

Food Information to Consumers Regulation (EU 1169/2011)

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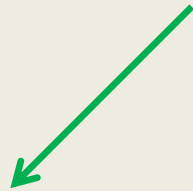
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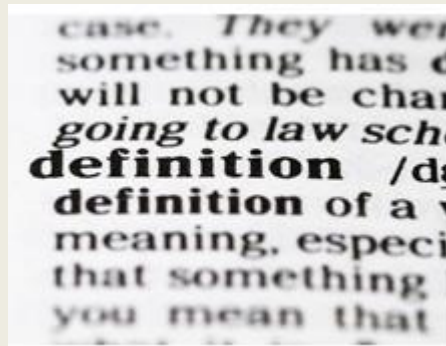


Definition

‘Food information’ means information concerning a food and made available to the final consumer by means of a label, other accompanying material, or any other means including modern technology tools or verbal communication.



e.g.
distance
selling



General Principles

The core objective of the current rules that food information must not be misleading is maintained in the new Regulation.

The new legislation expands on the ways in which food information could be considered misleading

e.g. by attributing to the food effects or properties which it does not possess;



Applies to?

- Applies to FBO at all stages of the food chain, where their activities concern the provision of food information to consumers. ✓
- Applies to all foods intended for the final consumer, including foods delivered by mass caterers, and foods intended for supply to mass caterers. ✓
- Applies to catering services provided by transport undertakings when the departure takes place on the territories of the Member States to which the Treaties apply. ✓



When do I need to comply??



*with the exception of mandatory nutrition declaration (13th December, 2016) & specific requirements regarding the designation of minced meat (1st January, 2014)

When do I need to comply??

Foods placed on the market or labelled prior to 13th December, 2014 which are compliant with the existing rules but which do not comply with the requirements of the new Regulation may be marketed until the stocks of the foods are exhausted.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Mandatory Information

- a. Name of the food ← See Annex VI
- b. List of ingredients ← See Annex VII
- c. Allergens
- d. Quantity of certain ingredients
- e. Net quantity
- f. Date of minimum durability/'use by'
- g. Special storage conditions and/or conditions of use
- h. Name and address of seller in EU
- i. Country of origin or place of provenance where provided for in Article 26
- j. Instructions for use
- k. Alcoholic strength
- l. Nutrition declaration



Article 10

In addition to the particulars listed in Article 9(1), additional mandatory particulars for specific types or categories of foods are laid down in Annex III.

- e.g. foods containing sweeteners, Beverages with high caffeine content or foods with added caffeine



Business to Business

All food information required by Article 9 and Article 10 must also be passed along the B2B supply chain with bulk quantities of prepacked foods. This food information must be contained* on

- (i) the prepackings itself or
- (ii) attached labels, or
- (iii) on the commercial documents referring to the foods where it can be guaranteed that such documents either accompany the food to which they refer or were sent before or at the same time as delivery



Scenarios

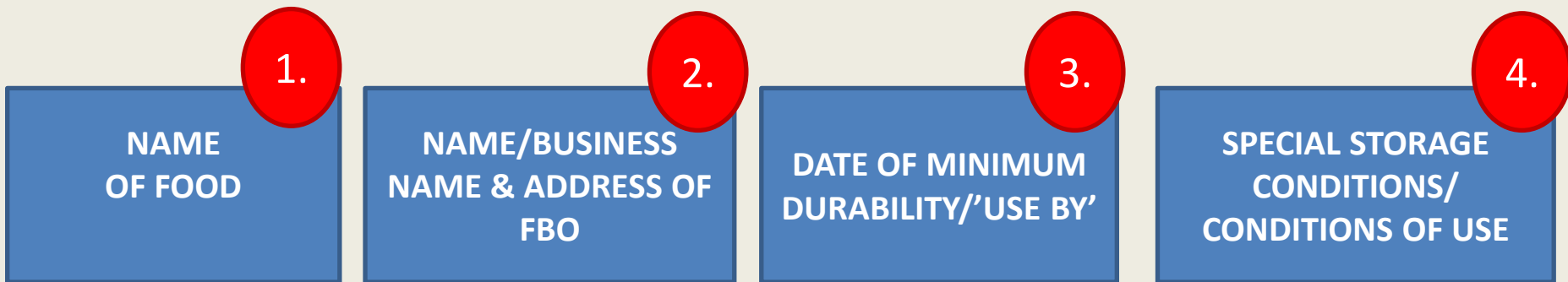
Where prepacked food is intended for the final consumer but marketed at a stage prior to sale to the final consumer and where sale to a mass caterer is not involved at that stage;
e.g. producer to wholesaler

or

Where prepacked food is intended for supply to mass caterers for preparation, processing, splitting or cutting up.

Mandatory particulars required under Articles 9 & 10 can be provided on prepackaging, attached label, commercial document.

EXTERNAL PACKAGING REQUIREMENTS



Minimum Font Size

All mandatory labelling must be given in minimum font size

- “x height” of 1.2mm

Exemption for smaller packs where largest surface area less than 80cm²

- “x height” = 0.9mm

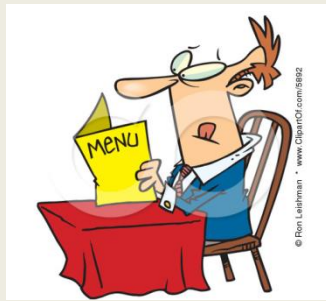
X Height




Allergens

- From 13th December 2014, the requirement to declare the use of specific ingredients or processing aids that cause food allergies or intolerances will be extended to non-prepacked food.
- Allergens - See Annex II of Regulation
Nuts, Peanuts , Sesame Seeds, Milk, Cereals containing gluten, Eggs, Fish, Crustaceans, Molluscs, Soybeans, Sulphur Dioxide and Sulphites (at concentrations exceeding 10 ppm), Mustard, Celery, Lupin

.....must be declared where they have been used in the manufacture or preparation of a food and are still present in the finished product, even if in an altered form.
- Rules on the means by which this information must be made available to the consumer for foods sold loose, must be introduced by each Member State.



FSAI Consultation

Title of Proposal	Consultation Details	Consultation Documents	Closing Date
Information relating to food allergens in non-	 Information note	Consumer Questionnaire Food Business	Tuesday June, 4th 2013
Preferences for providing food allergen information with non-prepacked foods: <i>A. Prepared meals consumed in catering establishments (e.g. restaurant, pub, canteen). Indicate ord</i>			
Allergens listed alongside individual menu items	<input type="checkbox"/>		
General allergen information provided on menu	<input type="checkbox"/>		
Allergen information in clear view for customers on the premises	<input type="checkbox"/>		
Allergen information provided on advertising material	<input type="checkbox"/>		
Additional preferences:	<input type="text"/>		

Allergens – B2B

Allergens should..

be indicated in the list of ingredients with a clear reference to the name of the allergenic substance/product; and

the name of the allergenic substance or product, must be emphasised through a typeset that clearly distinguishes it from the rest of the list of ingredients.

e.g. Lasagne

Cooked Pasta (Durum **Wheat** Semolina, Water) Beef (14%), Reconstituted Whey Powder (**Milk**), Onion, Tomato Puree, Water, **Celery**, Tomato, **Milk**, Cornflour, Carrot, Mushroom, Reduced Fat Cheddar **Cheese**, **Wheat** Flour, Garlic Puree, Salt, Basil, Caramelised Sugar, Oregano, Anti-caking Agent (Potato Starch), Black Pepper, Bay Leaf, Nutmeg.

Allergy Advice For allergens, including cereals containing gluten, see ingredients in **bold**.



Nutrition Information

CURRENT

Changes

NEW

Energy
Protein
Carbohydrate
Of which sugars
Fat
of which saturates
Fibre
Sodium
Salt equivalent

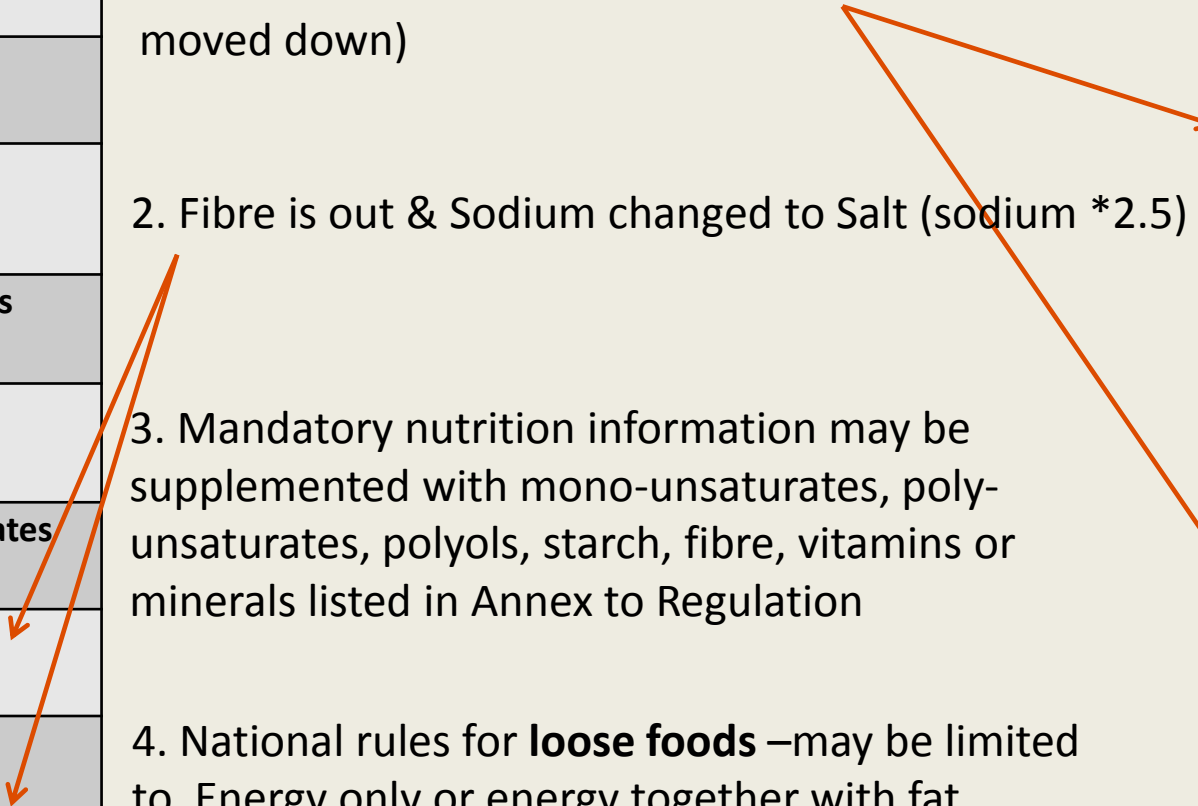
1. Order is Shuffled (Fat after energy, protein moved down)

2. Fibre is out & Sodium changed to Salt (sodium *2.5)

3. Mandatory nutrition information may be supplemented with mono-unsaturates, poly-unsaturates, polyols, starch, fibre, vitamins or minerals listed in Annex to Regulation

4. National rules for **loose foods** –may be limited to Energy only or energy together with fat, saturates, sugars and salt.

Energy
Fat
Of which Saturates
Carbohydrates
Of which sugars
Protein
Salt



Nutrition Information

- From 13th December, 2016, nutrition information will be mandatory (B2B)
- For food businesses who provide nutrition information on a voluntary basis between 13th December, 2014 and 13th December, 2016, the declaration must comply with the new Regulation.
- There are a number of foodstuffs which are exempt from the mandatory requirement to provide nutrition information and these are listed in Annex V to the Regulation.
- Includes unprocessed products that comprise a single ingredient or category of ingredients, herbs, spices, salt etc. Also included in the exemption is food, including handcrafted food directly supplied by the manufacturer of small quantities of products to the final consumer or to local retail establishments directly supplying the final consumer.



Country of Origin (COOL)

- With certain exceptions (e.g. beef), COOL is currently only mandatory **when its absence might mislead consumers.**
- Changes/potential changes under FIR

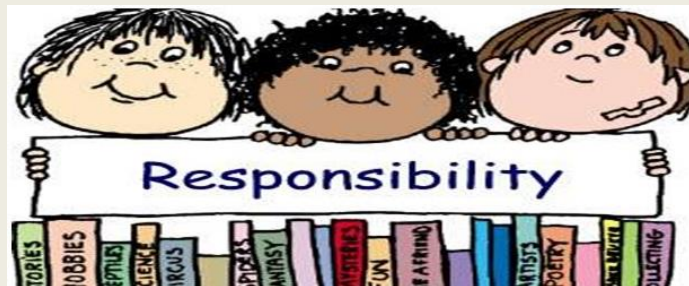
Type	Topic	Req'd	Deadline	Update
Rules	On Origin for meat of pigs, sheep, goats and poultry	Yes	Dec. 13	April 2015 implementation deadline
Rules	On Origin of “primary ingredients” (defined as representing more than 50% of the food) when different from COO	Yes	Dec. 13	
Report	On Origin of meat as an ingredient	Yes	Autumn. 13	Not proceeding currently
Report	On Origin of certain other foods (milk used as an ingredient in dairy products, unprocessed foods, single ingredient foods, ingredients that represent > 50% of a food.	Yes	Dec. 14	

Responsibility

FBO responsible is the operator under whose name or business name the food is marketed. If imported into the EU then it's the importer.

FBOs must ensure that information relating to non-prepacked food must be transmitted to the FBO receiving the food to enable the provision of food information to the final consumer.

FBOs supplying other FBOs not supplying the final consumer must ensure those FBOs are provided with sufficient information to enable them to meet their obligations



Links

Food Information to Consumers Regulation (EU 1169/2011)

http://www.fsai.ie/uploadedFiles/Reg1169_2011.pdf

European Commission Working Group Q&A

http://ec.europa.eu/food/food/labellingnutrition/foodlabelling/docs/qanda_application_reg1169-2011_en.pdf

FSAI website

http://www.fsai.ie/legislation/food_legislation/labelling_presentation_advertising_foodstuffs/general_labelling_provisions/food_information.html

DEFRA guidance (UK)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/82663/consult-fic-guidance-20121116.pdf

