



Product Labelling



Business Support on Your Doorstep

Enterprise Europe Network London

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1. Introduction

European legislation has been designed to provide consumers in the EU with more reliable and comprehensive information about the content and the composition of the products they buy, thus helping to make an informed choice when buying these products. The label is the main source of information on the safe and effective use of a product. As a result, harmonised legislation on labelling aims to protect public health and safeguard consumers from misleading practices.

For UK businesses, misleading information on packaging or labelling can constitute a criminal offence under the Consumer Protection from Unfair Trading Regulations 2008. There is a variety of other EU legislation which regulates the way in which consumer goods are labelled. These address, for example, the details of their pricing or composition. So it is essential to be aware of the regulations which affect your sector of business, as it is the responsibility not just of manufacturers but also of retailers to respect this legislation.

2. Food Products

There is a wide range of EU legislation concerning the labelling of food products, a very comprehensive summary of which can be seen at:

<http://europa.eu/scadplus/leg/en/s16600.htm>

The Food Labelling Regulations of 1996 are the most significant implementing legislation on this subject in the UK. The Food Standards Agency (FSA) has published detailed 'Guidance Notes' to the Regulations on its website. These are available at:

www.food.gov.uk/foodindustry/guidancenotes/labelregsguidance/foodlabelregsguid

Compulsory labelling

Labelling on food products must contain the following specifications:

- **Name under which the product is sold** (which includes the specification as regards the physical condition of the product or the treatment it has undergone: powdered, deep-frozen, smoked etc).
- **List of ingredients, in descending order of weight.** Some products are subject to derogation, such as carbonated water, fermentation vinegars, cheese and butter. The list must be preceded by the word 'Ingredients'.
- **Quantity of ingredients or categories of ingredients expressed as a percentage** (only when the ingredient is emphasised on the labelling or is essential to characterise the product).
- **Net quantity** expressed in units of volume for liquids and in units of mass for other products.
- **Date of minimum durability** except for fresh fruit and vegetables, wines and beverages containing 10% or more by volume of alcohol, soft drinks, fruit juices and alcoholic beverages in individual containers of more than 5 litres intended for mass caterers, bakers' or pastry cooks, vinegar, cooking salt, solid sugar, chewing-gum, individual portions of ice-cream.
- **Allergens** Directive 2003/89/EC establishes a list of allergens which must appear on the labelling of products.

Directive 2000/13/EC approximates the laws of the EU Member States relating to the labelling presentation, advertising and presentation of foodstuffs. A summary can be viewed at:

<http://europa.eu/scadplus/leg/en/lvb/l21090.htm>

Directive 2003/89/EC, amending the above Directive, lays down the rules for indicating the ingredients present in foodstuffs. The text of this Directive can be seen here:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:308:0015:0018:EN:PDF>

Directive 2003/89 on allergens can be found at:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:308:0015:0018:EN:PDF>

Compulsory labelling for highly perishable products

Highly perishable products (eggs, meat etc.) labelling must contain the following specifications:

- **use-by date**
- **special conditions for keeping and use**
- **name or business name and address of the manufacturer or packager or vendor**
- **place of origin or provenance**, where its omission might mislead the consumer
- **instructions for use** where appropriate
- **indication of the acquired alcoholic strength for beverages** containing more than 1.2% alcohol by volume

Labelling of highly perishable products is regulated by Directive 2000/13/EC, a summary of which can be seen at: <http://europa.eu/scadplus/leg/en/lvb/l21090.htm>

Frozen food

Directive 89/108/EEC lays down specifications regarding frozen food, in particular that the sales name, the indication 'quick frozen' and the batch identification must be stated on the labelling.

Additional information for ultimate consumers, restaurants, hospitals and canteens. The date of minimum durability is required, as is the period during which the product may be stored by the purchaser, the storage temperature and the necessary storage equipment.

Additional information for other recipients. The net quantity, identity of the manufacturer and packer or seller is always required.

A summary of Directive 89/108/EEC can be accessed at:

<http://europa.eu/scadplus/leg/en/lvb/l21116.htm>

The UK implementing legislation for Directive 89/108/EEC is the Quick-frozen Foodstuffs Regulations 1990. The text can be seen at: www.opsi.gov.uk/si/si1990/uksi_19902615_en_1.htm

Health claims

The legislation on health claims prohibits any information which is false, difficult to understand or misleading, or which encourages an excessive consumption of a product or suggests a balanced diet does not provide all the nutrients that are needed. Claims must meet specific conditions. For example, the substance must be present in sufficient quantity to have beneficial effects.

If a claim specifies a food is energy-reduced, the energy value must be reduced by at least 30% of the total energy content. Health claims must also be accompanied by certain information, such as the importance of a healthy diet and lifestyle, the quantity of the food and the details of people who should avoid the substance concerned and the details of the health risks caused by excessive consumption.

The new EU Regulation on Health and Nutrition Claims (1924/2006/EC) was adopted in December 2006. This Regulation establishes harmonised rules for the use of health or nutritional claims (such as 'low fat', 'high fibre' and 'helps lower cholesterol') on nutrient-based foodstuffs. Detailed background information on the Regulation can be seen at:

http://ec.europa.eu/food/food/labellingnutrition/claims/index_en.htm

The UK authority responsible for maintaining and operating the UK candidate list, organised according to type of food, and general information on health claims is the FSA. This can be accessed at: www.food.gov.uk/foodlabelling/ull/claims/

Nutrition labelling

Nutrition labelling is optional, but becomes compulsory if a nutrition claim is stated on the label as a presentation or in advertising. The major EU legislation governing this area is the Nutrition Labelling Directive (90/496/EEC). Nutrition information is divided into two groups: **group 1** (energy value, amount of protein, carbohydrate and fat) and **group 2** (energy value, amount of protein, carbohydrate, fat, sugar, saturated fatty acids, dietary fibre and sodium). If the nutrition claim refers to sugar, saturated fatty acids, dietary fibre or sodium, **group 2** information is compulsory. Information must also be expressed per 100ml, per 100g or per package.

For vitamins and minerals, information must be expressed as a percentage of the recommended daily allowance (RDA). All information relative to nutrition must be stated together in a clearly visible place and in legible, indelible characters. Nutrition labelling may not specify details that are not contained in the Directive 90/496/EEC.

A comprehensive summary of Directive 90/496/EEC, including a link to the full text, can be viewed at: <http://europa.eu/scadplus/leg/en/lvb/l21092.htm>

The provisions of the Directive are implemented in the UK by the Food Labelling (Amendment) Regulations 1994. The FSA has produced a detailed summary of the Regulations on its website, which is accessible at: www.food.gov.uk/foodindustry/guidancenotes/labelregsguidance/nutlabelguid

Use of language

In 1993, the Commission issued a Communication (93/456) on language use in consumer information. The document emphasised that consumers have a right to information on the qualities and characteristics of products and services on the market. It also stated that foodstuffs and nutrition labelling must be provided in a language “easily understood” by the buyer. Member States are required to lay down rules for it. In this context, the Commission encourages multilingual information and preserves the freedom of Member States to require use of the language of the country of consumption. A summary of Communication 93/456, which also includes information on other legislation governing language use in specific sectors, can be seen here: <http://europa.eu/scadplus/leg/en/lvb/l32036.htm>

In the UK, with regard to the environmental impact of consumer products, the Government launched the ‘Green Claims Code’ in 1998. Intended to benefit both consumers and business, the Code takes into account the international standard on environmental claims, ISO 14021, and sets out the standard that the public can expect to be given about the environmental impacts of consumer products.

For further information on the Green Claims Code, please see the Department of Food, Environment and Rural Affairs website at: www.defra.gov.uk/Environment/consumerprod/gcc/index.htm

Miscellaneous

A range of product-specific legislation for labelling also exists. These products include genetically modified organisms, novel foods, coffee and chicory extracts, caffeine and quinine, food for infants and young children, special diets, fats, meats, milk derivatives, beverages and sugars.

A summary of all this product-specific legislation at the EU level can be found at the following link: <http://europa.eu/scadplus/leg/en/s16600.htm>

3. Other products

Textiles

The labelling of textile products is regulated by Directive 96/74/EC. This applies to textile products exclusively composed of textile fibres and products containing at least 80% textile fibres by weight. It does not apply to textile products which are intended for export to non-EU countries or enter Member States for transit purposes (under Customs control).

Annex I of the Directive provides descriptions corresponding to textile names. The names, descriptions and details of textile fibre content shall be indicated in clear, legible and uniform print on labels. Member States may require their national language to be used on labels.

The summary of this Directive, as well as its amendments, can be accessed at:

<http://europa.eu/scadplus/leg/en/lvb/l32007.htm>

The recently-updated UK legislation implementing Directive 96/74/EC is the Textile Products Regulations 2008, the text of which can be accessed at:

www.opsi.gov.uk/si/si2008/pdf/uksi_20080006_en.pdf

In addition, two other Directives (2006/3/EC and 2006/2/EC) govern textile names and binary textile fibre mixtures respectively. They can both be seen at the following links:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:005:0010:0013:EN:PDF>

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:005:0014:0014:EN:PDF>

In 2007, BERR issued a consultation seeking views on the proposals for implementing Directive 2006/3/EC into UK national law concerning textile names, and Directive 2006/2/EC concerning textile methods for the quantitative analysis of binary textile fibre mixtures. Both the Government and public responses can be seen at the following source: www.berr.gov.uk/consultations/page33691.html

Cosmetics

Containers and/or packaging must state, in indelible, easily legible and visible characters:

- the name or trade name and address or registered office of the manufacturer or of the person responsible for marketing the cosmetic product within the Community;
- the nominal contents at the time of packaging, by weight or by volume;
- for products with a minimum durability of less than 30 months: the date of minimum durability indicated by 'Best used before the end of ...';
- for products with a minimum durability of more than 30 months: the period of time after opening for which the product can be used without any harm to the consumer (this information is indicated by a special symbol representing an open cream jar);
- particular precautions for use;
- the batch number or product reference to permit identification;
- the product function.

The labelling must also state a list of ingredients, in descending order, preceded by the word 'Ingredients'. The original framework Directive is 76/768/EEC, which sets out these specifications, has since been amended and updated by numerous other Directives. A summary can be viewed at:

<http://europa.eu/scadplus/leg/en/lvb/l21191.htm>

In the UK, the Cosmetic Products (Safety) Regulations 1978 implemented the Directive. These Regulations were updated, using the same name, in 2004 and 2008. The text can be viewed at:

www.opsi.gov.uk/si/si2008/uksi_20081284_en_1

Detergents

The legislation on detergents (Regulation 648/2004/EC) applies to all types of surfactant detergents, including fabric softeners and dishwashing products. The detergents labelling must contain all components in decreasing order of concentration. It must also indicate any allergenic substance. The UK Government has set up a website dedicated to the implementation of the Regulation in the UK.

Although an EU Regulation is immediately binding and does not require implementing legislation, 648/2004/EC requires accompanying UK legislation setting out the process for handling derogation applications and to provide for enforcement measures. More information can be found at: www.detergents.gov.uk

Dangerous substances and preparations

The labelling of a dangerous substance must specify the name of the substance, its origin (name and address of the manufacturer, distributor or importer), danger symbols and indication of danger involved in the use of the substance, and a reference to the special risks arising from such dangers. The labelling of a dangerous preparation must indicate the trade name of the preparation and the name and address of the person responsible for placing it on the market. It must also state the chemical name of the substance or substances in the preparation the danger symbols, as well as phrases indicating a risk.

Directive 1967/548/EEC on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances and its amendments lay down a comprehensive list of dangerous substances. Directive 1999/45/EC (known as the Dangerous Preparations Directive) extends these rules to dangerous preparations.

A summary of Directive 1967/548/EEC can be seen at:

<http://europa.eu/scadplus/leg/en/lvb/l21276.htm>

A summary of Directive 1999/45/EC can be seen at:

<http://europa.eu/scadplus/leg/en/lvb/l21273.htm>

In the UK, the Packaging and Labelling of Dangerous Substances Regulations 1978 implemented Directive 1967/548/EEC. The text of the Regulations, amended in 1988, can be accessed at:

www.opsi.gov.uk/si/si1988/Uksi_19880766_en_1.htm#end

The Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 implemented Directive 1999/45/EC in the UK. The text can be accessed at:

www.opsi.gov.uk/si/si2002/uksi_20021689_en.pdf

In addition, the last amendment to Directive 1967/548/EEC, Regulation 1907/2006, introduced a single integrated registration system for chemicals in EU, known as REACH. The Health and Safety Executive (HSE) is the authority responsible for managing the implementation of REACH in the UK, and its website provides comprehensive information on the subject. It is available at:

www.hse.gov.uk/reach/index.htm

Miscellaneous

For product-specific legislation regarding, for example, shoes, energy consumption labelling and fuel consumption of new cars, the following link provides an informative summary:

<http://europa.eu/scadplus/leg/en/s16600.htm>

4. Useful contacts and websites

EU sources on product labelling

Labelling and nutrition

DG Health and Consumer Protection: http://ec.europa.eu/food/food/labellingnutrition/index_en.htm

Summaries of EU legislation on product labelling

SCADPlus Food Safety – Product Labelling and Packaging:

<http://europa.eu/scadplus/leg/en/s16600.htm>

UK sources on product labelling

Product Labelling guide:

Business Link: www.businesslink.gov.uk/bdotg/action/layer?topicId=1074016261

Guidelines for product labelling schemes:

Department for Business Enterprise and Regulatory Reform (BERR):

www.berr.gov.uk/consumers/buying-selling/Adprice/Product-labelling/index.html

EU contacts

DG Health and Consumer Protection

Unit E4 Food Law, Nutrition and Labelling

B-1049 Brussels

W: www.ec.europa.eu/dgs/health_consumer

European Food Safety Authority (EFSA)

Largo N. Palli 5/A

43100 Parma

Italy

T: +39 0521 036111

E: info@efsa.europa.eu

W: www.efsa.europa.eu

European Chemicals Agency (ECHA)

P.O. Box 400

00121 Helsinki

Finland

T: +358-9-686180

W: www.echa.europa.eu

Enquiry form: www.echa.europa.eu/about/contact.asp

UK contacts

Food Standards Agency

Labelling - Policy and Legislation, Advertising, Ingredient Listing

T: +44 (0)20 727 8147

E: labelling@foodstandards.gsi.gov.uk



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