Food labelling & flavourings

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The rules....

Regulation 1334/2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods (Chapter IV, Articles 14-18)


Regulations (EC) No 1829/2003 and Regulation (EC) No 1830/2003 concerning the traceability and labelling of genetically modified organisms and food from genetically modified organisms

Objective of labelling

To inform consumers as to the exact nature and characteristics of the foodstuff and enable them to make an informed choice when purchasing food.
Labelling, presentation and advertising of foodstuffs must be

- Clear
- Unambiguous
- must not mislead consumer to a material degree
- Legible and easy to understand
- In English (other languages permitted in addition)
Who are you selling to....... 

Business to business (Articles 14-15) 

Or 

To the final consumer (Article 17)
Business to business sales (Articles 14-15)

a) the sales description: either the word ‘flavouring’ or a more specific name or description of the flavouring;

(b) the statement either ‘for food’ or the statement ‘restricted use in food’ or a more specific reference to its intended food use;

(c) if necessary, the special conditions for storage and/or use;

(d) a mark identifying the batch or lot;
Business to business cont.

(e) in descending order of weight, a list of:
   (i) the categories of flavourings present and
   (ii) the names of each of the other substances or materials
       in the product or, where appropriate, their E-number;

(f) the name or business name and address of the manufacturer,
    packager or seller;

(g) an indication of the maximum quantity of each component or
    group of components subject to quantitative limitation in food
    and/or appropriate information in clear and easily
    understandable terms

(h) the net quantity;

(i) a date of minimum durability or use-by-date;

(j) where relevant, indication of substances listed in Annex IIIa
    to Directive 2000/13/EC (allergens)
Where is the information provided?

- On the product packaging or container

- The information required in points (e) and (g) may appear on the documents relating to the consignment which are to be supplied with or prior to the delivery, provided that the indication ‘not for retail sale’ appears on an easily visible part of the packaging or container of the product in question.

- Flavourings supplied in tankers, all of the information i.e. (a) to (j) may appear on the accompanying documents relating to the consignment which are to be supplied with the delivery.
Selling to the final consumer

Flavourings sold singly or mixed with each other and/or with other food ingredients and/or to which other substances are added may be marketed only if their packaging contains the statement either ‘for food’ or ‘restricted use in food’ or a more specific reference to their intended food use, which must be easily visible, clearly legible and indelible.

Subject to the general labelling rules.
Compulsory requirements 2000/13/EC – ‘Top 10’

1. Name under which product is sold*
2. List of ingredients
3. Quantity of certain ingredients (QUID)
4. Net quantity*
5. Date of minimum durability*
6. Any special storage instructions or conditions of use
7. Name or business name and address of the manufacturer of packager, or of a seller within the EU
8. Place of origin if its absence might mislead the consumer to a material degree
9. Instructions for use where necessary
10. Alcoholic strength for beverages with more than 1.2% alcohol by volume*.

*must appear in same field of vision
Caffeine

Current rules (Dir 2002/67/EC) - warning message ‘High caffeine content’ and an indication of the amount of caffeine, where this is in excess of 150 mg/l, in beverages which do not naturally contain caffeine.

Under Food Information Regulation 1169/2011 (Dec 2014)
Beverages with high caffeine content - extended statement
‘High caffeine content. Not recommended for children or pregnant or breast-feeding women’ in the same field of vision as the name of the beverage, followed by a reference in brackets to the caffeine content expressed in mg per 100 ml.

Foods other than beverages, where caffeine is added with a physiological purpose. ‘Contains caffeine. Not recommended for children or pregnant women’ as above... (food supplements = be expressed per portion as recommended for daily consumption on the labelling.)
Flavourings in the list of ingredients

Annex III to Directive 2000/13/EC sets out the designation of flavourings in list of ingredients

— ‘flavourings’ or a more specific name or description of the flavouring, if the flavouring component contains flavourings as defined in Article 3(2)(b) to (h) of Regulation (EC) No 1334/2008

— ‘smoke flavouring(s)’, or ‘smoke flavouring(s) produced from “food(s) or food category or source(s)”’ if the flavouring component contains flavourings as defined in Article 3(2)(f) of Regulation (EC) No 1334/2008 and imparts a smoky flavour to the food.
Smoke flavourings

Labelling must not confuse – smoked conventionally/treated with smoke flavouring

Ingredient designation:
- Smoke flavouring
- Smoke flavouring produced from...

Eg smoke flavouring produced from beech.

However, if the smoke flavour doesn’t impart a smoky flavour to the food, it can still be covered by the term flavouring

Smoke flavourings can not be described as natural
Ingredient list designation - flavourings

What is a more specific name or description?

Possible examples:

- Flavouring: menthol
- Raspberry flavouring

If the term natural is used in the description, then the requirements of Article 16 Regulation 1334/2008 apply
The term ‘natural’ for the description of a flavouring may only be used if the flavouring component comprises only flavouring preparations and/or natural flavouring substances.

The term ‘natural flavouring substance(s)’ may only be used for flavourings in which the flavouring component contains exclusively natural flavouring substances.

Only flavouring preparation and natural flavouring substances can be used in natural flavourings – the other categories of flavouring materials can not be present.
Natural Flavouring labelling

‘natural “food(s) or food category or source(s)” flavouring’

‘natural “food(s) or food category or source(s)” flavouring with other natural flavourings’

‘natural flavouring’
Natural X flavouring

If the flavouring components are at least 95% from X, and the flavour tastes of X the designation is:

“Natural X flavouring”

Reference is to food, food category or a vegetable or animal flavouring source e.g. Natural Strawberry flavouring;
Natural X flavouring with other natural flavourings

If the flavouring component from X is present and is recognisable but is below 95%, the designation is:

“Natural X flavouring with other natural flavourings”.

“Natural flavour” is not allowed
Natural flavouring

The term ‘natural flavouring’ may only be used if the flavouring component is derived from different source materials and where a reference to the source materials would not reflect their flavour or taste.

i.e. if the perceived flavour is not that of the starting materials.
Some examples..
**Example 1:**

Composition of the flavouring component

- 80% derived from strawberry
- 15% derived from blackberry
- 5% derived from apple (no impact on overall flavour)

**Possible options**

- Natural strawberry and blackberry flavouring
- Natural fruit flavourings
- Strawberry and blackberry flavourings
- Flavourings

**‘Depending’ options**

- Natural strawberry flavouring with other natural flavourings (providing that strawberry is the recognisable flavour)
- Natural blackberry flavouring with other natural flavourings (providing that blackberry is the recognisable flavour)
- Natural flavouring only if neither blackberry or strawberry is recognisable
Examples: Food product containing mixed flavourings, e.g. bag of mixed boiled sweets

Ingredient listing: “Natural Raspberry Flavouring”, “Natural Strawberry Flavouring”, “Natural Blackcurrant Flavouring” etc.

Compromise? = “Natural Flavourings (Raspberry, strawberry, blackcurrant )”.

**BUT** if the flavourings are a mixture – label must be = Natural X Flavourings and Natural X Flavouring with other natural flavourings’
INGREDIENTS
Glucose-Fructose Syrup, Sugar Solution,
Gelatine, Raspberry Juice from
Concentrate, Citric Acid, Acidity Regulator
(Sodium Citrates), Preservative (Acetic
Acid), Artificial Flavouring, Colour
(Carmines, Anthocyanins).

INSTRUCTIONS FOR USE
Dissolve the jelly in 500ml of boiling
water then make up to one litre with cold
water or ice. Pour in mould and place in
fridge to set.

STORAGE INSTRUCTIONS
Store in a cool dry place. Once made, keep
refrigerated and consume within 48 hours.

Own Brand Foods, Wobble Street, Dublin 2
INGREDIENTS
Glucose-Fructose Syrup, Sugar Solution, Gelatine, Raspberry Juice from Concentrate, Citric Acid, Acidity Regulator (Sodium Citrates), Preservative (Acetic Acid) 1 Artificial Flavouring, Colour (Carmines, Anthocyanins).

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NON-COMPLIANCES
1. Artificial Flavouring
   Artificial flavouring is not a defined term, it should just say flavouring.
Directive 2000/13/EC - % content of ingredient (QUID) mandatory – if in product name, emphasised on labelling, essential to characterise the product & to distinguish it from products with which it might be confused.

**Not apply**
- used in small quantities for the purpose of flavouring
- While appearing in the name is not such as to govern the choice of the consumer because the variation in quantity is not essential to characterise the foodstuff or does not distinguish it from similar foods
INGREDIENTS
Water, Potato Starch, Glucose Syrup, Chicken (5%), Onion, Vegetable Oil, Salt, Flavouring (Contains Wheat), Flavour Enhancers (E621, E635), Parsley, Milk Protein, Acidity Regulator (E336), Emulsifier (E471), Stabiliser (E415), Colour (E160a), Sugar.

INSTRUCTIONS FOR USE
In a large saucepan, whisk soup mix with 1 litre cold water. Bring to a boil over moderately high heat, whisking constantly.
Reduce heat, cover partially, and simmer gently 5 minutes, whisking occasionally. Makes 4 servings.

STORAGE INSTRUCTIONS
Store in a cool dry place.

PRODUCED BY
Own Brand Foods, Hen Street, Dublin 2.

BEST BEFORE END 2012

65g
INGREDIENTS
Water, Potato Starch, Glucose Syrup, Chicken (5%), Onion, Vegetable Oil, Salt, Flavouring (Contains Wheat), Flavour Enhancers (E621, E635), Parsley, Milk Proteins, Acidity Regulator (E349), Emulsifier (E471), Stabiliser (E415), Colour (E160a), Sugar.

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INFORMATION

1. Flavouring
The ingredient list specifies ‘flavouring’ which is a legal description for all flavourings which fall under Directive 1334/2008.

Other points to note:
✓ No claims are made that this is a natural flavouring or that it doesn’t contain artificial flavourings.
✓ It is likely that the flavouring component contains a thermal process flavouring which even if derived from natural starting materials cannot be called natural and hence flavouring is the correct designation.