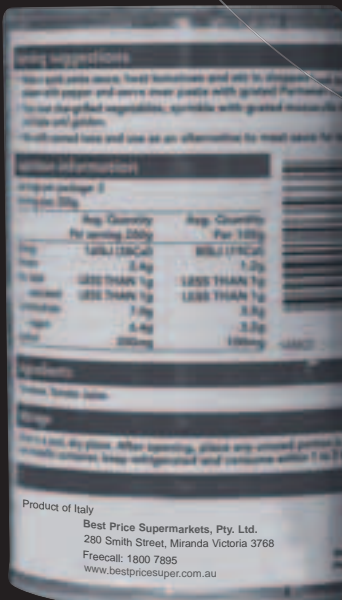




Label Buster

A guide to the Food Standards Code labelling requirements for food businesses



Queensland Government
Queensland Health

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Foreword

Queensland Health is committed to maintaining a safe and diverse food supply for consumers, while supporting industry with innovative approaches to product development.

The commencement of the Food Standards Code in 2002 throughout Australia and New Zealand has provided industry with greater choice in manufacturing new products while balancing that innovation with the provision of necessary consumer information.

Queensland Health has developed *Label Buster* to assist food businesses to comply with the labelling requirements of the Food Standards Code such as nutritional information panels, allergen warnings and percentage labelling.

Label Buster contains an easy reference to the labelling standards of the Food Standards Code, a checklist to assist in developing a food label and a comprehensive directory of where to get more information.

Three separate labelling booklets have also been produced to explain specific requirements for the meat, baking and seafood industries. These are available on the Queensland Health website at www.health.qld.gov.au or from your local Queensland Health Population Health Unit (contact details listed in Appendix Four).

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1.0 Introduction

Label Buster has been designed to assist businesses prepare food labels in compliance with the requirements of the Australia New Zealand Food Standards Code (the Code). The Code sets out national standards for food labelling and composition in all States and Territories throughout Australia and New Zealand. Heavy penalties apply in Queensland under the *Food Act 2006* for non-compliance with the Code.

Label Buster does not contain the full detail of the Code. A reference in square brackets, for example [1.2.1], refers to the relevant Standard in the Code, for your reference. It is recommended that you refer to the most current version of the Code for full details and note any changes. *Label Buster* is current as of November 2007 and shows information up to and including Amendment No. 94 of the Code.

This guide is not a substitute for legal advice. Assessment of labels against the requirements of the Code should be referred to an independent legal adviser. Queensland Health is responsible for responding to complaints regarding labelling compliance and providing general advice about labelling requirements.

2.0 Definitions and Acronyms

Foods for catering purposes – foods for use in restaurants, canteens, schools, caterers or self catering institutions, where food is offered for immediate consumption.

FSANZ – Food Standards Australia New Zealand. FSANZ is a bi-national independent statutory authority that develops food standards for composition, labelling and contaminants (including microbiological limits) that apply to all foods produced or imported for sale in Australia and New Zealand.

Fundraising events – events that raise money solely for community or charitable causes and not for personal financial gain.

Intra company transfer – a transfer of food between elements of a single company, between subsidiaries of a parent company or between subsidiaries of a parent company and the parent company.

Label – any tag, brand, mark or statement in writing or any representation or design or descriptive matter on or attached to or used in connection with or accompanying, any food or package.

Package – any container or wrapper in or by which food intended for sale is wholly or partly encased, covered, enclosed, contained or packaged and, in the case of food carried or sold or intended to be sold in more than one package, includes every such package, but does not include:

- (a) bulk cargo containers
- (b) pallet overwraps
- (c) crates and packages which do not obscure labels on the food
- (d) transportation vehicles

Retail sale – sale to the public.

Small package – means a package with a total surface area of less than 100cm², eg. 5cm x 2cm x 10cm.

3.0 What foods for retail sale and catering purposes are exempt from full labelling requirements?

Food for retail sale or catering purposes is exempt from labelling where the food is:

- ▶ not in a package
- ▶ in an inner package not designed for individual sale
- ▶ made and packaged on the premises from which it is sold
- ▶ packaged in the presence of the purchaser
- ▶ whole or cut fresh fruit and vegetables in packaging that does not obscure the nature or quality (does not include sprouting seeds or similar products)
- ▶ delivered packaged and ready for consumption at the express order of the purchaser
- ▶ sold at a fundraising event

Where food for retail sale or catering purposes is exempt from the general labelling requirements, certain information may still need to be displayed in connection with the food or provided to the purchaser on request [1.2.1]. See the following table as a guide to what information is required:

Does your product...?	Yes	Labelling requirement
Contain anything as detailed in section 5.4 of <i>Label Buster</i>		Mandatory warning and advisory statements and declarations for the corresponding product
Make nutrition claims such as 'low fat', 'high fibre' or 'source of calcium'		Nutrition information panel (See section 5.8 of <i>Label Buster</i>)
Contain a food or ingredient which has been irradiated		Statement about the irradiated food (See section 5.5.7 of <i>Label Buster</i>)
Contain a characterising ingredient(s)		The percentage of that ingredient(s) (See section 5.9 of <i>Label Buster</i>)
Contain offal (kidney, brain etc)		Declaration of the presence of offal (See the Queensland Health document <i>Meat and Meat Products</i>)
Claim the percentage of fat in minced meat		Statement of the percentage of fat (See the Queensland Health document <i>Meat and Meat Products</i>)
Contain raw meat joined or formed into the semblance of a cut of meat		Cooking instructions (See the Queensland Health document <i>Meat and Meat Products</i>)
Contain unpackaged fermented comminuted manufactured meat and/or fermented comminuted meat products		Declaration of the type of meat (See the Queensland Health document <i>Meat and Meat Products</i>)
Contain raw fish joined or formed into the semblance of a cut or fillet of fish		Cooking instructions (See the Queensland Health document <i>Seafood</i>)
Contain kava		Declaration of the presence of kava
Contain added caffeine		Declaration of the addition of caffeine
Contain unpackaged whole or cut fruit or vegetables, fish or fish products, or pork or pork products		Country of Origin labelling (See section 5.10 of <i>Label Buster</i>)

4.0 What labelling is required for foods for wholesale or intra-company transfer purposes?

Food that is not for retail sale, not for catering purposes or is being transferred within a company (intra company transfer) is required to bear a label containing the following information:

1. The name of the food;
2. A lot identification number (batch number); and
3. The name and physical address of the business in Australia or New Zealand supplying the food. (this information may be provided on documentation accompanying the food).

While the three elements above represent the minimum amount of information that must be provided, the purchaser of the food may request from the supplier any information necessary for the purchaser to meet their obligations for labelling under the Code. The supplier is required under the Code [1.2.1] to provide the information in writing when requested either by the purchaser or the relevant authority (ie. Queensland Health).

Example 1

A bakery makes pies in its manufacturing premises and boxes them to be transferred and sold unpackaged from one of its retail outlets. The box is required to bear a label with the name of the food and the lot identification number and to bear a label or provide documentation accompanying the food, with the name and address of the supplier.

Example 2

A bakery makes pies in its manufacturing premises and boxes them to be transferred and sold packaged to the public from another food premises. The box is required to bear a label with the name of the food and the lot identification number and to bear a label or provide documentation accompanying the food, with the name and address of the supplier and all other information necessary for the retailer to meet their labelling requirements, such as nutrition information panels, ingredient list (including allergens) and percentage labelling.

5.0 What foods for retail sale and catering purposes must be labelled?

All foods for retail sale or catering purposes (except for those exceptions listed in section 3.0 above) must be fully labelled. See full label example in Appendix One.

The label on a package of food must not be altered, removed, erased, obliterated or obscured except with the permission of the relevant authority, which in Queensland, is Queensland Health [1.1.1].

All required words, statements or expressions must be in English and be set out legibly, prominently and in a colour distinct to the background.

Information in other languages in addition to the English information is permitted provided it does not negate or contradict the English information [1.2.9].

5.1 The name of the food

Food must be labelled with a name or description that will not mislead consumers. Where the Code specifically states the name of a food is a *prescribed name* then that name must appear on the label. Prescribed names are:

- ▶ fermented comminuted meat products [2.2.1]
- ▶ honey [2.8.2]
- ▶ infant formula [2.9.1]
- ▶ follow-on formula [2.9.1]
- ▶ formulated meal replacement [2.9.3]
- ▶ formulated supplementary food for young children [2.9.3]
- ▶ formulated supplementary food [2.9.4]
- ▶ formulated supplementary sports food [2.9.4]

Where the name of a food is not declared as a *prescribed name* then the label must show a name or description that indicates the true nature of the food. The name may also include a process that the food has undergone [1.2.2].

Example 1

- ▶ Fruit and nut muesli
- ▶ English muffin
- ▶ Roast chicken roll
- ▶ Smoked fish

5.2 Premises and lot identification

Generally, food labels must contain information identifying the premises where the food was packed or prepared and the lot identification (batch number).

No specific form of words is required and this requirement is usually satisfied if the product is properly date marked (see 5.6 below) and shows the name and business address of the manufacturer or packer. Where this is not sufficient then additional information that is part of a system devised by the manufacturer or packer must be used [1.2.2].

Foods exempt from bearing lot identification, other than those listed in section 3.0, are individual portions of ice cream or ice confection and food in a small package where the bulk package and the bulk container in which the food is stored or displayed for sale, includes lot identification.

5.3 Name and business address

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, the street name, the town or suburb and State. A post office box or similar postal address is *not* sufficient [1.2.2].

Some food manufacturers include telephone numbers or customer advice lines. Whilst this is not a requirement of the Code, it may assist customer service.

5.4 Mandatory warning and advisory statements and declarations

Labels must bear warning and advisory statements and declarations as prescribed in the Code [1.2.3], where necessary.

5.4.1 Mandatory advisory statements

Mandatory advisory statements must be displayed on the food labels, or for products that are exempt from full labelling (see parts of this guide), provided to the purchaser upon request.

Does your food contain the following	Yes	Advisory Statement required
Bee pollen presented as a food, or a food containing bee pollen as an ingredient as defined in Standard 1.2.4		Statement to the effect that the product contains bee pollen which can cause severe allergic reactions
Cereal-based beverages, where these foods contain no more than 2.5% m/m fat and less than 3% m/m protein, or less than 3% m/m protein only		Statement to the effect that the product is not suitable as a complete milk replacement for children under the age of five years
Evaporated and dried products made from cereals, where these foods contain no more than 2.5% m/m fat and less than 3% m/m protein, or less than 3% m/m protein only, as reconstituted according to directions for direct consumption		Statement to the effect that the product is not suitable as a complete milk replacement for children under the age of five years
Evaporated milks, dried milks and equivalent products made from soy or cereals, where these foods contain no more than 2.5% m/m fat as reconstituted according to directions for direct consumption		Statement to the effect that the product is not suitable as a complete milk replacement for children under the age of two years
Food containing aspartame or aspartame-acesulphame salt		Statement to the effect that the product contains phenylalanine
Food containing quinine		Statement to the effect that the product contains quinine
Food containing guarana or extracts of guarana		Statement to the effect that the product contains caffeine
Food containing added phytosterol esters		Statement to the effect that - 1. when consuming this product, it should be consumed as part of a healthy diet; 2. this product may not be suitable for children under the age of five years and pregnant or lactating women; and 3. plant sterols do not provide additional benefits when consumed in excess of three grams per day
Foods containing added tall oil phytosterols		Statements to the effect that - 1. when consuming this product, it should be consumed as part of a healthy diet; 2. this product may not be suitable for children under 5 years and pregnant or lactating women; and 3. plant sterols do not provide additional benefits when consumed in excess of three grams per day
Kola beverages containing added caffeine, or food containing a kola beverage containing added caffeine as an ingredient as defined in Standard 1.2.4		Statement to the effect that the product contains caffeine
Milk, and beverages made from soy or cereals, where these foods contain no more than 2.5% m/m fat		Statement to the effect that the product is not suitable as a complete milk food for children under the age of two years
Propolis presented as a food, or food containing propolis as an ingredient as defined in Standard 1.2.4		Statement to the effect that the product contains propolis which can cause severe allergic reactions
Unpasteurised egg products		Statement to the effect that the product is unpasteurised
Unpasteurised milk and unpasteurised liquid milk products		Statement to the effect that the product has not been pasteurised

Example 1

On a packet of sugar-free chewing gum containing polyols and aspartame:
 Excess consumption may have a laxative effect
 Phenylketonurics note: contains phenylalanine

Example 2

On cheese made from unpasteurised goats milk:
 Made from unpasteurised goats milk

5.4.2 Mandatory warning statements

Royal jelly or food containing royal jelly must be labelled with a specific warning statement as set out in the Code [1.2.3]. The required statement is:

This product contains royal jelly which has been reported to cause severe allergic reactions and in rare cases, fatalities, especially in asthma and allergy sufferers.

5.4.3 Mandatory declarations

Mandatory declarations of the presence of the following substances in food must be declared on a label. Listing any of the following foods in the ingredient list is sufficient to satisfy this requirement.

- ▶ Cereals containing gluten and their products, namely, wheat, rye, barley, oats, spelt and their hybridised strains
- ▶ Crustacea and their products
- ▶ Egg and egg products
- ▶ Fish and fish products
- ▶ Milk and milk products
- ▶ Tree nuts and sesame seeds and their products (does not include coconut)
- ▶ Peanuts and soybeans, and their products
- ▶ Added Sulphites in concentrations of 10 mg/kg or more

Do you know about hidden allergens?

- Glucose syrup may come from wheat
- Lecithin may come from soy
- Casein comes from milk

5.4.4 Advisory Statements in relations to foods containing polyols or polydextrose

If a food product contains any substances at the levels stated in the following tables, the label for the package of food must contain a statement to the effect that:

Excessive consumption of the food may have a laxative effect.

Table 1.	Table 2.	Table 3.
Either singularly or in a combination with any of the following: a level of, or in excess of: 10mg/100g	Either singularly or in a combination with any of the following: a level of, or in excess of: 25mg/100g	A substance listed in Table 1 in combination with any of the substances listed in Table 2: at a level of, or in excess of: 10g/100g.
Lactitol	Erythritol	
Maltitol	Isomalt	
Maltitol syrup	Polydextrose	
Mannitol	Sorbitol	
Xylitol		

5.4.5 Regulated statements

In addition to the information set out previously, the following is an outline of some other regulated claims and requirements that may apply. Please refer to the relevant section of the Code listed below for further information on regulated statements.

Use of the terms “non-alcoholic”, “non-intoxicating”, and “low alcohol” are regulated [2.7.1].

Claims or statements about a vitamin or mineral may not be made except as permitted by the Code [1.3.2]. Where a permitted claim or statement is made, the label must show additional information about the vitamin or mineral using a format defined in the Code [2.7.1].

Claims about electrolyte drinks, infant formulas, foods for infants and formulated supplementary sports foods may not be made unless expressly permitted by the Code [Part 2.9].

The Code requires additional defined labelling statements be shown on the labels of the following foods:

- ▶ Genetically modified food or food containing genetically modified food [1.5.2]
- ▶ Irradiated food [1.5.3]
- ▶ Food containing offal [2.2.1]
- ▶ The meat and fat content of some meat products [2.2.1]
- ▶ Fermented comminuted processed and manufactured meats [2.2.1]
- ▶ Formed meat or formed raw fish products [2.2.1 and 2.2.3]
- ▶ Edible oils [2.4.1]
- ▶ Skim milk, modified milk and condensed milks [2.5.1 and 2.5.7]
- ▶ Fruit or vegetable juice blends [2.6.1]
- ▶ Electrolyte drinks [2.6.2]
- ▶ Kava [2.6.3]
- ▶ Infant formulas [2.9.1]
- ▶ Foods for infants [2.9.2]
- ▶ Formulated meal replacements and supplementary foods [2.9.3]
- ▶ Formulated supplementary sports food [2.9.4]
- ▶ Salt, reduced sodium salt mixtures and salt substitutes [2.10.2]

5.5 Ingredient labelling

Generally, a food label must include a statement of ingredients (the term ‘ingredient’ includes additives) [1.2.4].

5.5.1 Generic food names

In the case of some ingredients, it is sufficient to state the generic name of the food. For example, the term *fruit* can be used in place of *bananas, oranges or cherries*. 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, sugar and vegetables*. The term *sugars* must not be used.

The following generic terms may be used under specific conditions:

- ▶ 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 qualified as being of animal or vegetable origin. If a *fat* or *oil* is from peanut, soybean or sesame, the specific source must be declared. The source of animal fats or oils used in dairy products (including ice cream) must be declared
- ▶ the term *fish* may be used, however if the food contains crustacea, the specific name of the crustacea must be declared

The ingredient name may need to be qualified to ensure that the consumer is not misled about the nature of an ingredient for example, cheese powder or dried vegetables.

5.5.2 Order of 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 in descending order of in-going weight. However, if water 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, it does not need to be included in the ingredient list. The position of water or other volatile ingredients in the list are calculated after allowing for losses during manufacture.

5.5.3 Compound ingredients

If the food contains compound ingredients (an ingredient containing more than one ingredient) then all the *foods and additives* in a compound ingredient that contribute 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 must be declared.

Example

The statement of ingredients for canned spaghetti might read ‘spaghetti (flour, egg, water), sugar, water’

5.5.4 Substitute ingredients

Where from time to time, a food ingredient or additive is replaced with another food or additive that serves 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 declare *safflower or sunflower oil* as alternative ingredients depending on availability.

5.5.5 Additives and flavourings

In the case of food additives, the additive name must be declared either by reference to their class name followed by the food additive number, or by their class name followed by the full name of the additive.

Example

- ▶ **Colour (102) or**
- ▶ **Colour (Tartrazine)**

The addition of a flavouring must be declared as flavouring or flavour or alternatively as a specific name or description of the flavouring. Where the following are added to a food as a flavouring, their presence must be specifically declared by their name or code number.

- ▶ *L-glutamic acid (620)*
- ▶ *Monosodium glutamate (621)*
- ▶ *Monopotassium l-glutamate (622)*
- ▶ *Calcium di-l-glutamate (623)*
- ▶ *Monoammonium l-glutamate (624)*
- ▶ *Magnesium di-l-glutamate (625)*
- ▶ *Disodium guanylate (627)*
- ▶ *Disodium inosinate (631)*
- ▶ *Disodium 5-ribonucleotides (635)*

5.5.6 Vitamins and minerals

Vitamins and minerals cannot be added unless expressly permitted for specific foods. Refer to [1.3.2] of the Code for specific information.

Example 1

Breakfast cereals

May add Carotene forms of Vitamin A, B₆, C, E, Thiamin, Riboflavin, Niacin, Folate, Calcium, Iron, Magnesium & Zinc

Example 2

Cheese and cheese products

May add Vitamin A, D, Calcium and Phosphorus

5.5.7 Novel foods, genetically modified foods and irradiated foods

“**Novel foods**” and novel food ingredients must not be sold unless specifically permitted in the Code and compliant with any specified conditions [1.5.2].

“**Food produced using gene technology**” means a food which has been derived or developed from an organism which has been genetically modified.

Genetically modified food means a food that is, or contains as an ingredient, including a processing aid, a food produced using gene technology which contains novel DNA and/or novel protein or has altered characteristics.

Food using gene technology, other than a substance regulated as a food additive or processing aid, must not be sold or used as an ingredient or component of any food unless specifically permitted in the Code and complies with any specified conditions [1.5.2].

“**Genetically modified food**” must include the statement ‘genetically modified’ on the package label, in conjunction with the name of the food or ingredient or processing aid. If the food is unpackaged, the statement must be displayed on or in connection with the display of the food.

“**Irradiation of food**” is prohibited unless specifically permitted by the Code and must comply with specified conditions and using only a permitted specified source of radiation [1.5.3]. Records must be kept in relation to specified information and the food must include a statement that the ingredient or component has been treated with ionising radiation, either as part of the declaration of that ingredient or component in an ingredient list or elsewhere on the label. Other labelling requirements may apply if the food is other than for retail sale.

5.6 Date marks

Generally, all packaged food with a life of 2 years or less must show a date-mark. Foods with a shelf life of 3 months or less must display a date mark that shows at least the day and month. Foods with a shelf life longer than 3 months must show at least the month and year [1.2.5].

Example 1

Less than three month shelf life

3 12 or 3 Dec or 3 12 99 or 3 Dec 99

Example 2

More than three month shelf life

12 99 or Dec 99 or 3 Dec 99 or 3 12 99

5.6.1 “Best Before” date

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

“**Best Before**” would be used for foods including shelf stable foods (eg. biscuits, confectionery, canned foods), frozen foods, most raw foods that will be cooked before eaten (eg. meat, chicken, fish) or foods that will noticeably spoil before becoming a food safety issue (eg. cheddar cheese).

Any storage conditions that are necessary to ensure that a food will retain its specific qualities for the period indicated by the date mark, must be declared on the label (see section 5.7 of this guide).

5.6.2 “Use By” date

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 has expired.

5.6.3 “Baked On” and “Baked For” dates

For bread with a shelf life of less than 7 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**”. For more information about the labelling of bread, see the Queensland Health publication ‘*Bread and Bakery Products*’.

5.7 Directions for use and storage

The label on a package of food must include directions for the storage or use of the food, where the food is of a nature as to warrant such directions for reasons of health or safety. Unpackaged food may alternatively provide this information accompanied with the food [1.2.6].

Example 1	<p>Strawberry yoghurt</p> <p>Store below 5°C</p>
Example 2	<p>Canned fish</p> <p>Refrigerate after opening</p>
Example 3	<p>Biscuits</p> <p>Store in a cool, dry place</p>

5.8 Nutrition information panel

Generally, all packaged food labels must include a nutrition information panel.

An exemption to the requirement for a nutrition information panel is allowed for the following, except where a nutrition claim is made in relation to the food:

- ▶ foods sold at fundraising events
- ▶ small packages
- ▶ fruits, vegetables, meat, poultry and fish that comprise a single ingredients or category of ingredients
- ▶ alcoholic beverages [2.7.2 to 2.7.5]
- ▶ herbs, spices or herbal infusions
- ▶ vinegar and related products [2.10.1]
- ▶ salt and salt products [2.10.2]
- ▶ tea and coffee [1.1.2]
- ▶ additives [1.3.1]
- ▶ processing aids [1.3.3]
- ▶ gelatine [1.1.2]
- ▶ water, or mineral or spring water [2.6.2]
- ▶ prepared filled rolls, sandwiches, bagels and similar products
- ▶ jam setting compound
- ▶ kava [2.6.3]

For foods not exempt or where a nutrition claim is made, the following example provides the standard format for a Nutrition Information Panel. In the panel, the words 'serving size' may be replaced with the words 'slice', 'pack', or 'package' or other common units of measure including 'metric cup' or 'metric tablespoon', if appropriate.

Packet of 4 frozen pies		Nutrition information	
Example 1		Servings per package - 4 Serving size - 175g	
		Quantity per 175g serving	Quantity per 100g
		Energy	1615kJ
		Protein	25.9g
		Fat	
		- Total	20.6g
		- Saturated	10.0g
		Carbohydrate	23.6g
		- Sugars	1.2g
		Sodium	471mg
			269mg

Foods that need to be reconstituted or foods that must be drained before consumption must show the values for the reconstituted food, or drained food for example, cordial or a tin of corn, respectively.

5.8.1 Nutrition claims

Where a nutrition claim is made in relation to a food, that food must contain a Nutrition Information Panel in the prescribed form, including additional information for that claim. Nutrition claims about *cholesterol, fatty acids, fibre, sugars and carbohydrates* require additional specific information to be shown in the panel as set out in the Code [1.2.8].

Where a nutrition claim is made on a small package, the Code allows for a variation in the way the required nutrition information is set out.

Nutrition claims about *polyunsaturated, monounsaturated or omega fatty acids, low joule foods, lactose, gluten, salt, sodium or potassium* may not be made unless the claims comply with the conditions specified in the Code [1.2.8].

Where a claim is made in relation to the presence of a vitamin or mineral in a food, the proportion of the Recommended Daily Intake (RDI) or the average quantity of the vitamin or mineral for which an Estimated Safe and Adequate Daily Dietary Intake (ESADDI) has been set in the Code must be provided [1.3.2].

Further information on specific claims is available from the FSANZ Code of Practice on Nutrition Claims.

5.9 Characterising ingredient declaration (percentage labelling)

Generally, characterising ingredients or components must be declared in the ingredient list as a percentage of the food [1.2.10].

Example

Ingredient label from a “meat pie”

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)

A characterising ingredient or component of a food is one which:

- ▶ appears in the name of the food
- ▶ is usually associated with the food by the consumer
- ▶ is emphasised on the label in words, pictures or graphics
- ▶ is essential to characterise the food or distinguish it from another food with which it might be confused

The requirement for food to show the percentage of characterising ingredient does not apply to:

- ▶ food assembled and packaged in the presence of the purchaser
- ▶ food for catering purposes
- ▶ food delivered packaged and ready for immediate consumption at the express order of the purchaser
- ▶ prepared filled rolls, sandwiches, bagels and similar products
- ▶ food sold at fundraising events
- ▶ food in small packages
- ▶ cured and/or dried meat flesh, in whole or cut pieces
- ▶ food sold from the premises where it is made and packaged
- ▶ single ingredient foods
- ▶ Infant formula products as defined in the Code [2.9.1]
- ▶ Beer, fruit wine and vegetable wine, wine and wine products and spirits as defined in the Code [2.7.2 to 2.7.5]
- ▶ Beverages containing no less than 0.5% alcohol by volume and are not defined as beer, fruit wine and vegetable wine, wine and wine products and spirits as defined in the Code under Standard 2.7.2 to 2.7.5

5.10 Country of origin

Food products that are required to have Country of Origin labelling must display the following information, on the food, or in connection with the display of the food [1.2.11]:

- ▶ Identification of the country or countries of origin of the food; or
- ▶ A statement to the effect that the foods are a mix of local and/or imported foods.

What foods must have Country of Origin labelling?

Country of Origin labelling does not apply to food offered for immediate consumption.

Country of Origin labelling is required for:

- ▶ All packaged food;
- ▶ fish (including seafood), including cut fish, filleted fish, fish that has been mixed with one or more foods and fish that has undergone any other processing;
- ▶ unpackaged fresh or processed (whole or cut) fruit, vegetables and nuts, except for processed fruit and vegetables where the produce has been mixed with food not regulated by the relevant section of the Food Standards Code, and
- ▶ fresh or preserved pork (whole or cut), except where the pork product has been mixed with a product not regulated by the relevant section of the Food Standards Code.

How can this information be represented?

The following definitions for Country of Origin labelling may be used in the following circumstances:

‘Product of’ means the country of origin claimed must be the country of origin of each significant ingredient of the food and all or virtually all the processes of production or manufacture of the foods must have happened in that country.

‘Made in’ means the goods have been substantially transformed in the country claimed to be the origin and 50% of the cost of production have been carried out in that country.

Where it is not possible to make a ‘Made in’ claim, manufacturers may make a qualified claim. Common examples are ‘Made in Australia from imported ingredients’.

6.0 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, labels with pictures or graphics suggesting how a food can be prepared may need to be accompanied by additional or qualifying information such as ‘Recipe’, ‘Serving Suggestion’ or other statement to ensure the consumer is not misled about the contents of the package.

Health claims in relation to food are not permitted under the Food Standards Code. Standard 1.1A.2 declares that a label on or attached to a package or advertisement of food, shall not (except as permitted by the Code):

- ▶ include the word ‘health’ or similar words as part of or in conjunction with the name of the food
- ▶ contain a claim or statement that the food is a slimming food or has intrinsic weight-reducing properties
- ▶ contain any word, statement, claim, express or implied, or design that directly or by implication could be interpreted as advice of a medical nature from any person
- ▶ include a claim for therapeutic or prophylactic action or a similar claim (except as permitted by the Code)
- ▶ contain the name of or a reference to any disease or physiological condition

7.0 Print sizes for food labels

No specific print type or size is defined for general labelling requirements [1.2.9], excluding Country of Origin labelling and warning statements.

Country of Origin declarations for unpackaged, (whole or cut) fruit, vegetables, nuts, pork or pork products and fish or fish products (including seafood), must be the size of type of at least 9mm, or 5mm where the food is in a refrigerated enclosed or semi-enclosed display cabinet which requires a person to serve the food as requested by the purchaser (eg. deli cabinet containing meats served by a Shop Assistant upon request by a customer).

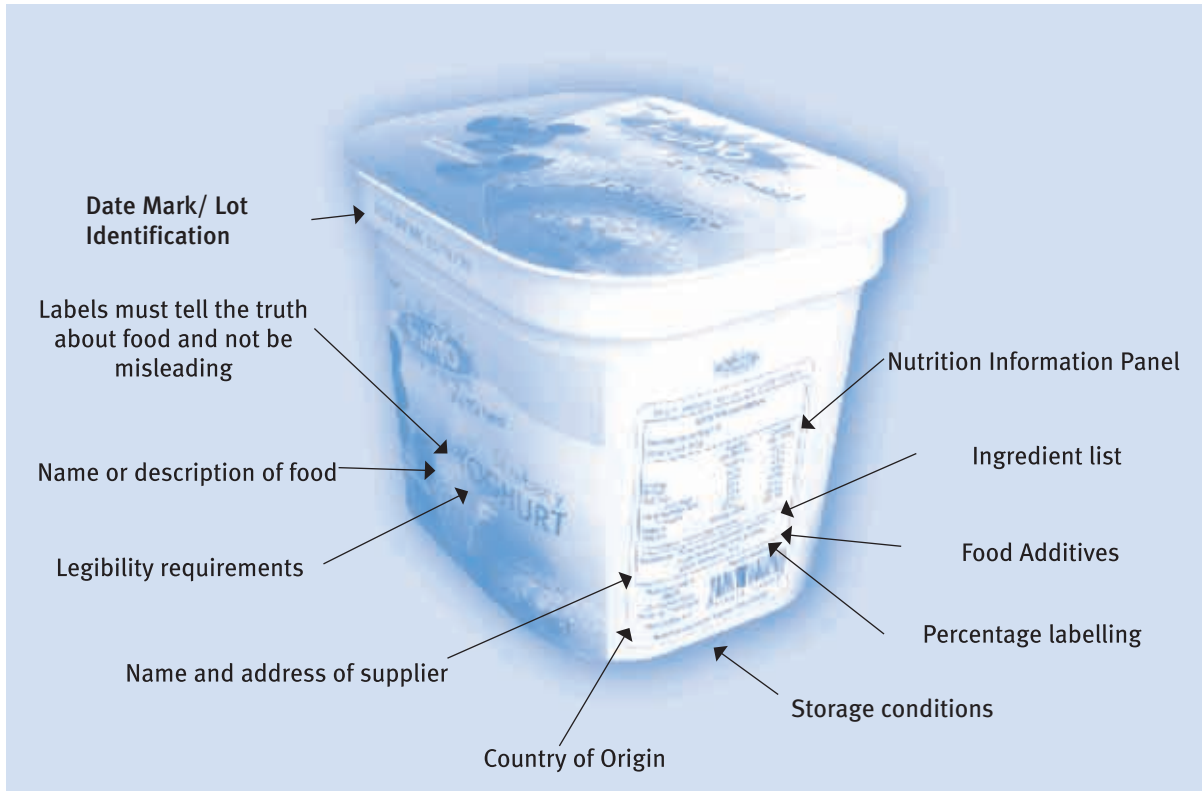
Warning statements must be in a type size of at least 3mm (1.5mm on small packages).

A print size is defined in the Code for some foods where a required statement must be shown (eg. infant formula).

8.0 Appendix One - Example label

Example

Before claims or similar statements are made on a label, reference must be made to the Code for any prohibitions or conditions that may apply.



1. General Information

Does the label require the following general information?		Examples	Yes	No
Name or description of Food (See section 5.1 of this Guide) If there is no prescribed name for the food, the label must include a name or description of the food sufficient to indicate the true nature of the food		Frozen Yoghurt Fruit juice Chocolate milk		
Lot Identification (See section 5.2 of this Guide) The food batch number needs to be on the label to assist in the event of a food recall		Best Before Dec 08 13:57		
Name and Business address in Australia or New Zealand of the supplier (See section 5.3 of this Guide) Business address means the location of the premises from which a business is being operated. A post office box address is not sufficient		Finefoods Co, 20 Main St, Brisbane, Queensland, Australia		
Date Mark (See section 5.6 of this Guide) “Use By” date (used if the food must be consumed before a certain date for health and safety reasons); OR “Best Before” date. (used if the food can safely be consumed after the date specified, although the quality of the food may be compromised) Include a statement of any specific storage conditions required to ensure that the food will keep for the specified period indicated in the “Use By” or “Best Before” date		Use By 3 Dec 08 (less than 3 months shelf life) Best Before Dec 09		
Directions for use or storage (See section 5.7 of this Guide) Are required if for reasons of public health and safety, consumers need appropriate directions for use or storage of the food		* Store below 5°C * Store in a cool, dry place		

2. Ingredients List (See Section 5.5 Of This Guide)

Does the label fulfil ingredient listing requirements?		Examples	Yes	No
Ingredients listed in descending order of ingoing weight		On packaged loaf of bread Wheat flour, water, yeast, salt, preservative (282)		
Compound ingredient broken into individual ingredients if required		On canned spaghetti ‘spaghetti (flour, egg, water), meat, sugar, water’		
Added water listed in descending order of ingoing weight				
Additives listed by class name followed by either the specific name or the code number in brackets		<i>L-glutamic acid (620)</i>		

3. Country Of Origin Labelling (See section 5.10 Of This Guide)

Does the label fulfil country of origin requirements?		Examples	Yes	No
A label on a package of food or displayed on or near unpackaged fresh or processed fruit, nuts, fish, fish products, other seafood and pork and pork products, must include a statement that identifies the country in which the food was made or produced		Made in Australia Product of Australia		

4. Nutrition Information Panels (See section 5.8 of this Guide)

Does the label contain the following information in the required format?

Example Yes No

Content of the Nutrition Information Panel:

Energy kJ (Cal)
 Protein g
 Fat, total g
 - saturated g
 Carbohydrate g
 sugars g
 Sodium mg (mmol)

Number of servings of food in the package.
 Average quantity of the food in a serving.

NUTRITION INFORMATION		
SERVINGS PER PACKAGE – 4 SERVING SIZE – 175g	QUANTITY	QUANTITY
	PER 175g SERVING	PER 100g
ENERGY	1615 kJ	923kJ
PROTEIN	25.9g	14.8g
FAT		
- Total	20.6g	11.8g
- Saturated	10.0g	5.76g
CARBOHYDRATE	23.6g	13.5g
- Sugars	1.2g	0.7g
SODIUM	471mg	269mg

Additional labelling requirements that satisfies any specific nutrition claim

5. Characterising Ingredient Declaration (Percentage Labelling) (See section 5.9 of this Guide)

Does the label meet the requirement for foods with characterising ingredients or compounds?

Example Yes No

Percentage declaration of the ingoing weight of the characterising ingredient or component

Example Strawberry yoghurt. Contains 9% strawberries

6. Mandatory Warning and Advisory Statements And Declarations (See section 5.4 of this Guide)

Does the label meet the mandatory warning and advisory statements and declarations?

Example Yes No

Advisory statements?

Example Unpasteurised milk product

Warning statements?

Royal jelly

Declarations?

Presence of peanuts

7. Legibility Requirements (See section 7.0 of this Guide)

Does the label fulfil legibility requirements?

Example Yes No

Labels must be prominent, legible, in English and words must have distinct contrast to background packaging

Type for warning statements must be at least 3mm high

Warning statements on small packages must be at least 1.5mm high

Country or Origin Statements (where required) must be at least 9mm higher for food in an assisted food service refrigerated display cabinet must be at least 5mm

Example Each letter must be of the prescribed height when measured from base to top

10.0 Appendix Three - Obtaining more information on the Food Standards Code

Label Buster aims to assist food business proprietors to access information on food labelling requirements. Useful sources of information are provided below.

10.1 Food Standards Australia New Zealand (FSANZ)

The Internet Home Page: www.foodstandards.gov.au

Subject/publication	What It Is	Where To Get It
Australia New Zealand Food Standards Code	The national food standard in Australia	
Guidelines to the Food Standards Code	Extensive interpretation and compliance advice with many examples	www.foodstandards.gov.au
Calculation a Nutrition Information Panel	A free online calculator to calculate nutrition information panels	
Fact Sheets (General)	A range of fact sheets providing information on the Code	www.foodstandards.gov.au or www.health.qld.gov.au/foodsafety
Assistance for Industry in interpreting the Code	Industry help desk	advice@foodstandards.gov.au
Food Standards Update	A free service that you can subscribe to and keep up with the latest developments in food regulation.	www.foodstandards.gov.au/newsroom/subscriptionservice.cfm
Australia New Zealand Food Surveillance newsletter	Online newsletter providing results of surveys, recalls, imported foods and other food monitoring and surveillance activities.	www.foodstandards.gov.au/newsroom/foodsurveillancenewsletter/
The official shopper's guide to food additives and labels, kilojoules and fat content	A general guide for consumers to interpret food additives, labelling, kilojoules and fat content	Available at bookshops or email info@foodstandards.gov.au for assistance in obtaining a copy
Food Industry Recall Protocol, 5th edition, June 2004	A guide to writing a food recall plan and conducting a food recall.	www.foodstandards.gov.au/foodmatters/foodrecalls/foodindustryrecallpr1819.cfm
Office of Fair Trading, Weights and Measures	A variety of trade measurements fact sheets for businesses	www.fairtrading.qld.gov.au

10.2 Queensland Government

The Internet Home Page: www.health.qld.gov.au

Useful Queensland Government web sites for food legislation and food safety matters:

Subject/publication	What It Is	Where To Get It
Making a complaint about a food business	Queensland Health is the enforcement agency for the labelling requirements of the Food Standards Code. Complaints about labelling should be directed to your local Queensland Health Population Health Unit (PHU)	www.health.qld.gov.au/phs/Documents/ehu/27753.pdf See Appendix Four for PHU contact details
Food safety information for industry, the public, and health professionals	Information about general food safety in Queensland	www.health.qld.gov.au/foodsafety
Safe Food Production Queensland	Enforcement agency responsible for the <i>Food Production (Safety) Act 2000</i>	www.safefood.qld.gov.au
Meat and Meat Products	A guide to labelling and compositional requirements specifically relating to the meat industry	www.health.qld.gov.gov.au/phs/Documents/ehu/19399.pdf
Bread and Bakery Products	A guide to labelling and compositional requirements specifically relating to the bread and bakery industry	www.health.qld.gov.gov.au/phs/ehu/19398.pdf
Seafood	A guide to labelling and compositional requirements specifically relating to the seafood industry	www.health.qld.gov.gov.au/phs/Documents/ehu/19401.pdf
Food safety for fundraising events	A guide to assist charities and community organisations with food safety management	www.health.qld.gov.gov.au/phs/Documents/ehu/21885.pdf

11.0 Appendix Four - Contact details for Queensland Health Population Health Units

Population Health Unit	Phone number
Brisbane Northside	3624 1111
Brisbane Southside	3000 9148
Bundaberg/ Wide Bay	4150 2780
Cairns	4050 3600
Gold Coast	5509 7222
Ipswich/ West Moreton	3810 1500
Mackay	4968 6611
Rockhampton	4920 6989
Sunshine Coast	5409 6600
Toowoomba/ Darling Downs	4631 9888
Townsville	4753 9000

