energy or carbohydrate content.

Nutrition content claims are about the content of certain nutrients or substances in food, for example “low cholesterol” or “good source of dietary fibre”.

Health claims are about a relationship between a food and health.

There are two types of health claims:

- General level health claims refer to a nutrient or substance in a food and its effect on a health function, for example “calcium is good for bones and teeth”.
- High level health claims refer to a nutrient or substance in a food and its effect on a serious disease or biomarker of a serious disease, for example “diets high in calcium may reduce the risk of osteoporosis in persons 65 years and over”.

Health claims are only permitted on foods that meet the nutrient profiling scoring criterion. More information, including a link to an online tool to assist in calculating a nutrition profiling score of a food, is available at:

www.foodstandards.gov.au/industry/labelling/Pages/Consumer-guide-to-NPSC.aspx

Related claims are endorsements which are nutrition content or health claims made with the permission of an endorsing body.

Conditions for making any of the above claims are set out in Standard 1.2.7. You should not make any health claims without first understanding the detailed requirements of that standard.

What Must Not Appear

A label must not include words, statements, claims, pictures or graphics that represent a food or its characteristics in a way that is false, misleading or deceptive.

For example, pictures or graphics on a label suggesting how the food can be prepared may need to be accompanied by qualifying information such as “recipe”, “serving suggestion” or other statement to ensure the consumer is not misled about the contents of the package.

Other Requirements

In addition to the information set out previously, some foods have specific labelling requirements. For the following foods refer to the relevant standard in Chapter 2 of the Code:

- alcoholic beverages and food containing alcohol [2.7.1]
- food containing meat offal [2.2.1]
- minced meat (where reference is made to the fat content) [2.2.1]
- formed meat or fish products [2.2.1 and 2.2.3]
- fermented comminuted processed or manufactured meat products [2.2.1]
- edible oils [2.4.1]
- fruit or vegetable juice blends [2.6.1]
- packaged water [2.6.2]
- electrolyte drinks [2.6.2]
- kava [2.6.3]
- formulated caffeinated beverages [2.6.4]
- foods for infants [2.9.2]
- infant and follow-on formulas [2.9.1]
- formulated meal replacements and formulated supplementary foods [2.9.3]
- formulated supplementary sports foods [2.9.4]
- food for special medical purposes [2.9.5]
- reduced sodium salts [2.10.2].

Further Information

- See the labelling information detailed in Part 1.2 and Chapter 2 of the Food Standards Code, available at: www.foodstandards.gov.au/code
- View related user guides and fact sheets by following the Industry and Consumer links on the FSANZ website: www.foodstandards.gov.au
- Speak to an Environmental Health Officer at your local council.
- Visit the DHHS website: www.dhhs.tas.gov.au/public_health/food_safety
- Phone the Public Health Hotline on 1800 671 738 or email public.health@dhhs.tas.gov.au

The Label

Where a label includes statements, claims or other information in addition to the information required by the Code then reference must be made to the Code for the rules or prohibitions that may apply.

BEST BEFORE
STORE AT OR BELOW -18°C

Meat Pies

SERVING SUGGESTION

NUTRITION INFORMATION
SERVINGS PER PACKAGE – 4
SERVING SIZE - 175g

	QUANTITY PER 175g SERVING	QUANTITY PER 100g
ENERGY	1815kJ	923kJ
PROTEIN	25.9g	14.8g
FAT - Total	20.6g	11.8g
- Saturated	10.0g	5.78g
CARBOHYDRATE	23.6g	13.5g
- Sugars	1.2g	0.7g
SODIUM	471mg	269mg

All values are average quantities

INGREDIENTS
WHEAT FLOUR, MEAT (MINIMUM 25%), WATER, ANIMAL AND VEGETABLE FAT, ONION POWDER, HYDROLYSED VEGETABLE PROTEIN, EGG, THICKENER (410), SUGAR, MINERAL SALT (450), SALT, COLOUR (150a), HERBS, PRESERVATIVE (223).

FINEFOOD CO.
20 MAIN ST.
ADELAIDE,
SOUTH AUSTRALIA.

PRODUCT OF AUSTRALIA **700g**

Date Mark and storage conditions

Name of the food

Where a food is packed using variable weights or volumes the number of servings per package can be replaced with servings per kilogram or other appropriate unit

The word serving may be replaced with the word *slice, pack, or package* or other common unit of measure including *metric cup* or *metric tablespoon*

A statement of ingredients in descending order of ingoing weight showing the percentage of the characterising ingredient

Weights and measures

The nutrition information panel information must clearly indicate that the values are average quantities or if some are minimum or maximum quantities indicate those values that are minimum or maximum quantities

Name and business address in Australia or New Zealand and a separate *Country of Origin* statement

Legibility and Print Size

All required words, statements or expressions must be in English. Information in other languages is permitted if it does not negate or contradict the information in English.

With the exception of required warning statements no specific print size is defined. However, the information must be legible, set out prominently and be in a distinct contrast to the background.

Warning statements required by the Code must be in a type size of not less than 3mm or 1.5mm on small packages.