

WHY IS LABELING IMPORTANT. APPLICATION OF (EU) No. 1169/2011 IN ROMANIA

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Abstract

The paper aims to present the importance of the new European Food Law regulations regarding the novel labeling practices. (EU) Nr. 1169/2011 must have been applied in all EU countries until 13 December 2014, because 2 years later, all products without nutrition declaration will no longer be allowed to be put for sale. This new regulations contribute to the attainment of a high level of consumer protection, free movement of safe and wholesome food that contributes to health and well-being of citizens. Another important thing that we shall consider is that the application of these new regulations will guarantee that the consumers will be properly informed and any practices that could mislead the consumers will be prevented. In Romania, there are a few food producers that applied these new regulations, and that is a major concern for all potential buyers. In this paper is presented a case study that shows how a new product that needs to be put on the market, can be labeled within the limits of new EU regulation.

Key words: labeling, food safety, regulations, Romania.

INTRODUCTION

The new piece of European legislation is called the Food Information for Consumers Regulation (EU FIC). It came into force on 13th December 2014 and changed the way allergen information appears on labels and on food that is pre-packed, sold loose or served when you are eating outside of the home. The EU FIC brought general and nutrition labeling together into a single regulation to simplify and consolidate existing labeling legislation.

Any of the 14 allergens that are on the regulatory list has to be emphasized on the label, if they are used as ingredients in a pre-packaged food. Businesses can choose what method they want to use to emphasize these allergens, for example, by listing them in bold, italics, highlighted or underlined, to help identify them (Ellis van Diermen, 2014).

Information about allergenic ingredients will be located in a single place, i.e. the ingredients list on pre-packed food. This means that the voluntary use of the current types of allergy boxes (such as: 'Contains nuts') that provide a short cut to allergen information also given in the ingredients list, will no longer be allowed.

Currently, loose foods (that can be bought without packaging) for example in

supermarkets, delis, cafes and restaurants; don't have to provide information you need about food allergens. However, starting with 13th December 2014, information on any of the 14 allergens used as ingredients will need to be provided for these foods (Popa M., 2014).

APPLICATION OF EU 1169/2011 REGULATION ON LABELING

In order to put a new product on the market a producer needs to make sure that the label is corresponding to the new EU Regulation 1169/2011. With the adoption of this Regulation the nutritional information is mandatory part of labeling. Another measure that was adopted is the necessity of the font size to be at a minimal of 1,2 mm. This measure helps the consumers to see what is in their product better, because it is known that the producers tend to put the additives in small fonts. By using a nutritional or health claim on the packaging, the nutritional information should be expanded with the micro (nutritional) of which the claim is made. Also, the percentage of Recommended Daily Allowances (RDA) should be calculated per 100 g or 100 ml of product. In this new regulation bolding the allergens is a must, and

even if someone has a suspicion that an ingredient that may cause allergic reaction to the end consumer is inside the product, it is necessary to specify that at the bottom of the label (EU Nr. 1169/2011 Directive)

CASE STUDY

In this section of the paper it is presented an example of a label that respects the new requirements of the 1169/2011 EU Regulation. The product is called „Mango-pineapple cookies”. In Table 1 it may find the ingredient list of the mango-pineapple cookies. The main goal of this case study is to show how a producer should make a label for its product respecting the new EU regulations (Ellis van Diermen, 2014).

Table 1. List of ingredients for the „Mango-pineapple cookies”

Ingredients	% of end product
Barley flour	33
Sugar	14
Margarine	14
Mango pieces	9
Cereal mix	
- Rye flakes	9
- Oat flakes	9
- Sesame seed	3
Inuline	7
Barn eggs	1
Raising agents: E339 and E500	<0.5
Vitamin pre-mix (B1, B2, B3)	<0.5
Pineapple-flavor (natural)	<0.1

Currently, the rules for pre-packed foods establish a list of 14 food allergens, which have to be indicated by reference to the source allergen whenever they, or ingredients made from them, are used at any level in pre-packed foods, including alcoholic drinks.

The list consists of cereals containing gluten, crustaceans, mollusks, eggs, fish, peanuts, nuts, soybeans, milk, celery, mustard, sesame, lupine and sulphur dioxide at levels above 10mg/kg, or 10 mg/liter, expressed as SO₂.

In our example we have the next list of allergens that are shown in Table 2 (Ellis van Diermen, 2014).

Table 2. List of allergens that are present in the product

eggs	+	soy	+
gluten	+	sesame	+
oat	+	sesame oil	+
rye	+	lupin	?
barely	+		

As it can observe all the allergens that are for sure present in the product have the „+” mark near them and the one allergen that is to be believed present has the question mark „?” near it.

Another important thing that must be done in order to make the correct label is to answer to the following questions:

1. Is it allowed to use the product name „mango-pineapple” cookies based on the ingredients presented in table 1?
2. Are the suggested picture of mango and a slice of pineapple allowed on this packaging?
3. Can we state that the product is without artificial flavors?

Here are some basic points that the producers need to pay special attention at when designing a label:

- Mandatory declarations by law regarding labeling, such as legal product name, allergens and ingredient declarations see Regulation 1169/2011, article 9.
- Note down all nutritional value records about energy and (micro) nutrients following the obligations in Regulation 1169/2011, article 30.
- In relation to the nutrition declaration pay attention to the suggested claims (USP’s) in the memo (Regulation 1169/2011, article 9, f).
- The nutritional declaration should not be calculated here. Only mentioning the needed (micro) nutrients to be noted on the table (without values) is sufficient.

Having all these information it can proceed in making the actual label. In Figure 1 we can see the actual label with all the regulations applied.

Figure 1. Final form of the label of the product

Cookies with dried mango pieces and pineapple flavor with			
240 gram			
Ingredients: barley flour, sugar, margarine [vegetables oils in varying proportions (sunflower oil, fully hydrogenated rapeseed oil, partly hydrogenated palm oil)], water, salt, emulsifier: soy lecithin, vitamins A and D3], 9% dried mango pieces [8.1% mango, sugar, preservatives E223], rye flakes, oats flakes, dietary fiber (inulin), sesame seed, barn egg , rising agents (E339 and E500), natural pineapple flavoring, vitamins B1, B2, B3. May contain traces of lupine.			
Average nutritional value	Per 100 g	Per cookie (40g)	
Energy	2140 kJ / 510 kcal	855 kJ / 205 kcal	
Fat	26.1 g	10.4 g	
of which saturated	6.8 g	2.7 g	
Carbohydrates	58.5 g	23.4 g	
of which sugar	24.0 g	9.6 g	
Fiber	5.6 g	2.2 g	
Protein	7.8 g	3.1 g	
Salt	0.3 g	0.12 g	
Vitamin B1	0.4 mg	0.16 mg	
	36% NRV	15% NRV	
Vitamin B2	0.4 mg	0.17 mg	
	30% NRV	12% NRV	
Vitamin B3	4.8 mg	1.92 mg	
	30% NRV	12% NRV	
NRV – Nutrient Reference Values			
Best before: see front of pack.			
Store in a cool and dry place.			

Legal claims

As stated earlier there are a number of legal claims that need attention if the producers want the label to be appropriate.

1. Is it allowed to use the product name „mango-pineapple cookies,, based on the ingredients list from table 1?

The product name Mango-pineapple cookies is allowed. Pineapple and mango are both present in the product, even if the pineapple is present as a natural flavoring. According to the legislation it does not matter what quantity of an ingredient is added. The percentage of ingredients should be mentioned in the

declaration and label (EU Nr. 1169/2011 Directive).

2. Are the suggested picture of mango and a slice of pineapple allowed on this packaging?

The picture shall not be misleading for the consumer. The picture of the mango may be used; provided that this ingredient is mentioned in the ingredient list with % is on the end product. A picture of the pineapple is NOT possible, because only the pineapple flavor has been used (EU Nr. 1169/2011 Directive).

3. Can we state that the product is without artificial flavors?

This claim is only allowed if the product contains only natural flavors. In this case a natural pineapple flavor is used, so yes, we can state that the product does not have any artificial flavors (EU Nr. 1169/2011 Directive).

CONCLUSIONS

The directive concerns the display of product information on product packaging and online stores; pertaining to food and beverages sold in the EU. The objective of which, is to standardize food labeling and provide greater clarity to consumers on ingredients, nutrition and allergens (Popa M., 2014).

The directive came into effect in December 2014. Food and beverage manufacturers will have to update their packaging to comply with this new legislation. Online retailers must ensure that the information they provide conforms to the regulation and it must be identical to the product information provided on the manufacturers physical packaging. Compliance with the new legislation will ensure that product information is consistent throughout the supply chain at every consumer touch-point, both in-store and online.

The EU Regulation 1169/2011 changes existing legislation on food labeling in order to help the consumer understand better what they eat. The most important thing that has changed is the font size, increasing it to a minimum 1.2 mm

makes the label much easier to read. Mandatory nutrition information on processed foods is now mandatory and the origin labeling of unprocessed meats from pigs, sheep, goat and poultry is too (Ellis van Diermen, 2014).

Food and beverage manufacturers will be responsible for:

- Displaying EU 1169/2011 compliant information on all product packaging. The directive specifies a list of mandatory information and details on how the information should be formatted – covering ingredients, allergens and nutritional values.

- Where product information is requested electronically, that information must also be EU 1169/2011 compliant. The directive specifies exactly what information needs to be provided.

Food and beverage products that do not adhere to the legislation cannot be sold in the EU.

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