

25 March 2022

Guidance on Food Labelling Challenges Caused by the Crisis in Ukraine and Russia

Overview

The purpose of this guidance is to support a consistent approach to the labelling of foods, in the short term, where ingredients must be substituted due to supply issues. This guidance does not cover other legal requirements of food safety and production. Food business operators (FBOs) must ensure that they are complying in full with all other legal requirements.

Guidance

Due to the current crisis in Ukraine and the sanctions on Russia and Belarus, the Food Safety Authority of Ireland (FSAI) is aware that food business operators (FBOs) in Ireland, may be experiencing difficulties regarding the supply of some foods, in particular, sunflower oil, but also other raw materials and ingredients used for the production of certain foods. This may result in food business operators having to omit or substitute certain ingredients or change the manufacturing process or recipe, at short notice.

The need to quickly switch to other ingredient(s) in some cases may prevent FBOs from fully complying with all food labelling requirements under Regulation (EU) No 1169/2011, and in particular, the specific requirements regarding the list of ingredients, the nutrition declaration or the country-of-origin indications.

Therefore, the EU has agreed some flexibility in the implementation of certain labelling requirements may be necessary. The FSAI considers the use of additional stickers or inkjet printing applied to current food labels (i.e. over labelling) as an acceptable option in the short term. Critical to any such flexibility is the obligation on all FBOs to ensure that the safety of consumers' health and interests is not compromised and that only safe food is placed on the market. Information on allergens contained in the food and durability (shelf life) must always be available on the label.

FBOs are advised to discuss the situation with their inspector before placing products or ingredients with additional over labels (or inkjet printing) on the market in Ireland. Records of the compliance issue, the risk assessment and mitigation measures should be retained.

This flexibility in the implementation of certain labelling requirements will be on a **temporary basis** to deal with the immediate situation where food supplies from Ukraine, Belarus or Russia are affected. As such, all temporary flexibility will be subject to regular review and updating in line with

the European Commission's advice and food businesses are reminded to check the FSAI website for updates.

Assessment of compliance of the food ingredients before substitution

FBOs must ensure that any ingredients sourced as substitutes can be legally placed on the EU market and comply with all legal requirements, including those concerning contaminants, novel food and genetic modification.

Assessment of labelling of food products using substituted ingredients

The use of additional stickers on current food products labels to over label the list of ingredients, nutrition declaration or origin information can be considered once this does not impact the other mandatory information that must be available to the consumer. This information on the over labels must be legible and clear to the consumer. FBOs should where possible, have permanent labels attached (over-labels) providing the required food information for each specific batch.

The intended customer should also be considered, i.e. the final consumer or business to business. Products supplied to other food businesses should have the full information, including the indication of any temporary non-compliance with EU law on the accompanying documents. This will enable the recipient food businesses to take appropriate measures to become legally compliant, such as updating the allergen information for consumers.

FBOs must also review their HAACP plans and make necessary adjustments to address potential hazards where ingredients have been substituted.

Timeline

This temporary flexibility has been introduced in response to the current situation and it is expected that FBOs will revert to normal labelling practises as soon as is possible. The FSAI will continue to monitor and review the situation, in line with any further advice from the European Commission.

This guidance will be updated as necessary.