



MARKET ACCESS ADVICE

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EU: Mandatory labelling changes for foods

Attention	Industries	All food commodity groups State Regulatory Authorities	
	Department of Agriculture	Central and Regional offices ATMs and FOMs OPVs and Meat inspection staff	
Affected Markets		EU Member States	
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The purpose of this Market Access Advice is to notify Australian food exporters and manufacturers that the European Union (EU) has developed a new regulation on the provision of food information to consumers ([EU Regulation 1169/2011](#)). The new law combines requirements in the two existing EU directives on labelling – Directive 2000/13/EC (labelling, presentation and advertising), and Directive 90/496/EEC (nutrition labelling).

Some of the key requirements in the new EU legislation include:

- allergen information (e.g. listing eggs, milk and/or gluten in the list of ingredients);
- ensuring that labels are legible (e.g. having a minimum size of text);
- having labels in languages understood by consumers (i.e. allows EU Member State countries to nominate languages required on labels); and
- mandatory nutrition information on processed foods.

The new rules will apply from 13 December 2014. The obligation to provide nutrition information will apply from 13 December 2016.

Timeline for implementation of this regulation

There is a transitional period in the new regulation which may allow for foods labelled prior to 13 December 2014 to be accepted by EU authorities until stocks are exhausted. While the Department of Agriculture’s understanding is outlined below, exporters are encouraged to check the details of this transitional period with their importers, as it is likely that this ruling may be interpreted differently in various EU destinations.

Exporters and manufacturers should work closely with their customers to ensure they understand the requirements so that labels on exported foods continue to comply with EU requirements.

Prior to 13 December 2014:

- All labels on food sold in the EU must comply with existing labelling EU directives (2000/13/EC and 90/496/EEC);
- Food labelled before 13 December 2014 can continue to be exported to the EU after this date, but the establishment will need to maintain robust, auditable records that demonstrate the food was, in fact, labelled before 13 December 2014.

From 13 December 2014 and up to 13 December 2016:

- Labels on food manufactured from 13 December 2014 and up to 13 December 2016 (i.e. new stock) must include all specifications in the new regulation ([EU Regulation 1169/2011](#)), but do not need to include nutritional information.
- Labels on food manufactured prior to this date can continue to comply with existing labelling EU directives.

After 13 December 2016:

- Labels on food manufactured from 13 December 2016 must include all specifications in the new regulation ([EU Regulation 1169/2011](#)), including nutritional information.

Further information

The EU has developed guidance material on these changes, including a list of frequently asked questions. This is available online at

- http://ec.europa.eu/food/food/labellingnutrition/foodlabelling/proposed_legislation_en.htm and
- http://ec.europa.eu/food/food/labellingnutrition/foodlabelling/docs/qanda_application_reg1169-2011_en.pdf.
- **Attachment 1** provides a summary of the requirements in the regulation as they apply to retail-ready finished foods and bulk-packed finished foods and a non-exhaustive list of the countries and language(s) each requires, and whether the requirement will be specified in new, special legislation or covered by existing consumer laws.

Industry has been consulted in the development of this Market Access Advice.

The information provided above is current at the time of writing and is intended for use as guidance only and should not be taken as definitive or exhaustive. The Commonwealth endeavours to keep information current and accurate, however, it may be subject to change without notice. Exporters are encouraged to verify these details with their importers prior to undertaking production/exports. The Commonwealth will not accept liability for any loss resulting from reliance on information contained in this notice.

ATTACHMENT I: ADDITIONAL INFORMATION ON NEW EU LABELLING REQUIREMENTS

Table 1: Differences in Requirements for Retail-Ready and Bulk Packed Finished Foods

Mandatory Information to be Included on Retail-Ready Finished Foods	Mandatory Information to be Included on Bulk Packed Finished Foods
<p>EU Regulation 1169/2011 includes detailed specifications for the following:</p> <ul style="list-style-type: none"> • A declaration about the presence of substances used as ingredients or processing aids identified as causing food allergies or intolerances (see table 2); • Name of the food; • List of ingredients, and quantity of certain ingredients or categories of ingredients; • Net quantity of the food; • Date of minimum durability or the ‘use by’ date; • Any special storage conditions and/or conditions of use, and instructions for use where it would be difficult to make appropriate use of the food in the absence of such instructions; • Name or business name and address of the importer ; • Country of origin or place of provenance; and • A nutrition declaration (Note: There is an extended transitional period until 13 December 2016 for providing this information). <p>Additional mandatory labelling particulars (detailed in Annex III of EU Regulation 1169/2011) apply to pre-packed foods that:</p> <ul style="list-style-type: none"> • are packaged under modified atmospheric conditions; • contain sweeteners; • contain liquorice; • contain caffeine; • contain phytosterols, phytosterol esters, phytostanols or phytostanol esters; and • are frozen meat, meat preparations and fishery products (freeze dates). 	<p>EU Regulation 1169/2011 includes detailed specifications for the following:</p> <ul style="list-style-type: none"> • A declaration about the presence of substances used as ingredients or processing aids identified as causing food allergies or intolerances (see table 2). • Information that is required to be on labels of retail-ready finished foods should be provided to importers so it can be displayed on labels when the food is packaged for sale or consumption. • Member States may develop National legislation that requires labels of bulk packed finished foods to include information required on labels of retail-ready finished foods.

Note: If the foodstuff is a beverage which contains more than 1.2% alcohol by volume, the actual alcoholic strength by volume must be included.

Table 2: Substances Used as Ingredients or Food Manufacture Identified in [EU Regulation 1169/2011](#) as Causing Food Allergies and Intolerances

<ul style="list-style-type: none"> • Eggs and egg products; • Milk and milk products (some minor exceptions); • Crustaceans and crustacean products; • Fish and fish products (some minor exceptions); • Molluscs and mollusc products; • Cereals containing gluten (some minor exceptions); • Lupin and lupin products; • Mustard and mustard products;
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- Sesame seeds and sesame seed products;
- Soybeans and soyabean products (some minor exceptions);
- Nuts and nut products, namely: peanuts, almonds, hazelnuts, walnuts, cashews, pecan nuts, Brazil nuts, pistachio nuts, macadamia or Queensland nuts (some minor exceptions);
- Celery and celery products;
- Sulphur dioxide and sulphites at concentrations of more than 10 mg/kg or 10 mg/litre in terms of the total SO₂ which are to be calculated for products as proposed ready for consumption or as reconstituted according to the instructions of the manufacturers.

Table 3: Known EU Language Requirement for Mandatory Labelling Information
(Current as at 12 September 2014)

EU Member States and European countries adopting EU requirements	Labelling language	New National legislation implemented to define required language(s) on labels
AUSTRIA	German	YES
BELGIUM	Dutch, French, German	NO
BULGARIA	Bulgarian*	Unconfirmed
CROATIA	Croatian (& Latin script)	YES
CYPRUS	Greek	YES
CZECH REPUBLIC	Czech	YES
DENMARK	Danish*	Unconfirmed
ESTONIA	Estonian	YES
FINLAND	Finnish, Swedish	YES
FRANCE	French*	Unconfirmed
GERMANY	German	YES
GREECE	Greek*	Unconfirmed
HUNGARY	Hungarian	NO
ICELAND	Icelandic	Unconfirmed
IRELAND	English	YES
ITALY	Italian*	Unconfirmed
LATVIA	Latvian	YES
LITHUANIA	Lithuanian	YES
LUXEMBOURG	French, German, Luxemburgois	NO
MALTA	Maltese*	Unconfirmed
MACEDONIA	Macedonian	Unconfirmed
NORWAY	Norwegian	NO
NETHERLANDS	Dutch*	Unconfirmed
POLAND	Polish	YES
PORTUGAL	Portuguese*	Unconfirmed
SLOVAKIA	Slovak*	Unconfirmed
SPAIN	Spanish	YES
SLOVENIA	Slovenian language	YES
SWEDEN	Swedish, Norwegian, Danish	YES
SWITZERLAND	French, German, Swiss, Italian*	Unconfirmed
UNITED KINGDOM	English	NO

* No official confirmation has been provided to the Department of Agriculture. Exporters should clarify language requirements through commercial channels