

## Requirement for nutrition declaration for bottled waters under FIC

Article 29 of Regulation (EU) No. 1169/2011 on the provision of food information to consumers (FIC) states that the nutrition declaration requirement does not apply to Directive 2009/54/EC on the exploitation and marketing of natural mineral waters. Annex V of the Regulation lists foods which are exempted from the requirement of the mandatory nutrition declaration and included in this list is waters intended for human consumption, including those where the only added ingredients are carbon dioxide and/or flavourings.

As per Annex I of FIC 'nutrition declaration' or 'nutrition labelling' means information stating the:

- (a) Energy value; or
- (b) Energy value and one or more of the following nutrients only:
  - fat (saturates, mono-unsaturates, polyunsaturates),
  - carbohydrate (sugars, polyols, starch),
  - salt,
  - fibre,
  - protein,
  - 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.

'Other waters' which are not covered by Directive 2009/54/EC are exempt from mandatory nutrition labelling under Annex V of FIC. However, if a company voluntarily provides information on the presence of minerals on these products then they are subject to mandatory nutrition labelling and must comply with Section 3 of the Regulation.

As stated in Annex I, vitamins and minerals defined in point 2 of part A of Annex XIII must be present in significant amounts before they can be included in the nutrition declaration. Significant amounts are defined as follows in Annex XIII:

### 2. Significant amount of vitamins and minerals

As a rule, the following values should be taken into consideration in deciding what constitutes a significant amount:

- 15 % of the nutrient reference values specified in point 1 supplied by 100 g or 100 ml in the case of products other than beverages,
- 7,5 % of the nutrient reference values specified in point 1 supplied by 100 ml in the case of beverages, or,
- 15 % of the nutrient reference values specified in point 1 per portion if the package contains only a single portion,

If a company chooses to provide information on minerals on 'other water' product labels they can only do this if the minerals are present in significant amounts. A full nutrition declaration per 100ml will be required in the following order to meet mandatory requirements:

Energy	(kJ/kcal)
Fat	(g)
Saturates	(g)
Carbohydrate	(g)
Sugars	(g)
Protein	(g)
Salt	(g)

Vitamins and minerals (units specified in Annex XIII)

In cases where the energy value or the amount of nutrient(s) in a product is negligible, the information on those elements may be replaced by a statement such as 'Contains negligible amounts of ...' and shall be indicated in close proximity to the nutrition declaration when present. This could be applied to the main nutrients if present in negligible amounts (energy, fat, saturates, carbohydrate, sugars, protein, salt).

In summary, if a company wishes to provide information on the label of bottled waters, other than natural mineral waters, about the mineral content then they will have to comply with FIC and provide full nutrition information.