

*Guide to the*

# LABELLING OF PACKAGED FOOD

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*for retail sale*

JULY 2004



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# Food Labelling

## INTRODUCTION

This is a guide to the labelling requirements of the Australia New Zealand Food Standards Code ("the Code") that has been adopted into food law by all Australian States and Territories.

The guide is designed to assist small business prepare basic food labels for retail sale that do not include claims or statements that may be regulated or require additional information.

Where claims or statements are made or labelling requirements apply to specific foods then reference must be made to the Code for further information.

The guide is not intended as a detailed reference to all requirements and exceptions that may apply or as a substitute for independent legal advice.

Copies of the Food Standards Code can be obtained from the Food Standards Australia New Zealand (FSANZ) at:

[www.foodstandards.gov.au](http://www.foodstandards.gov.au)

## Updates for this guide

An electronic copy of this guide can be found on the Department of Health website by following the Food link at:

[www.dh.sa.gov.au/pehs](http://www.dh.sa.gov.au/pehs)

Updates since the last printed edition will also be identified on this website.

## Notes

- A reference in this guide to a *small package* means a package with a total surface area of less than 100cm<sup>2</sup>
- A reference in square brackets eg [1.2.1] refers to the relevant standard in the Code.

## WHAT FOODS MUST BE LABELLED?

All foods for retail sale must be labelled except for:

- food not in a package
- food in an inner package not designed for sale without an outer packaging that shows the required information
- food made and packaged on the premises from where it is sold
- food packaged in the presence of the purchaser
- whole or cut fresh fruit and vegetables in packaging that does not obscure the nature or quality of the food (this does not include sprouted seeds or similar products)
- food delivered packaged for immediate consumption at the express order of the purchaser
- food sold at a fund raising event. [1.2.1]

Where these exceptions apply to *genetically modified foods, irradiated food, fermented comminuted manufactured, and processed meats, kava, royal jelly or foods containing offal* then written information defined in the Code must be shown on the label or in connection with the displayed food.

## WHAT MUST APPEAR

### 1. The name of the food

Packaged 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. Foods with prescribed names include:

*Various fermented comminuted meat products*

*Formulated meal replacements,*

*Formulated supplementary food*

*Formulated supplementary food for young children*

*Formulated supplementary sports food*

*Infant and Follow-on formulas*  
*Honey*

Where the name of a food is not defined as a *prescribed name* then the label must show a name or description that indicates the true nature of the food. [1.2.2]

### 2. Premises and lot identification

Generally, food labels must contain information identifying the premises where the food was packed or prepared and the lot (batch). A lot usually includes food prepared or packed within a period not exceeding 24 hours.

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

### 3. The 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, street name, town or suburb and State.

A post office box or similar postal address is not sufficient. [1.2.2]

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## 4. Mandatory warning and advisory information

Mandatory advisory statements must be displayed on the labels of foods that contain:

- aspartame
- quinine
- guarana or extracts of guarana
- phytosterol esters or tall oil phytosterols
- lactitol, maltitol, xylitol, mannitol, sorbitol, erythritol, isomaltol, and polydextrose above certain limits

- bee pollen and propolis

Mandatory advisory statements are required on:

- kola drinks with added caffeine
- unpasteurised milk and unpasteurised liquid milk products
- unpasteurised eggs and egg products
- some milks, beverages, evaporated and dried milks and equivalent products *made from soy or rice*.

A defined mandatory warning statement is required on:

- Royal jelly or food containing royal jelly [1.2.3]

## 5. Ingredient labelling

With some exceptions food labels must include a statement of ingredients (the term ingredient includes additives).

Exceptions apply to *alcoholic beverages; small packages; milk and cream products in foil top glass bottles and where the name of the food is a full list of all the ingredients*. [1.2.4]

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

These ingredients are *cereals containing gluten, crustacea, egg, fish, milk, tree nuts, sesame*

*seed, peanuts, soybeans, and sulphite additives when present at more than 10mg/kg.*

Declaration of these ingredients and their products applies to all foods including the exceptions to ingredient labelling above and to the labelling of portion packs contained inside an outer package if the portion pack has a surface area greater than 30cm<sup>2</sup>.

[1.2.3]

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

If a food contains a compound ingredient (an ingredient made from other ingredients) the ingredients in that compound ingredient can be shown either individually in the list *or* listed in descending order immediately after the name of the compound ingredient. For example ...

Milk chocolate (sugar, milk solids, cocoa butter, emulsifier 476, flavour).

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

In the case of some ingredients, it is sufficient to state the generic name of the food. For example,

the term *fruit* can be used in place of a mixture of *bananas, oranges and cherries* used in a food. This generic listing of food ingredients may be used for *cheese, cocoa butter, crystallized fruit, gum bases, herbs, meat, milk protein, milk solids, poultry meat, spices, vegetables* or *fruit and sugar*. The term *sugars* must not be used.

Specific conditions apply to the use of following generic terms:

- the terms *cereals* or *starch* must be accompanied by the specific name of the cereal used
- the term *nuts* must be accompanied by the specific name of the nut
- the terms *fats* and *oils* must be qualified as being of vegetable or animal origin. If a fat or oil is from peanut, soy or sesame seed, that source must be declared. The source of animal fats used in dairy products must be declared
- the term *fish* may be used provided the ingredient does not include *crustaceans* which must be separately declared.

So the consumer is not misled about the nature of an ingredient, the ingredient name may need to be qualified. For example ...

cheese powder or dried vegetables.

In the case of a food additive, the additive name must be declared either by reference to its class name followed by the food additive number, or by the class name followed by the full name of the additive. For example ...

Colour (102) *or*  
Colour (Tartrazine)

The addition of flavouring must be declared as Flavouring or Flavour or alternatively using the specific name or description of the flavouring. Where the

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additives 620, 621, 622, 623, 624, 625, 627, 631, or 635 are used as flavouring their presence must be declared using the code number or additive name.

The addition of *caffeine* to any food must be declared.

If a food additive does not have a defined class name, then it must be declared by the use of its prescribed name.

Where from time to time a food ingredient or an additive is replaced with another food or another additive serving the same function, both can be listed provided it is clear that a substitute or alternative ingredient or additive is being declared. For example the ingredient list might state *safflower or sunflower oil* as alternative ingredients depending on availability. [1.2.4]

An ingredient, processing aid or additive produced using gene technology may require the declaration *genetically modified* to be shown in conjunction with the name of the ingredient, processing aid or additive. For example soy protein isolate (genetically modified). An exception to this requirement applies to highly refined foods, processing aids or additives from which the genetic material has been removed. It is not required to declare flavours produced using gene technology if added in a concentration of less than 1g/kg in the final food. [1.5.2]

If a food contains an ingredient that has been irradiated then this must be declared as a separate statement on the label or in the ingredient list, for example ... Herbs (irradiated). [1.5.3]

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

## 6. Date mark

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

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

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

Examples of where BEST BEFORE would be used include 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 unsafe.

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.

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.

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. [1.2.5]

## 7. Health and safety advice

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

specific statements that must appear on packaged raw *bamboo shoots* and *sweet cassava* [1.2.6]

## 8. Nutrition information panel

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

Provided *no* nutrition claims are made then exceptions to this requirement for a panel are allowed for *foods sold at fundraising events; small packages; fruits, vegetables, meat, poultry or fish sold as single ingredients; standardised alcoholic beverages; herbs and herbal infusions, spices; vinegar; salt; tea and coffee; gelatine; defined additives or processing aids; water including mineral and spring water; jam setting compound; kits for producing alcoholic beverages, kava or sandwiches, rolls, bagels and similar products.*

For foods that are not exempt the example label in this guide provides the format for a standard nutrition information panel.

In the panel the words *servicing size* may be replaced with the words slice, pack, or package or other common unit of measure including metric cup or metric tablespoon.

The FSANZ website provides an online calculator to assist with calculating nutrition information panel values for each nutritional property.

Food that needs to be reconstituted or food that is drained before consumption must clearly indicate that the values in the panel are for the reconstituted or drained food.

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

For claims about *cholesterol, fatty acids, fibre, sugars and*

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*carbohydrates* the Code sets out additional information that must also be shown in the panel.

Where a nutrition claim is made on a small package the Code defines the information about the claim that must be shown.

Nutrition claims about *poly-unsaturated, monounsaturated or omega fatty acids, low joule foods, lactose, gluten, salt sodium or potassium* may not be made unless the claims comply with conditions defined in the Code.

Information about the percentage daily intake of a nutrient *may* also be included in the panel. The format for displaying this additional consumer information is provided in the Code. [1.2.8]

## 9. Characterising ingredients (percentage labelling)

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

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

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

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

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

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

The requirement for a packaged food to show the percentage of

characterising ingredient does not apply to:

- food 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 fund raising events
- food in small packages
- infant formula
- cured dried meat flesh
- single ingredient foods
- alcoholic beverages [1.2.10]

## 10. The country of origin

The label must include a statement that identifies the country in which the food was made or produced.

The country of origin statement is met if the name and address of the manufacturer is shown and the address includes the country of origin. For example ...

20 Main St, Adelaide,  
South Australia.

If some of the ingredients do not originate from the country where the food was packed for retail sale a statement indicating the food is made from imported or local and imported ingredients must be included.

Specific additional country of origin requirements apply to *fruit juice, orange juice, fruit drinks and imported spirits*.

[1.1A.3]

### WHAT MUST NOT APPEAR

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

For example pictures or graphics on a label suggesting how the food can be prepared may need to be accompanied by qualifying

information such as **RECIPE, SERVING SUGGESTION** or other statement to ensure the consumer is not misled about the contents of the package.

Except as permitted by the Code the following health related claims are prohibited:

- claims for therapeutic and prophylactic action or any similar claims
- words, statements, claims and expressions which could be interpreted as advice of a medical nature from any person
- the word *health* or any other similar words when used as part of, or in conjunction with the name of a food.
- the name of, or any reference to any disease or physiological condition. [1.1A.2]

## Regulated Statements

In addition to the information set out previously, the following is an brief outline of some other regulated claims and requirements that may apply.

- The use of the terms *non-alcoholic, non-intoxicating and low alcohol* or similar representations are regulated.
- Foods, including alcoholic beverages that contain more than 1.15% alcohol must be labelled **CONTAINS X% ALCOHOL BY VOLUME** or with words of similar effect.
- Low alcohol beverages containing more than 0.5% but less than 1.15% alcohol must be labelled **CONTAINS NOT MORE THAN X% ALCOHOL** or with words of similar effect.
- A beverage that contains more than 0.5% alcohol must be labelled with a statement showing the number of standard drinks. More information is provided in the guideline, *Standard*

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*drinks labelling requirements for alcoholic beverages.*

- Claims or statements about a vitamin or mineral may not be made except as permitted by the Code.

Where a permitted claim or statement is made the label must show additional information about the vitamin or mineral using the format defined by the Code.

- Claims about *electrolyte drinks, infant formulas, foods for infants, formulated supplementary sports foods* are regulated.

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

*Food containing meat or offal*

*Minced meat (where reference to fat content is made)*

*Fermented comminuted processed and manufactured meats*

*Formed meat or formed raw fish products*

*Fruit or vegetable juice blends*

*Edible oils*

*Electrolyte drink*

*Kava*

*Formulated caffeinated beverages*

*Foods for infants and Infant & Follow-on formulas*

*Formulated meal replacements, supplementary foods and supplementary sports food*

*Reduced sodium salt*

*Skim milk, modified milk and condensed milks*

- Foods that have been irradiated must include a statement that the food has been treated with ionising radiation. For example ...

Treated with Ionising Radiation or Irradiated (name of food).

## Legibility and Print size

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

No specific print size or type is defined for most labelling statements, however, the information must be set out legibly and prominently and be in a distinct contrast to the background. [1.2.9]

A type size of 3mm or 1.5mm on small packages is required for warning statements and statements on *infant formula and condensed, modified or skim milk*.

## Further information

User guides and fact sheets that provide a more detailed interpretation of the Code can be found under the *Assistance for Industry* heading on the FSANZ website.

[www.foodstandards.gov.au](http://www.foodstandards.gov.au)

These guides include:

- Information required for foods exempt from bearing a label
- Country of origin statements
- Warning and advisory statements
- Ingredient labelling
- Food additives
- Legibility requirements
- Date marking
- Nutrition information panels
- Genetically modified foods
- Labelling legibility
- Flavouring and flavour enhancers
- Percentage labelling
- Representations about food

Information can also be obtained from the:

*Food Section,*  
Environmental Health Service,  
Department of Health,  
Level 2, 150 Grenfell Street,  
Adelaide 5000.

Telephone: (08) 8226 7100

[www.dh.sa.gov.au/pehs](http://www.dh.sa.gov.au/pehs)

A copy of the guide to standard drinks labelling for alcoholic beverages is available from this web site.

## Other food labelling legislation

For enquiries concerning:

- *Weights and measures.*

Please contact:

Trade Measurement,  
8 West Thebarton Road,  
Thebarton

Telephone: 8234 2036.

- *Beverage container deposit legislation.*

Please contact:

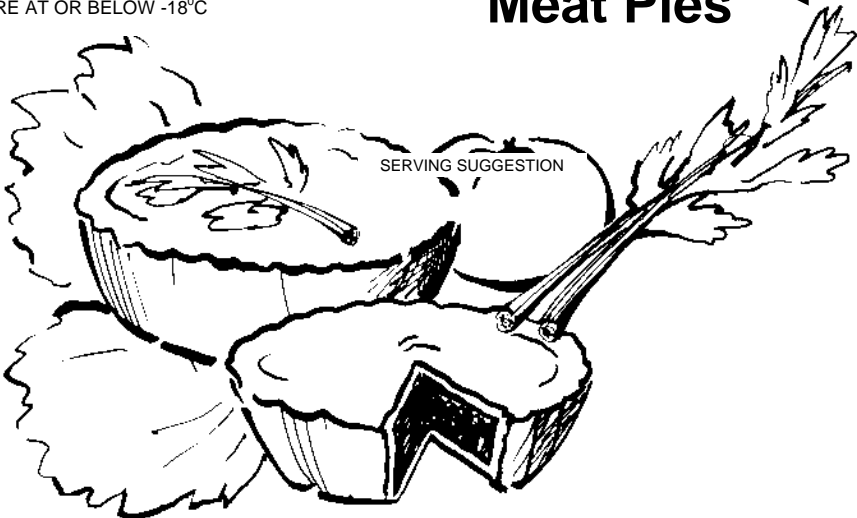
Environmental Protection  
Authority,  
77 Grenfell St,  
Adelaide

Telephone: 8204 2000.

Before claims or additional statements are made reference must be made to the Code for any prohibitions or conditions that may apply.

**BEST BEFORE 09 DEC 04**  
STORE AT OR BELOW -18°C

**Meat Pies**



SERVING SUGGESTION

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

All values are average quantities

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

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

700g

Date Mark and Storage conditions

Name of the food

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

Weights and measures requirements

Nutrition information panel.  
The panel must indicate that the values are average quantities or if some or all the values are minimum or maximum quantities indicate those values that are minimum or maximum quantities.

Business name and address.  
Where the name and business address of the manufacturer is shown and this includes the name of the country this is taken to identify the country where the food was made or produced.