

# Labelling – General requirements

## Introduction

The NSW Food Authority (the Authority) is responsible for administering the labelling provisions of the Australia New Zealand Food Standards Code (the Code). In addition, the Authority administers the NSW *Food Act 2003*, which includes sections prohibiting the provisions on labels of misinformation which can mislead the consumer.

The Authority is **not** responsible for:

- the presence and accuracy of total weights and measures statements, which is the responsibility of the NSW Office of Fair Trading (however, the Authority is responsible for percentage ingredient statements),
- barcodes,
- recycling codes,
- composition and labelling of pet food, nor
- therapeutic products (including dietary aids and supplements) registered by the Therapeutic Goods Administration, which are governed by that agency.

## What is food labelling?

Food labelling informs the consumer of the properties of food offered for sale. The information presented on the label must:

- be visible on the outside of the package,
- be unambiguous, and
- not mislead the consumer.

Unpackaged food is exempt from most labelling requirements. However, the consumer must be provided with certain information (see section *Labelling exemptions*). Certain packaged foods are also exempt from some or all of the labelling requirements (see section *Labelling exemptions*).

Under food law, advertising information is considered to be equivalent to labelling.

## What information must a food label contain?

The food label must identify:

- a **name for the food** which is prescribed by the Code, or a name/description that describes the true nature of the food,
- the **production 'lot'** of the food prepared under the same conditions and during a particular span of time (date coding can in some circumstances satisfy the requirement for a lot number),

- the **name and street address in Australia or New Zealand** of the supplier of the food (eg the manufacturer, marketer or importer),
- a **list of the ingredients**,
- a statement of the **shelf life of the product**, as either a 'use-by' or a 'best before' date (see related factsheet *Labelling – Datemarking, storage conditions and directions for use* for further details),
- directions for use and storage where these are needed for reasons of health and safety or to ensure shelf life is achieved,
- the **nutrition information panel (NIP)**, which shows the quantity of the basic nutrients contained in the food, per serving and also per 100g of that food. Certain packaged foods are exempt from the requirement to carry a NIP, eg alcoholic beverages, water, herbs and spices, and prepared sandwiches,
- the **country of origin** of the product and its ingredients (see related factsheet *Labelling – Country of origin* for further details), and
- **warning and advisory statements** and declaration of the presence of substances which may adversely affect the health of people with allergies and food sensitivities (see related consumer factsheet *Food allergies and intolerances*).

## Labelling exemptions

Some food offered for retail sale is exempt from general labelling requirements. Exemptions apply if the food is:

- unpackaged,
- in an 'inner' package, not designed for sale without the outer package,
- made and packaged on the premises from which it is sold,
- packaged in the presence of the purchaser,
- whole or cut vegetables and fruit, in a package which displays the nature and the quality of the food (sprouting seeds are excluded from this exemption),
- delivered packaged and ready for consumption at the order of the consumer,
- packaged food displayed in an assisted service cabinet, or
- sold at a fundraising event (see related consumer factsheet *Charities, community groups and volunteers*).

However, **such food must comply with the requirement for the various warning statements required by the Code for safety reasons and also for foods that are genetically modified or irradiated.** With the exception of the presence of royal jelly, genetically modified foods and irradiated foods, this requirement can be met either by displaying the required information in conjunction with the food (mandatory for royal jelly), or providing the information to the purchaser on request.

### **About The NSW Food Authority**

The NSW Food Authority is the government organisation that helps ensure NSW food is safe and correctly labelled.

It works with consumers, industry and other government organisations to minimise food poisoning by providing information about and regulating the safe production, storage, transport, promotion and preparation of food.

### **More information**

- visit the NSW Food Authority's website at [www.foodauthority.nsw.gov.au/industry](http://www.foodauthority.nsw.gov.au/industry)
- phone the helpline on 1300 552 406
- Food Standards Australia New Zealand (FSANZ) has developed user guides and factsheets relating to labelling requirements. These are available from the FSANZ website at [www.foodstandards.gov.au/thecode/industryuserguides/index.cfm](http://www.foodstandards.gov.au/thecode/industryuserguides/index.cfm)
- Information about the Therapeutic Goods Administration is available at [www.tga.gov.au](http://www.tga.gov.au)

### **Note**

This information is a general summary and cannot cover all situations. Food businesses are required to comply with all of the provisions of the Food Standards Code and the *Food Act 2003* (NSW).