



Label Buster



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

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This is a guide to the Australia New Zealand Food Standards Code (the Code) labelling standards for food sold in, or imported into, Australia and New Zealand. The Australia New Zealand Food Standards Code (the Code) sets out standards for the labelling of all food, and penalties of up to \$55,000 apply in Queensland under the *Food Act 2006* (the Act) for non-compliance with the Code.

Chapter 1 of the Code contains the main labelling provisions and information that must be provided for foods, and the requirements for how this information must be presented. Chapter 2 includes additional labelling and information requirements that apply to specified foods. A reference number with square brackets, for example [1.3.1], in this guide, refers to the relevant standard in the Code.

Label Buster is current as of November 2013 and shows information up to and including amendment number 143 of the Code. It is recommended that you refer to the most current version of the Code for full details and note any changes.

Three separate documents have also been produced which relate specifically to the labelling and composition of meat and meat products, bread and bakery products and fish and fish products. These documents are available at www.health.qld.gov.au/foodsafety.

1. Definitions and Acronyms

Assisted service display cabinet – an enclosed or semi-enclosed display cabinet which requires a person to serve the food as requested by the purchaser e.g. deli cabinet.

Claim – an express or implied statement, representation, design or information in relation to a food or property that is not mandatory in the Code.

Food for catering purposes – includes food supplied to catering establishments, restaurants, canteens, schools, hospitals, and institutions where food is prepared or offered for immediate consumption.

Food for retail sale – food for sale to the public, and includes food prior to retail sale which is –
(a) manufactured or otherwise prepared, or distributed, transported or stored; and
(b) not intended for further processing, packaging or labelling.

FSANZ – Food Standards Australia New Zealand. FSANZ is a bi-national government agency which develops and administers the Code.

Fundraising event – an event that raises funds solely for a community or charitable cause 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.

There are no information or labelling requirements under the Code specific to foods for intra company transfer.

Lot – the quantity of food which is prepared or packed under essentially the same conditions usually –
(a) from a particular preparation or packing unit; and
(b) during a particular time ordinarily not exceeding 24 hours.

Lot identification – information which clearly identifies the premises where the food was packed or prepared, and the lot of the food in question.

Supplier – the packer, manufacturer, vendor or importer.

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

Unpackaged food – all food, other than food that is packaged at a different place to where it will be sold by retail in that package.

2. Food for retail sale

All foods for retail sale (except for those exceptions listed in section 2.1 below) must be fully labelled with all the information set out in section 5. See the example provided in Appendix 1. Certain foods are also required to provide further information, as set out in sections 6-7.

2.1 Exemptions for labelling requirements for food for retail sale [1.2.1]

Food for retail sale is exempt from certain labelling requirements where the food is:

- unpackaged
- in an inner package not designed for individual sale (excluding individual portion packs with a wrapper that has a surface area of 30cm² or more, which must contain allergen declarations)
- 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 packages that does not obscure their nature or quality (does not include sprouting seeds or similar products)
- delivered packaged and ready for consumption at the express order of the purchaser (does not include food sold from a vending machine)
- sold at a fundraising event
- packaged and displayed in an assisted service display cabinet.

Food for retail sale that is exempt from the full labelling requirements, as outlined above, must still provide the name of the food (see section 5.1.1) and directions for use and storage of the food (see section 5.5). Further information also needs to be displayed for certain foods. Table 1 provides details of what information is required in these situations.

Any required information for food in the exemption categories must be displayed on or in connection with the display of the food, or provided to the purchaser upon request [1.2.1].

Table 1.

If the food product:	Labelling requirement
contains any of the foods detailed in Table 2 of section 5.2.	Mandatory warning and advisory statements and declarations for the corresponding product in section 5.2.
makes nutrition claims such as 'low fat', 'high fibre' or 'source of calcium'.	Nutrition information panel (see section 5.6).
contains a food or ingredient that has been irradiated.	Statement about the irradiated food (see section 7.3).
contains a characterising ingredient(s) e.g. strawberry jam, and is unpackaged or packaged on the premises from which it is sold.	The percentage of that ingredient(s) (see section 5.8). Some exemptions apply to this requirement.
contains offal (kidney, brain etc.).	Declaration of the presence of offal (see document <i>Meat and Meat Products</i>).
makes a claim relating to the fat content of minced meat e.g. 'lean meat'.	Statement of the percentage of fat (see document <i>Meat and Meat Products</i>).
contains raw meat joined or formed into the semblance of a cut of meat.	Cooking instructions (see document <i>Meat and Meat Products</i>).
contains unpackaged fermented comminuted manufactured meat and/or fermented comminuted meat products.	Declaration of the type of meat (see document <i>Meat and Meat Products</i>).
contains raw fish joined or formed into the semblance of a cut or fillet of fish.	Cooking instructions (see document <i>Meat and Meat Products</i>).
contains kava.	Declaration of the presence of kava (see section 5.2).
is a kola beverage that contains added caffeine.	Declaration of the presence of caffeine (see section 5.2).
is packaged, or contains, unpackaged whole or cut fruit or vegetables, fish or fish products (includes seafood), certain meat or meat products, or a mix of these foods.	Country of origin labelling (see section 5.9).

3. Food for wholesale

Packaged food that is not for retail sale, excluding food for catering purposes and food for intra company transfer, i.e. food for wholesale, is required to bear a label containing the food identification information (see section 5.1). This information may be provided in documentation accompanying the food.

3.1 Exemptions to labelling requirements for food for wholesale [1.2.1]

Food for wholesale is exempt from the labelling requirement above where the food is:

- unpackaged
- in an inner package and the outer package bears a label with the required information
- in a transportation outer, and the inner package/s bears/bear a label with the required information, which is clearly visible through the transportation outer.

While this is the minimum amount of information that must be provided, the purchaser of the food may request further information from the supplier to enable them to comply with the labelling and compositional requirements of the Code for food for retail sale. 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, which in Queensland, is Queensland Health.

4. Food for catering purposes

In addition to the information outlined above, food for catering purposes is required to bear a label containing the following information:

- Food identification information (see section 5.1)
- Mandatory Warning and Advisory Statements and Declarations – may be provided in documentation accompanying the food) (see section 5.2)
- Date Marking (see section 5.4)
- Directions for Use and Storage (see section 5.5)
- Country of Origin (see section 5.9)
- Food Produced Using Gene Technology (see section 7.2)
- Irradiation of Food (see section 7.3).

4.1 Exemptions to labelling requirements for food for catering purposes [1.2.1]

The information specified above may be provided in documentation accompanying the food (rather than on a label), where the food is:

- not in a package
- whole or cut fresh fruit and vegetables in packages that does not obscure their nature or quality (does not include sprouting seeds or similar products)
- in an outer package where:
 - the label on the outer package includes food identification information (see section 5.1); and
 - the food in the inner package is labelled in accordance with the labelling requirements above.
- in an outer package where:
 - the name and address of the supplier is provided in documentation accompanying the food;
 - the label on the outer package includes the name of the food and lot identification; andthe food in the inner package is labelled in accordance with the labelling requirements above.

While this is the minimum amount of information that must be provided, the purchaser of the food may request further information from the supplier to enable them to comply with the labelling and compositional requirements of the Code for food for retail sale. 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, which in Queensland, is Queensland Health.

5. Labelling and other information requirements

5.1 Food identification [1.2.2]

5.1.1 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, e.g. smoked salmon [1.2.2].

Examples

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

5.1.2 Lot identification

All food labels must include lot identification.

No specific form of words is required and this requirement is usually satisfied if the product is properly date marked (see section 5.4) 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 3.1, include individual portions of ice cream or ice confection and food in small packages where the bulk package and the bulk container in which the food is stored or displayed for sale, includes lot identification.

5.1.3 Name and business address

For food recall and contact purposes, food labels must include the name and business address in Australia or New Zealand, of the supplier (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.

5.2 Mandatory warning and advisory statements and declarations [1.2.3]

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

5.2.1 Mandatory advisory statements

Mandatory advisory statements, as set out in table 2, must be displayed on the label, or for products that are exempt from full labelling (see section 3.1), displayed on or in connection with the display of the food or provided to the purchaser upon request.

Table 2.

Food product	Advisory Statement required
Bee pollen presented as a food, or a food containing bee pollen as an ingredient.	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% <i>m/m</i> fat and less than 3% <i>m/m</i> protein, or less than 3% <i>m/m</i> protein only.	Statement to the effect that the product is not suitable as a complete milk replacement for children under the age of 5 years.
Evaporated and dried products made from cereals, where these foods contain no more than 2.5% <i>m/m</i> fat and less than 3% <i>m/m</i> protein, or less than 3% <i>m/m</i> protein only, as reconstituted according to directions for direct consumption.	
Evaporated milks, dried milks and equivalent products made from soy or cereals, where these foods contain no more than 2.5% <i>m/m</i> 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 2 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.
Foods containing phytosterols, phytosterols or their esters.	Statements to the effect that - <ul style="list-style-type: none"> ■ when consuming this product, it should be consumed as part of a healthy diet; ■ this product may not be suitable for children under the age of 5 years and pregnant or lactating women; and ■ plant sterols do not provide additional benefits when consumed in excess of 3 grams per day.
Kola beverages containing added caffeine, or food containing a kola beverage containing added caffeine as an ingredient.	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% <i>m/m</i> fat.	Statement to the effect that the product is not suitable as a complete milk food for children under the age of 2 years.
Propolis presented as a food, or food containing propolis as an ingredient.	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.

5.2.2 Mandatory warning statements

Royal jelly or food containing royal jelly must be labelled with a specific warning statement as set out in the Code, or for products that are exempt from full labelling (see section 3.1), displayed on or in connection with the display of the food.

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.'

5.2.3 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:

- added sulphites in concentrations of 10 mg/kg or more.
- cereals containing gluten and their products, namely, wheat, rye, barley, oats and spelt and their hybridised strains, other than when these products are present in beer and spirits
- crustacea and their products
- egg and egg products
- fish and fish products
- milk and milk products
- peanuts and peanut products
- sesame seeds and sesame seed products
- soybeans and soybean products
- tree nuts and tree nut products (does not include coconut).

5.2.4 Advisory Statements

An advisory statement is required for foods containing polypols or polydextrose. If a food product contains any substances at the levels stated in table 3, 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 3.

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

5.2.5 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.

- representations of beverages as low alcohol, or as using the words 'non-alcoholic', 'non-intoxicating', or words of similar meaning 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 [1.2.8].
- claims about infant formula products, foods for infants, formulated meal replacements and formulated supplementary foods, and formulated supplementary sports foods may not be made unless expressly permitted by the Code [Part 2.9].

5.3 Ingredient labelling [1.2.4]

Generally, a food label must include a statement of ingredients ('ingredient' includes additives).

5.3.1 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 or oranges. 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*. Note that while 'sugar' is a generic name, 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/n must be declared.

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

5.3.2 Order of ingredients

All ingredients must be listed in descending order of ingoing weight. This means that the ingredient present in the greatest amount is listed first and so on. 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.

5.3.3 Compound ingredients

If the food contains compound ingredients (an ingredient that contains 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'.

5.3.4 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.

In the case of vitamins or minerals as substitute ingredients, the term 'vitamin or 'mineral' may be used.

5.3.5 Food Additives

In the case of food additives, the additive name must be declared in the ingredient list, in the following format:

- the class name followed by the food additive number e.g. *colour (102)*; or
- the class name followed by the full name of the additive e.g. *colour (Tartrazine)*.

However, in the case of the addition of most flavourings, the word 'flavouring', 'flavour' or the specific name or description of the flavouring may be used.

5.4 Date marking [1.2.5]

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

5.4.1 Form of 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. Example: **3 12** or **3 Dec** or **3 12 13** or **3 Dec 13**
- Foods with a shelf life longer than 3 months must show at least the month and year.
- Example: **12 13** or **Dec 13** or **3 12 13** or **3 Dec 13**

Date marks must be expressed in numerical form, except the month, which may be expressed in letters. The label on a package of food must not include any other date marking system.

5.4.2 'Use By' dates

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.

5.4.3 'Best Before' dates

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 (e.g. biscuits, confectionery, canned foods), frozen foods, most raw foods that will be cooked before eaten (e.g. meat, chicken, fish) or foods that will noticeably spoil before becoming a food safety issue (e.g. cheddar cheese).

5.4.4 '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*.

5.4.5 Storage conditions

The label on a package of food must include a statement of any specific storage conditions required to ensure that the food will keep for the period indicated by the use-by date, or the best-before date.

Examples

- Milk - 'Store below 4°C'.
- Dry biscuits- 'Store in a cool, dry place'.

5.5 Directions for use and storage [1.2.6]

The label on a package of food must include directions for the use of the food or the storage of the food, or both, if the food is of such a nature as to require the directions for health or safety reasons.

Examples

- Milk - 'Store below 4°C'.
- Frozen lasagne - 'Cook thoroughly before eating'.

5.6 Health, nutrition and related claims [1.1A.2, 1.2.7]

Nutrition, health and related claims are voluntary statements made by food businesses on labels and in advertising about the content of certain nutrients or substances in a food, or the relationship between food and health.

Under Transitional Standard 1.1A.2., health claims are not allowed on food labels and in advertising except for one relating to folate intake in women, i.e. '*increased maternal folate consumption in at least the month before and 3 months following conception may reduce the risk of having a baby with a neural tube defect, such as Spina bifida*'.

A new food Standard for nutrition, health and related claims [1.2.7] became law on 18 January 2013. Food businesses have until 18 January 2016 to make changes to ensure they are following the new rules. Until this date, health claims must comply with either Standard 1.2.7 or the Transitional Standard 1.1A.2.

The new Standard will allow food businesses to make a range of general level and high level health claims provided certain requirements are met.

However, health claims and nutrition content claims must not be made about:

- kava
- a food that contains more than 1.15% alcohol by volume, other than a nutrition content claim about energy content or carbohydrate content
- an infant formula product.

5.6.1 Health claims

Health claims refer to a relationship between a food and health. Health claims are not permitted on foods that are high in saturated fat, sugar or salt.

There are two types of health claims:

- (a) **General level health claims** refer to a nutrient or substance in a food and its effect on a health function.
For example: *'Calcium for bones and teeth'*.
- (b) **High level health claims** refer to a nutrient or substance in a food and its relationship to a serious disease or to a biomarker of a serious disease.
For example: *'Diets high in calcium and Vitamin D may reduce the risk of osteoporosis'*.

5.6.2 Nutrition content claims

Nutrition content claims indicate the presence or absence of certain nutrients or substances in the food, for example, *'low in fat'* or *'good source of calcium'*. These claims will need to meet certain criteria set out in the Standard. For example, food with a *'good source of calcium'* claim will need to contain not less than the amount of calcium specified in the Standard.

5.6.3 Related claims

Related claims are endorsements. An endorsement is a nutrition content claim or health claim that is made with the permission of an endorsing body.

5.7 Nutrition information requirements [1.2.8]

Generally, all packaged food labels must include a nutrition information panel (NIP). An exemption to the requirement for a nutrition information panel is in place for the following, except where a nutrition claim is made:

- food sold at fundraising events
- food in small packages
- fruits, vegetables, meat, poultry and fish that comprise a single ingredient or category of ingredients
- alcoholic beverages [2.7.2- 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 food that is not in one of the exemption categories or where a nutrition claim is made, the following example provides the standard format for a NIP. 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.

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

Meat pies (4 pack)

NUTRITIONAL INFORMATION		
Servings per pack: 4 Serving size – 175g (1 pie)		
	Quantity per serving	Quantity per 100g
Energy	1615kJ	923kJ
Protein	25.9g	14.8g
Fat - Total	20.7g	11.8g
- Saturated	10.1g	5.76g
Carbohydrate	23.6g	13.5g
- Sugars	1.2g	0.7g
Sodium	471mg	269mg

FSANZ has a Nutrition Panel Calculator (NPC) to help food manufacturers calculate the average nutrient content of their food products and prepare a NIP. The NPC can be found at www.foodstandards.gov.au.

5.8 Characterising ingredient declaration [1.2.10]

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

Ingredient label from a meat pie

Ingredients

Wheat flour, beef (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.

5.9 Country of origin requirements [1.2.11]

1. All packaged food must be labelled with:
 - (a) a statement on the package that identifies the country where the food was made, produced or grown; or
 - (b) a statement on the package—
 - (i) that identifies the country where the food was manufactured or packaged; and
 - (ii) to the effect that the food is constituted from ingredients imported into that country or from local and imported ingredients.
2. The following food, when unpackaged and displayed for retail sale—
 - (a) fish, including fish that has been mixed or coated with one or more other foods
 - (b) pork, beef, veal, lamb, hogget, mutton, chicken
 - (c) fruit and vegetables (this includes packaged unprocessed fruit and vegetables displayed for retail sale, whether whole or cut, where the package does not obscure the nature or quality of the food)
 - (d) a mix of any of these foods.

This includes a food that has been–

- (a) cut, filleted, sliced, minced or diced; or
- (b) pickled, cured, dried, smoked, frozen or preserved by other means; or
- (c) marinated; or
- (d) cooked.

These foods must be labelled with a statement on or in connection with the display of the food which–

- (a) identifies the country or countries of origin of the food; or
- (b) indicates that the food is a mix of local and imported foods; or
- (c) indicates that the food is a mix of imported foods.

A single sign may be used for products that have the same country of origin. For example, a butcher that only sells meat produced in Australia may display a single sign with a statement such as ‘all meat displayed in store are the product of Australia’.

5.9.1 Country of origin claims

The Australian Consumer Law is included as part of the *Competition and Consumer Act 2010*, which is enforced by the Australian Competition and Consumer Commission (ACCC). The Australian Consumer Law sets out what country of origin claims can be made, such as ‘Product of’, ‘Grown in’ and ‘Made in’ claims. There are requirements that must be met for a product to qualify for a particular claim. Information and requirements regarding country of origin claims can be found on the ACCC website www.accc.gov.au.

6. Additional labelling requirements for specific foods

The Code requires additional labelling statements for 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].

7. Foods requiring pre-market clearance

7.1 Novel Foods [1.5.1]

A ‘novel food’ is a food or component of a food that does not have a history of human consumption in Australia or New Zealand and requires an assessment of specified public health and safety considerations. Novel foods and novel food ingredients must not be sold unless specifically permitted in the Code and are compliant with any specified conditions [1.5.2].

7.2 Food produced using Gene Technology [1.5.2]

'Food produced using gene technology' means a food which has been derived or developed from an organism which has been modified by gene technology. 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 prescribed 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/ingredient/processing aid. If the food is unpackaged, the statement must be displayed on or in connection with the display of the food.

7.3 Irradiation of Food [1.5.3]

Irradiation of food is prohibited unless specifically permitted by the Code and must comply with specified conditions, 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/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.

8. Presentation of food labels

8.1 Legibility [1.2.9]

All required words, statements, or expressions provided on a food label 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.

8.2 Print sizes [1.2.9]

No specific print type or size is defined for general labelling requirements, except for country of origin and warning statements:

- For packaged food that requires a declaration of the country of origin, the declaration on the label 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 (e.g. 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 (or 1.5mm on small packages). A print size is defined in the Code for some foods where a required statement must be shown (e.g. infant formula).

8.3 False/misleading claims

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.

8.4 Altering a label [1.1.1]

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].

9. Further information

Please note this document is a brief guide to help you understand the requirements of the Code. You will find more detailed information in the Code. There are also user guides and fact sheets that are available from the Food Standards Australia New Zealand (FSANZ) website at: www.foodstandards.gov.au.

Queensland Health also has a variety of fact sheets with detailed information on food safety. These can be accessed at www.health.qld.gov.au/foodsafety.

Public Health Units are responsible for responding to enquiries and complaints regarding labelling and compositional standards of the Code. However, assessment of labels against the requirements of the Code should be referred to an independent legal adviser.

If you have any further questions relating to the labelling requirements, contact the Queensland Health Public Health Unit for the area in which you are located. Contact details for Public Health Units can be found at www.health.qld.gov.au/cho.



Appendix 1 – Example label

