

Legibility Requirements for Food Labels

User guide to Standard 1.2.9 – Legibility Requirements

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Background

In this user guide, the ‘old Code’ means Volume 1 of the *Food Standards Code* (the *Australian Food Standards Code*). The ‘new Code’ means Volume 2 of the *Food Standards Code* (the *Australia New Zealand Food Standards Code*). The ‘New Zealand regulations’ means the *New Zealand Food Regulations 1984*.

In adopting the new Code in November 2000, the Ministerial Council agreed to a two-year transition period. After this, the new Code will replace both the old Code and the New Zealand regulations.

During this two-year phase-in period, foods in Australia may comply with either the old Code or the new Code (but not a combination of these). In New Zealand, foods may comply with the old Code or the new Code or the New Zealand regulations (but not a combination of these).

After this, the old Code and New Zealand regulations will be repealed and all food sold in Australia and New Zealand will have to comply with the new Code.

The new Code will mean changes in the way manufacturers and retailers make and present food for sale.

The Australia New Zealand Food Authority (ANZFA) has developed this user guide, in consultation with Australian and New Zealand government and industry representatives, to help manufacturers and retailers interpret and apply Standard 1.2.9 – Legibility Requirements in the new Code. The guide may also be used by food officers to help interpret food standards in the new Code.

This user guide, unlike the standard itself, is not legally binding. If in any doubt about interpreting the standards, you should seek independent legal advice.

As well as complying with food standards requirements, you must also continue to comply with other legislation. In Australia, this legislation includes the *Trade Practices Act 1974*, the *Imported Food Control Act 1992*, and State and Territory Fair Trading Acts and Food Acts. In New Zealand, this legislation includes the *Food Act 1981* and *Fair Trading Act 1986*.

Purpose

This user guide is intended to help retailers, manufacturers and other users interpret the requirements of Standard 1.2.9 – Legibility Requirements.

It discusses ways of making information that must be included on a food label as easy to read as possible. If labels are easy to read, this will enable consumers to be better informed about products they choose to buy.

What has changed?

The old Code and the New Zealand regulations contain many provisions specifically identifying and regulating key legibility criteria, such as standard type and type size, placement of information, uniform colour and type of font. These criteria are no longer specifically prescribed in the new Code except for warning statements.

The new Code requires that each word, statement, expression, or design ('information') required to be contained, written or set out in a label must be legible and prominent such as to afford a distinct contrast to the background and must be in English.

What are the legibility requirements?

Any information required in or on a food label needs to comply with legibility requirements.

The new Code requires that all food labels must present information so that it is:

- **legible**, and
- **prominent** (such as to afford a distinct contrast to the background), and
- **in English**.

This is a common-sense approach that allows manufacturers flexibility in label presentation but requires them to ensure that the information is clearly and readily accessible to the consumer.

Additional legibility requirements apply to warning statements. These are discussed later in the guide. (See *What are further requirements for warning statements?*)

What makes information legible?

In order to be legible, information on food labels should be:

Indelible—Printing that under normal conditions of use and storage fades, runs, or is rubbed off would no longer be legible or prominent. A label with such printing would not comply with Standard 1.2.9.

Distinct—Decorations and embellishments such as logos should not interfere with the legibility of the words on the label. Text printed on complex or pictorial or otherwise multicoloured backgrounds is unlikely to be adequately legible in many cases.

Easy to read—The use of all lower case or all capitals is not prescribed in the new Code as it has been in the past. However, statements in sentence or title case are usually easier to read than statements in upper case or in mixed case.

Example

This is Title Case.

This is sentence case.

thIS IS mIXeD CasE.

THIS IS UPPER CASE.

A minimum size of type is no longer required for most information required to be on food labels. It is up to the manufacturer to determine which type size is best for such information, provided the label is legible.

A minimum type size of 1.5 millimetres (mm) was previously required to ensure information was legible. However, with advances in printing technology and increased resolution of printing, it may be possible that print size a little smaller than 1.5 mm is legible.

Some groups of consumers, particularly the elderly, find larger type easier to read. Given that Australia has an ageing population manufacturers may wish to use a larger type size where possible.

Other considerations

Apart from the design of the label, there are external factors that may affect legibility. For example, the conditions under which the product is made available for retail sale, the suitability of lighting, and the placement of the product on supermarket shelves may contribute to the ease with which a consumer can read food labels. The effects of these external factors make it difficult to determine precise criteria for label legibility to apply in all situations.

What makes information prominent?

In order to be prominent, words, statements, expressions or designs required to be on food labels should stand out so as to be easily seen by prospective purchasers.

In seeking to ensure the prominence of prescribed information on food labels, manufacturers should consider the following:

- where to place the information
- how to make it noticeable.

Placing information

The position of information contained, written, or set out in a label is not prescribed by the new Code. However, manufacturers may wish to consider placing required information so that it falls within the same field of vision, e.g. by placing the 'alcohol by volume' statement near the standard drinks information on the label of an alcoholic beverage, or placing the ingredient list near any required warning or advisory statement or declaration on the label of a food. In recent consumer surveys conducted by the United Kingdom Food Standards Agency (*Better Food Labelling – Written Responses*, 2000), consumers suggested that all the legally required label information should be together on the front of a product pack. This finding is consistent with labelling regulations in many countries that require certain information to be placed so that it falls within the same field of vision.

Other regulations may also impose conditions on the positioning or placement of certain information. For example, in Australia the positioning of some information on a food label is prescribed in the *Trade Measurement (Pre-Packed Articles) Regulations* in some States and

Territories. Regulations are generally available in hard copy from government bookshops, or may be downloaded from the internet (either from the relevant State/Territory government website or a general legal website such as Austlii at www.austlii.edu.au).

Making information noticeable

You can make the most important information more noticeable by highlighting it using contrasting colours, borders, larger print size or other distinctive print. The use of line spacing, type justification and the segmenting of text can also make information more noticeable.

Some manufacturers, for example, use bold face type in the ingredient list for ingredients that may cause allergies in susceptible people, in order to make these ingredients stand out.

Manufacturers have the option of highlighting certain words or statements on food labels, provided that making some words or statements more noticeable does not constitute misleading or deceptive conduct under trade practices legislation. In an assessment of whether conduct is misleading or deceptive, the entire label would be taken into consideration.

What determines a distinct contrast to the background?

The new Code requires information that must appear on a food label to be set out legibly and prominently so as to afford a distinct contrast to the background. For instance, uniform colour contrasting strongly with a uniform background aids legibility, e.g. all black type on a yellow or beige background. However, colour contrast is not specifically prescribed by the new Code, as there are cases where other forms of distinct contrast are possible, such as where information is embossed.

When you seek to ensure that information on a label is legible and prominent so as to afford a distinct contrast to the background, it is important to remember that some people are colour-blind and cannot distinguish between certain colours. For example, people with the most common form of colour blindness find it difficult to distinguish between red and green; others may find it difficult to distinguish blue from green.

Can I include information in languages other than English?

All the labelling information required by the new Code must be in English. Information in other languages is permitted on a label on a package of food or in association with a display of food, so long as the information does not negate or contradict the information on the label in English.

What are the further requirements for warning and other statements?

Warning statements: Certain warning statements are required to be expressed on the label of packages of specific foods.

The words for each warning statement are prescribed and **must** be written on the label using the text required under the new Code.

For most packages, each letter or numeral must be at least 3 mm in size when measured from the base to the top of the letter or numeral. Separate requirements apply to small packages. (See *Warning statements on small packages.*)

Manufacturers may choose the type and style of lettering of a warning statement, ensuring that the statement is legible and prominent so as to afford a distinct contrast to the background.

Advisory statements or mandatory declarations: The new Code also requires information to be provided about certain foods and substances in the form of mandatory declarations or advisory statements. The new Code does not prescribe exact wording or a minimum type size for these statements. Where such statements are required, in presenting them manufacturers must comply only with the general legibility requirements of Standard 1.2.9.

Standard 1.1.1 – Preliminary Provisions—Application, Interpretation and General Prohibitions defines warning statements and lists where they are found throughout the new Code.

Clause 3 of Standard 1.2.9 – Legibility Requirements prescribes minimum type size for warning statements on the label on a package of food.

Clause 1 of Standard 1.2.9 defines ‘size of type’.

Provisions regarding warning and advisory statements are set out in Standard 1.2.3 – Mandatory Warning and Advisory Statements and Declarations and in other specific standards throughout the new Code.

For specific information on what mandatory warning statements and declarations are required, see ANZFA's user guides on:

- Warning and Advisory Declarations,
- Information Requirements for Food Exempt from Bearing a Label, and
- Overview of Food Labelling.

Warning statements on small packages

Because of their small size, small packages are permitted to have warning statements written in a minimum type size of 1.5 mm. A small package is a package with a surface area of less than 100 cm².

Subclause 3(b) of Standard 1.2.9 specifies minimum type size for warning statements on small packages.

Clause 1 of Standard 1.2.1 – Application of Labelling and Other Information Requirements defines small packages.

For further information requirements for small packages see ANZFA's user guide on an overview of food labelling.

Where can I get more information?

For more information on the new standards call the:

Standards Information Unit

1300 652 166 (Australia)

0800 441 571 (New Zealand), or

Email: advice@anzfa.gov.au

Further reading

Better Food Labelling – Written Responses, 2000, Food Standards Agency, United Kingdom, pp 9 & 16. http://www.foodstandards.gov.uk/pdf_files/betlabel.pdf

Trade Measurement (Pre-Packed Articles) Regulations in each State and Territory. Available from government bookshops, and may be downloaded from the internet (either from the State/Territory website or a general legal website such as Austlii at www.austlii.edu.au).

See also

ANZFA's user guides on:

- Warning and Advisory Declarations
- Information Requirements for Food Exempt from Bearing a Label
- Overview of Food Labelling