

Nutritional Information and the Food Information Regulations 2014

John Stewart

What are we going to cover?

- Enforcement responsibilities
- The importance of food labelling compliance
- The benefits of working with the regulator
- A brief look at the Food Information Regulations, in particular Nutritional Labelling

Enforcement Responsibilities – Food law

Two Tier Authorities

County Council

- Composition,
- Chemical contamination,
- Adulteration and
- Labelling

District Council

- Microbiological quality and
- Contamination by micro-organisms or foreign matter

Enforcement Responsibilities

- TS a LA function not national one
- Service can be adapted to meet local needs
- Levels of service and priorities may differ from area to area
- Potential interpretational issues

Enforcement Responsibilities

The Role of a Trading Standards Service

- To act on behalf of consumers and businesses to advise on, and enforce, laws that govern the way goods and services are bought, sold and hired.
- Grown from its origins of the Weights and Measures Act of 1878 to being responsible for over 250 pieces of legislation

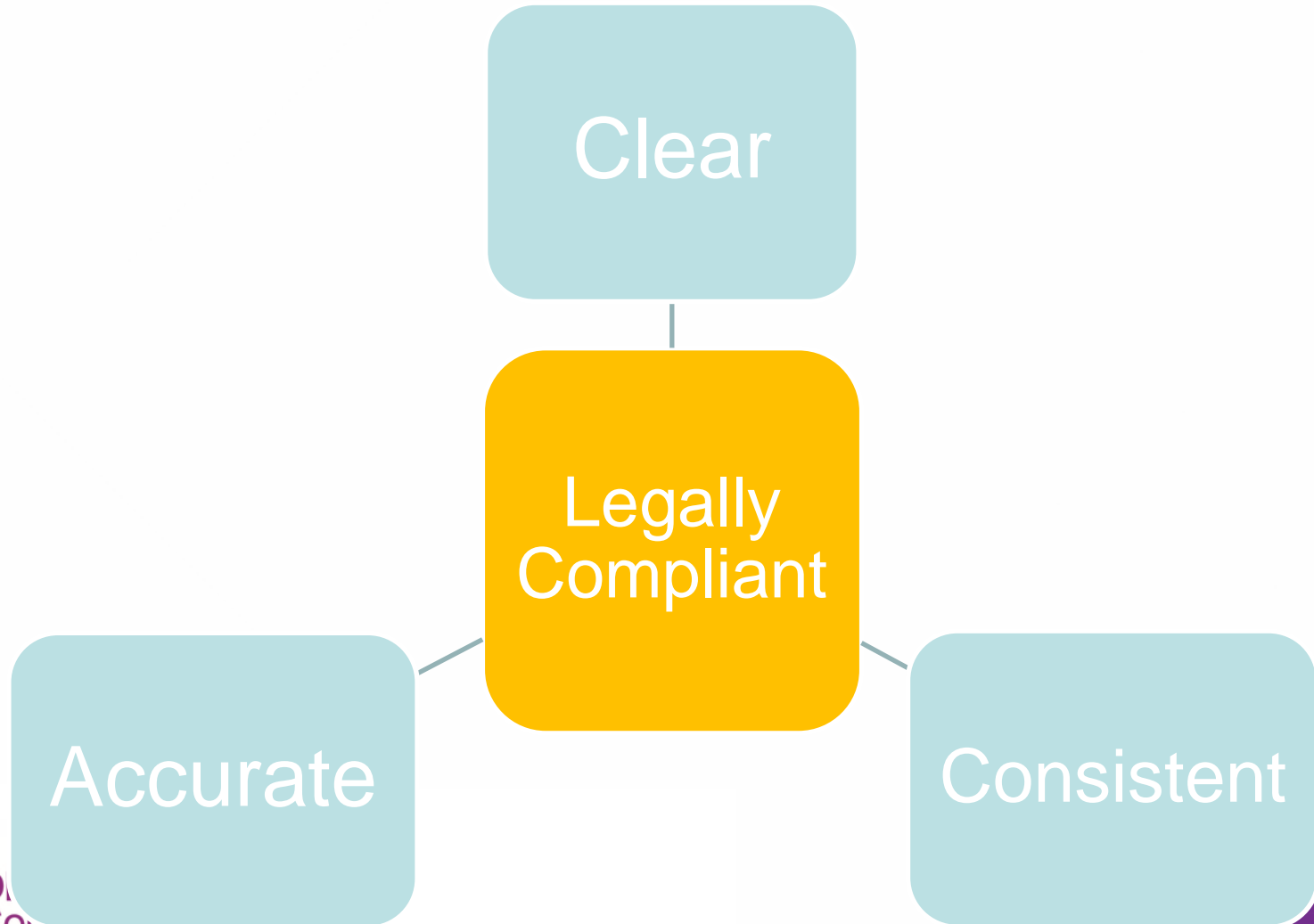
Enforcement Responsibilities

LAs can and do work across geographical boundaries

Investigations

Primary Authority Partnerships

The Importance of Labelling Compliance



The Importance of Labelling Compliance



Criminal
offences

Civil
breaches

The benefits of working with regulators

- Get the answer from those that enforce the law
- Access to highly skilled, specialist and multi disciplined officers
- The reduced risk of noncompliance – get it right first time!
- ‘Assured’ advice through Primary Authority

What Assistance Derbyshire Trading Standards can offer your business



Signposting



Paid for advice



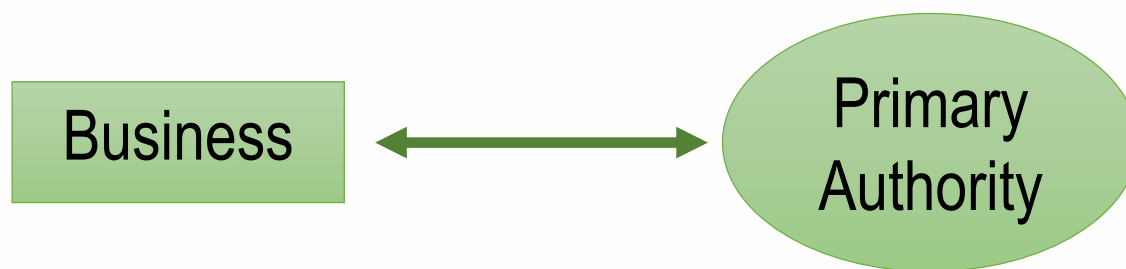
Primary Authority Partnerships

What is a Primary Authority Partnership?

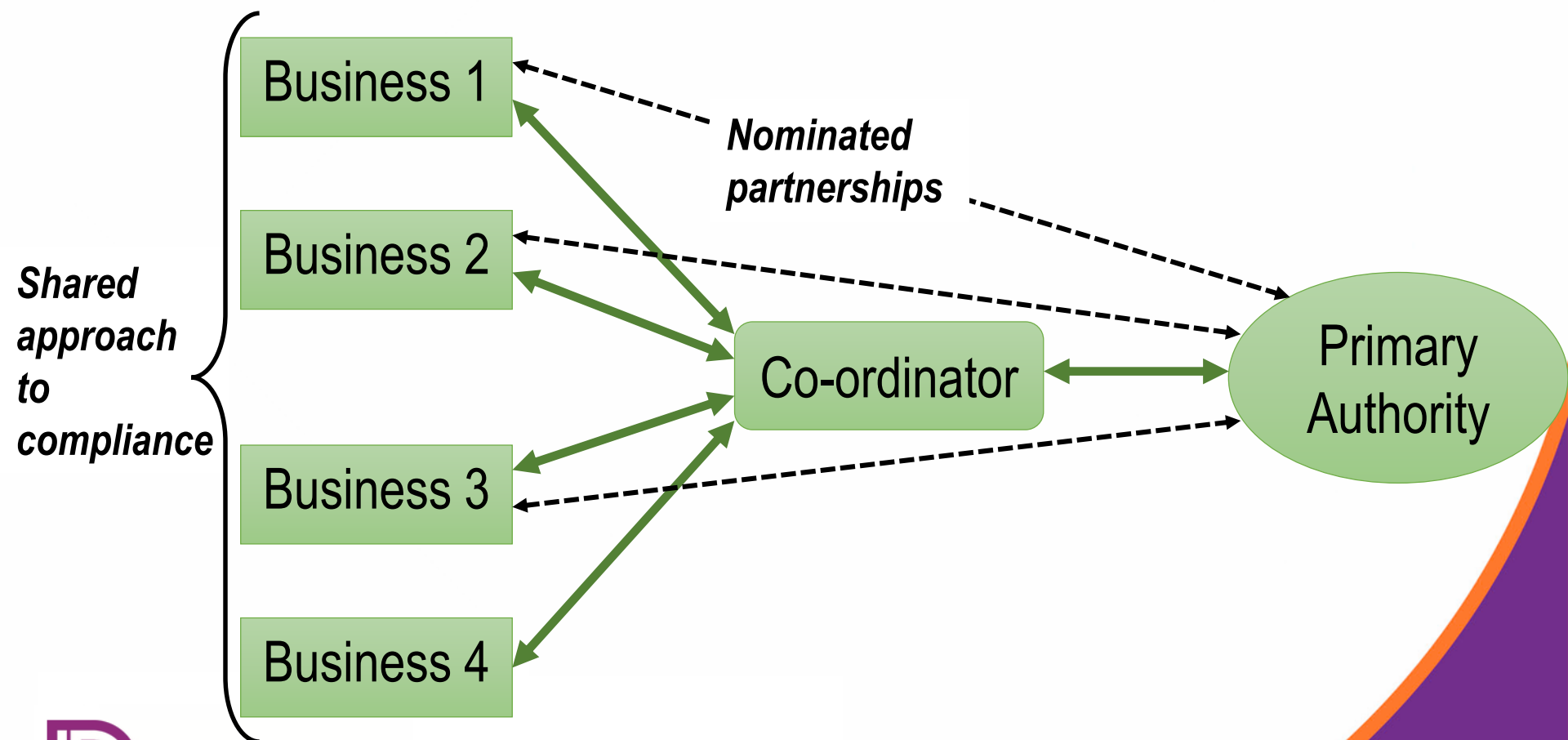


- A legally recognised partnership between a business and a single local authority – the ‘primary authority’
- Statutory basis in Regulatory Enforcement and Sanctions Act 2008 (RESA), as amended
- ASSURED advice

DIRECT PARTNERSHIPS



CO-ORDINATED PARTNERSHIPS



Don't just take my word for it

The great thing about the Primary authority system is the close connection it provides between companies and trading standards. Through the assured advice system we get clarity on unclear aspects of regulations which gives a boost to our confidence in appropriate product development.

(Nick Bennett – Brunel Healthcare)

Don't just take my word for it

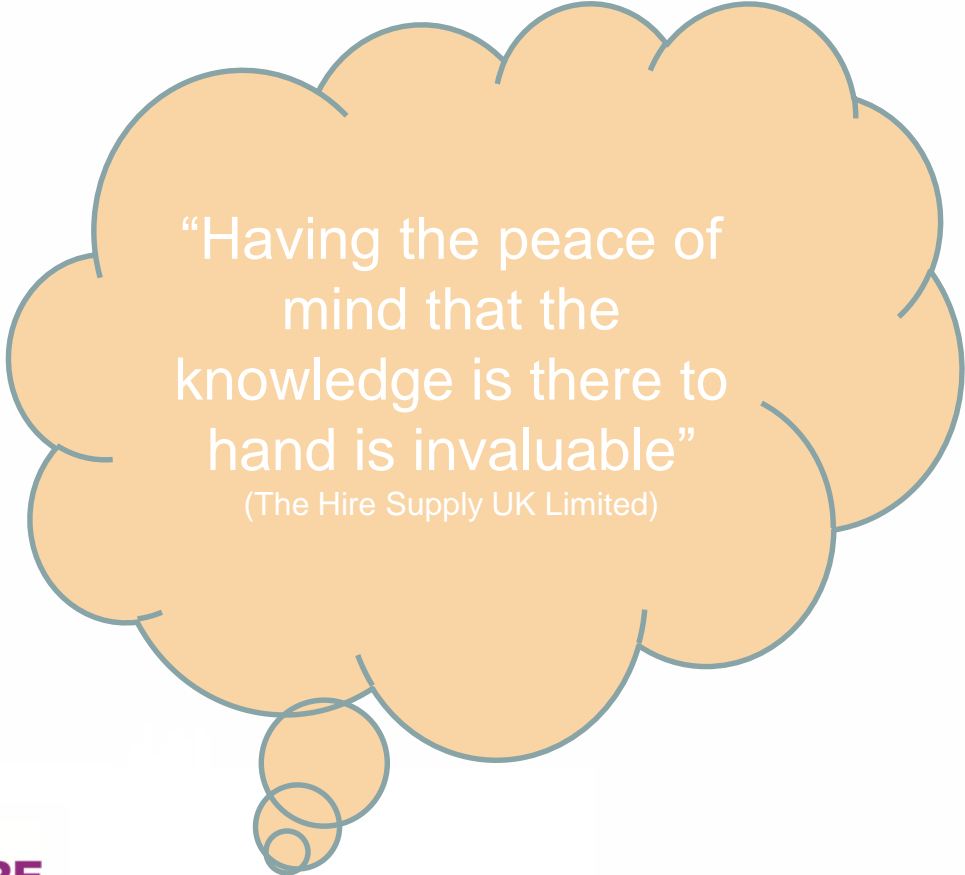
A Derbyshire chocolate manufacturer saved thousands of pounds by seeking advice on allergen labelling which prevented the need to recall

Don't just take my word for it

Provides the opportunity
for insight/discussion via
the regulators in an ever
changing landscape, in a
truly impartial way

(Janet Worrell
Regulatory Affairs Specialist)

Don't just take my word for it



“Having the peace of
mind that the
knowledge is there to
hand is invaluable”
(The Hire Supply UK Limited)

Don't just take my word for it

The primary authority partnership allows us to discuss & request advice on interpretation of law – giving us reassurance that we are aligned”

(Julie Maycock – Food Law Manager, Thornton's Chocolates)

Food labelling

- Extremely complex
- Not 'one sized fits all' answer

Food Legislation

- Food Information Regulations 2014 (FIR)
- EC Regulation 1169/2011 (FIC)
- EC Regulation 1924/2006 (Nutrition & Health Claims)
- Chocolates, Water, Eggs, Beef, Novel Foods, Spirit Drinks

Food Information Regs 2014

Prepacked Food

- Size of text = “x-height” must be a minimum of 1.2mm

Appendix 1

- the name of the food
- a best-before or use-by date
- Quantity

Food Information Regs 2014 cont..

- any required warnings - for example, if food contains aspartame the following wording must be given: 'Contains a source of phenylalanine'
- a list of ingredients (in descending order of weight) and QUID declaration
- whether the food contains any of the 14 specified allergens
- the name and address of the responsible food business operator

Food Information Regs 2014 cont

- the lot number (or durability date if you wish)
- any special storage conditions
- instructions for use or cooking, if necessary
- Prescribed Nutritional information (now mandatory, unless exempt)

Nutritional Labelling Guidance

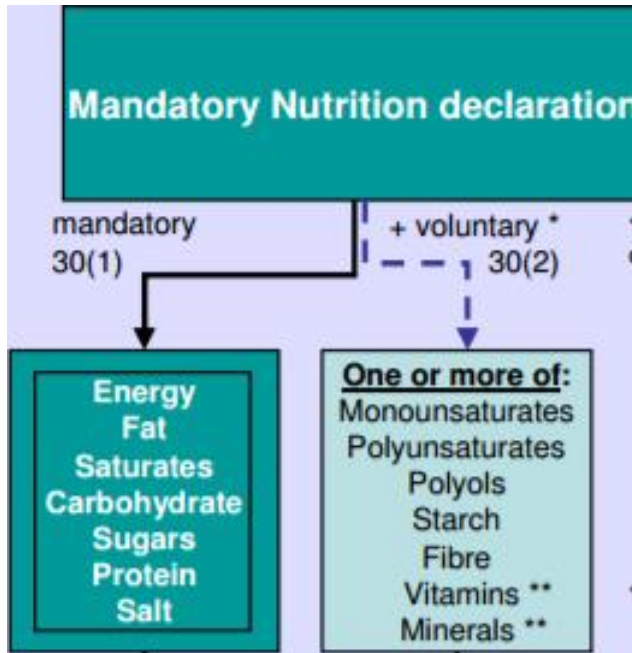


Department
of Health

Technical guidance on
nutrition labelling

March 2017

Mandatory Nutritional Labelling Prepacked Food



	Per 100g
Energy	1500kJ/356kcal
Fat	7.4g
of which saturates	1.1g
Carbohydrates	58.1g
of which sugars	16.8g
Protein	9.9g
Salt	Below 0.1g

Voluntary Supplementary NI

- You can, on a voluntary basis, supplement the mandatory nutrition declaration with information on the amounts (in grams (g)) of one or more of the following:
 - mono-unsaturates
 - Polyunsaturates
 - polyols

Voluntary Supplementary NI cont..

- starch
- fibre
- any of the vitamins or minerals listed in point 1 of Part A of Annex XIII, and present in significant amounts as defined in point 2 of Part A of Annex XIII.
- No other nutrient or substance may be declared in the nutrition declaration

Voluntary Supplementary NI cont..

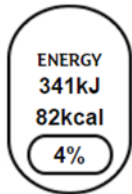
Per 100 grams

Energy	kJ/kcal
Fat	g
of which	
saturates	g
<u>mono-unsaturates</u>	g
<u>polyunsaturates</u>	g
Carbohydrate	g
of which	
sugars	g
polyols	g
starch	g
Fibre	g
Protein	g
salt	g
Vitamins and minerals	The units specified in point 1 of Part A of Annex XIII

Voluntary front of pack labelling

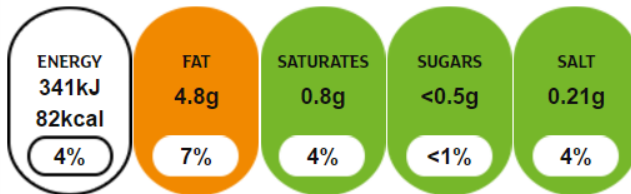
- You should choose to use one of the following formats

Nutrition



Nutrition

A serving contains Typical Values



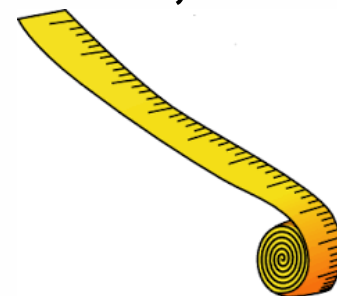
% of the Reference Intakes

Typical Values 100g contains : Energy 136 kJ/33 kcal

RI= Reference intake of an average adult (8400 kJ/2000 kcal)

Exemptions from NI Information

- When the largest surface of the packaging has a surface area of less than 25 cm²,
- Minimally processed foods and those with little nutritional value (Annex V of EU FIC)
 - Flavourings
 - Yeast
 - Gelatine.....



Exemptions from NI Information cont..

- Food directly supplied by **manufacturer of small quantities** of products to the final consumer or to **local** retail establishments directly supplying the final consumer
 - “**local**” retail establishments = within the supplying manufacturer’s own county + the greater of either the neighbouring county or counties or 30 miles from the boundary of the county the manufacturer is in.

Exemptions from NI Information cont..

- **“manufacturer of small quantities”** micro business (less than 10 employees and a turnover/balance sheet total of less £1.4m)

Nutritional Information Non-prepacked food

- No requirement but if you provide information voluntarily, it must be in one of the following formats:
- The full “mandatory” nutrition declaration (energy value plus amounts of fat, saturates, carbohydrate, sugars, protein and salt); or
- Energy value only; or
- Energy value plus amounts of fat, saturates, sugars and salt (energy + 4).

Other labelling considerations

- Selling food which is nature, or substance, or quality demanded by the purchaser
 - Nature (e.g. beef sold as lamb)
 - Substance (e.g. chocolate that falls below statutory levels for milk solids)
 - Quality (e.g. food that is stale)

Other labelling considerations

- Labels or advertises food in a way that falsely describes it, or labels, advertises or presents food in a way which misleads as to its nature, substance or quality.
- E.g. when statements are untrue or pictures of food are presented in a misleading way or correct but given such emphasis that the purchaser is led to the wrong conclusion

Other labelling considerations

“Without prejudice to more specific provisions of food law, the labelling, advertising and presentation of food or feed, including their shape, appearance or packaging, the packaging materials used, the manner in which they are arranged and the setting in which they are displayed, and the information which is made available about them through whatever medium, shall not mislead consumers”.

Self help guidance

The screenshot displays the 'businesscompanion' website interface. At the top left, the logo reads 'businesscompanion' with the tagline 'trading standards law explained'. To the right is a navigation menu for 'England' and a search bar with the placeholder text 'Search for a guide...'. Below this is a blue banner with the text 'Free, impartial legal guidance for businesses'. Three main content cards are presented: 'The basics' (with a compass icon), 'Concise guidance' (with a checkmark icon), and 'Detailed information' (with an open book icon). Each card includes a brief description and a call-to-action button with a right-pointing arrow.

businesscompanion
trading standards law explained

England

Search for a guide...

Free, impartial legal guidance for businesses

The basics

Unsure of the law on trading standards or whether the rules apply to you? Find out how the law sees businesses that sell to consumers

GET STARTED >

Concise guidance

Want answers right now? Quick Guides are arranged by what, where and how you sell to help you find the information you need

QUICK GUIDES >

Detailed information

Know what you're looking for, or want to browse a list of specific guidance arranged by category? In-depth Guides deliver the detail

IN-DEPTH GUIDES >

To contact Derbyshire Trading Standards

Contact us by phone: 01629 536166

Or visit our website:

www.derbyshire.gov.uk/business/trading_standards/business/default.asp