

**The Labelling of Food in Ireland  
Report 2002**

**Revised Addendum**

**May 2004**

## **Disclaimer**

This publication is intended to provide a summary of the subject matter covered. It does not purport to be comprehensive or to constitute legal or other professional advice.

## **Foreword**

It has proved necessary to produce a revised addendum to the Labelling of Food in Ireland Report 2002 as a result of changes to the labelling legislation. The legislative changes outlined in the revised addendum outlines the position of the labelling requirements for pre-packaged food up to and including May 2004.

The Health and Consumer Protection Directorate General of the European Commission (DG SANCO) commissioned an evaluation of the food labelling legislation with a view to its simplification and modernisation in 2003. The aim of the evaluation was to allow the Community to reassess its policy on food labelling and to potentially identify if legislative changes are needed in order to meet demands from consumers. On foot of this report DG SANCO is due to draft a new legislative proposal in 2004/2005 on food labelling according to the consumer needs as identified in the report. As a result “The Labelling of Food in Ireland Report 2002” will be revised to reflect any legislative changes.

## **CHAPTER 3**

### **3.1 National Labelling Legislation**

The European Communities (Labelling, Presentation and Advertising of Foodstuffs) Regulations, 2000 (S.I. No. 92 of 2000) has been revoked and replaced by the European Communities (Labelling, Presentation and Advertising of Foodstuffs) Regulations, 2002 (S.I. No. 483 of 2002). The 2002 Regulations implement the provisions of European Council Directive 2000/13/EC and were published for implementing purposes only and do not alter the labelling requirements in anyway.

The European Communities (Labelling, Presentation and Advertising of Foodstuffs) Regulations, 2002 (S.I. No. 483 of 2002) has itself been amended by:

- European Communities (Labelling, Presentation and Advertising of Foodstuffs) (Amendment) Regulations, 2003 (S.I. No. 257 of 2003).  
This amendment gives effect to Commission Directive 2001/101/EC and applies only to products which contain meat as an ingredient (see 3.2.1).
- European Communities (Labelling, Presentation and Advertising of Foodstuffs) (Amendment) (No.2) Regulations, 2003 (S.I. No. 451 of 2003).  
This amendment extends the exemption for sugar confectionary products to cocoa and chocolate products, whereby products with a net weight less than 50 grams do not have to declare the net quantity.
- European Communities (Labelling, Presentation and Advertising of Foodstuffs) (Amendment) (No.3) Regulations, 2003 (S.I. No. 528 of 2003).  
The final amendment gives effect to Commission Directive 2002/67/EC on the labelling of food containing caffeine and quinine (see 3.2.2).

### **3.2 European Labelling Legislation**

The European Labelling Legislation Council Directive 2000/13/EC on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs has been amended by:

- Commission Directive 2001/101/EC regarding the declaration of meat content in meat products (and its amendment Commission Directive 2002/86/EC as regards the date from which trade in products not in conformity are prohibited) (see 3.2.1)
- Commission Directive 2002/67/EC on the labelling of foodstuffs containing quinine and of foodstuffs containing caffeine (see 3.2.2) and
- Directive 2003/89/EC regarding the declaration of allergenic ingredients (see 3.2.3).

### **3.2.1 Commission Directive 2001/101/EC Meat products labelling**

The new labelling rules according to Directive 2001/101/EC tightens up the definition of the term "meat" for the labelling of meat-based products such as cooked meats, prepared dishes and canned meat. The requirements also extend to meat products which are sold loose. The Directive applies to products that contain meat as an ingredient, while meat sold without further processing is excluded.

Directive 2001/101/EC which came into force on 1<sup>st</sup> January 2003 has subsequently been amended by Commission Directive 2002/86/EC as regards the date from which trade in products not in conformity with Directive 2000/13/EC are prohibited. This amendment established a six month transitional period whereby operators had until 1<sup>st</sup> July 2003 to make the necessary changes to their labels.

The new rules contain a set of provisions to improve consumer information on pre-packaged meat products in a variety of ways. Firstly, the new rules restrict the definition of 'meat' to the skeletal-attached muscles. Secondly, the species from which the meat came from must also be indicated in the list of ingredients such as 'beef meat' or 'bovine meat'.

The Food Safety Authority of Ireland set up a Working Group with representatives from the regulatory authorities, industry and various interest groups and produced a separate guide on the new meat products labelling requirements - *Guidance Note 14: The application of Commission Directive 2001/101/EC as amended by Commission Directive 2002/86/EC on the Definition of Meat*. The intention of this guidance note is to enable those involved in the manufacturing, packaging and selling of meat products to better understand the new labelling requirements.

### **3.2.2 Commission Directive 2002/67/EC Labelling of quinine and caffeine**

Commission Directive 2002/67/EC on the labelling of foodstuffs containing quinine, and of foodstuffs containing caffeine came into force on 1<sup>st</sup> July 2003.

Quinine and caffeine are used in certain foods, such as soft drinks, as flavourings or, in the case of caffeine, as an ingredient. Current labelling rules do not require the specific naming of flavourings in ingredient lists. Up until now caffeine or quinine, used as a flavouring, might not therefore be listed.

This Directive makes it necessary for food labels to always clearly indicate to the consumer the presence of quinine or caffeine in the list of ingredients. In addition, under the new rules, drinks containing caffeine in excess of 150mg/l must also provide a warning message on the label followed by an indication of the caffeine content such that: 'High caffeine content (Xmg/100ml)'.

### **3.2.3 Directive 2003/89/EC Labelling of allergens**

Directive 2000/13/EC has most recently been amended by Directive 2003/89/EC as regards the indication of ingredients present in foodstuffs. The aim of this amendment is to achieve a high level of health protection for consumers and to guarantee their right to information by ensuring they are appropriately informed of the composition of foods through the listing of all ingredients on the label.

Under current labelling rules there are exemptions whereby under certain circumstances certain ingredients or other substances need not appear in the list of ingredients. However the new requirements which come into force in November 2004, recognise that certain ingredients, additives, processing aids and other substances can cause allergies or intolerances in consumers. The new labelling rules endeavour to assist consumers who have allergies or intolerances by providing them with more comprehensible information on the composition of foods.

From November 2004 it will be obligatory to include the list of all ingredients and other substances present in a food, however, some minor exemptions will be permitted. In addition, it will also become mandatory to include on the label of a food as well as alcoholic beverages, all ingredients with allergenic effect.

#### **Declaration of allergenic ingredients**

Any ingredient used in the production of a food and still present in the finished product even if in altered form and is listed in Appendix 1(a) as an allergenic ingredient or originates from an ingredient in this list, must be indicated on the label with a clear reference to the name of this ingredient.

For example, where the ingredient of a food is a cereal which contains gluten, such as wheat, the ingredient name 'wheat' must appear clearly on the label. The declaration 'wheat' is not required if the name under which the food is sold clearly refers to this ingredient such as "Wheat bread".

#### **Declaration of other substances with allergenic effect**

In addition, any substance including additives and processing aids which are used in the production of a food and still present in the finished product even if in an altered form and originates from the allergenic ingredients listed in Appendix 1(a), is considered as an ingredient and must be indicated on the label with a clear reference to the name of the ingredient from which it originates.

The current list of allergenic ingredients (Appendix 1(a)) has been acknowledged by the Scientific Committee of Food as being the most common food allergens. This list will be systematically re-examined and, where necessary, updated on the basis of the most recent scientific knowledge. The first re-examination shall take place before November 2005.

The European Commission has produced technical guidelines for the interpretation of the list of allergenic ingredients as some substances that are derived from major food allergens may never pose a threat for consumers with allergies. As a result the new amendment establishes a procedure allowing for a temporary labelling exemption of relevant derivatives, to allow time to provide the necessary scientific evidence.

### **Alcoholic beverages**

Where an allergenic ingredient is present in an alcoholic beverage (i.e. beverages containing more than 1.2% by volume of alcohol) the ingredient must be declared on the label such that 'contains (name of allergenic ingredient)'. This is necessary as alcoholic beverages are not required to list their ingredients. However, where the ingredient concerned is already included in the list of ingredients (if given) or in the name under which the beverage is sold such as 'Wheat Beer' the declaration 'contains (name of allergenic ingredient)' is not required.

## **3.3 Protected name**

Council Regulation (EEC) No. 2081/92 has been amended by Council Regulation (EC) No. 692/2003 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs.

Amongst other provisions this amendment excludes spirit drinks and wine-sector products (except wine vinegars) from being registered, opens the protection provided by the registration to third countries and removes mineral and spring waters from the registered list of protected names.

The European Commission has published a guide to the Community Regulations on the Protection of Geographical Indications, Designations of Origin and Certificates of Specific Character. It gives a guide to the legislation governing registration, explains the procedure of registering names as well as including the list of registered names (up until March 2004).

## **Chapter 3 (and Chapter 10)**

### **3.4 Enforcement of General Labelling Requirements**

The Food Safety Authority of Ireland has the overall responsibility for the enforcement of the European and National Regulations in collaboration with the official agencies that work under service contract to the FSAI according to the Food Safety Authority of Ireland Act, 1998 (No. 29 of 1998) as amended.

The officers currently enforcing the labelling requirements under the European Communities (Labelling, Presentation and Advertising of Foodstuffs) Regulations as amended are:

- Officers of the Office of the Director of Consumer Affairs
- Environmental health officers of the ten regional Health Boards

The functions of the work in relation to the Directive on the Labelling, Presentation and Advertising of Foodstuffs was transferred from the Tanaiste and Minister for Enterprise, Trade and Employment to the Department of the Minister of Health and Children in June 2003.

The enforcement of the labelling legislation is being extended to officers in other official agencies such as local authorities and Department of Agriculture and Food in the near future.

## **CHAPTER 4**

### **4.1 Nutrition Labelling**

Directive 90/496/EEC on nutrition labelling for foodstuffs has been amended by Commission Directive 2003/120/EC. The amendment adds 'salatrim 6kcal/g – 25kj/g' to the table of conversion factors for the calculation of energy value. Salatrim is a type of reduced-calorie fats and have been approved for use as novel food ingredients in energy-reduced bakery products and confectionery.

## **CHAPTER 5**

### **5.1 Claims on food**

There is currently a proposal for a European Regulation on health and nutrition claims. This proposal sets rules for making nutrition claims (e.g. low in fat) and health claims (i.e. claims of a positive relationship between a specific food and improved health). The new rules will permit some health claims that were previously prohibited if they can be scientifically substantiated and authorised at EU level. However, in the interest of consumer protection, it will also include certain restrictions.

## **CHAPTER 6**

### **6.1 Novel Foods and Genetically Modified Food**

#### **6.1.1 Labelling of genetically modified food**

Regulation (EC) No. 1829/2003 on genetically modified food and feed amends Regulation (EC) No. 258/97 on novel foods with respect to the authorisation, supervision and labelling of genetically modified food and repeals Regulations (EC) No. 1139/98, 49/2000 and 50/2000.

The threshold for labelling of authorised GM food ingredients has changed downward to 0.9% from 1.0%. Up to 0.5% of an unauthorised GM food ingredient will be tolerated for a limited time period provided that GM ingredient has received a favourable risk assessment and as long as there are detection methods available. In both situations operators must be in a position to demonstrate that the presence of the GM ingredients is adventitious or technically unavoidable.

Commission Regulation (EC) No. 641/2004 sets out detailed rules for the implementation of Regulation (EC) No. 1829/2003 as regards the application for the authorisation of new genetically modified food and feed, the notification of existing products and adventitious or technically unavoidable presence of genetically modified material which has benefited from a favourable risk evaluation

#### **6.1.2 Traceability and labelling**

Regulation (EC) No. 1831/2003 amends Directive 2001/18/EC in relation to the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms. This Regulation aims at the establishment of a traceability and labelling system for GMOs and derived food whereby operators retain, for a period of 5 years, information pertaining to the immediate receipt and distribution of GM ingredients that exceed the technically unavoidable thresholds.



## **CHAPTER 7**

### **7.1 Organic Food**

Council Regulation (EC) No. 392/2004 amended Regulation (EEC) No. 2092/91 on organic production of agricultural products. This amendment makes clear that products bearing indications of the term organic (and translations of the term in the other official languages of Member States) or their usual derivatives (such as 'bio', 'eco' etc) shall be regarded as indications referring to the organic production method throughout the Community.

## **CHAPTER 8 Labelling Requirements for Specific Commodities**

### **8.1 Beef and Beef Products (including minced beef)**

European Communities (Labelling of Beef and Beef Products) Regulations, 2000 (S.I. No. 435 of 2000) has been amended by European Communities (Labelling of Beef and Beef Products) Regulations, 2002 (S.I. No. 485 of 2002).

The amendment provides for the prosecution of offences by the Minister, local authority or health board and increases the maximum fine on conviction to 2,500 Euro.

### **8.2 Meat Products Labelling**

European Communities (Meat Products and Other Products of Animal Origin) Regulations, 1995 and 1997 have been amended by:

- European Communities (Meat Products and Other Products of Animal Origin) (Amendment) Regulations, 2000 (S.I. No. 93 of 2000) and
- European Communities (Meat Products and Other Products of Animal Origin) (Amendment) (No. 2) Regulations, 2002 (S.I. No. 484 of 2002).

The 2000 Regulations lays down rules applicable to minced meat, meat preparations and certain other products of animal origin. They also impose additional production conditions for stomachs, bladders and intestines, prescribe additional labelling rules and modify the circumstances under which certain derogations from the rules for the processing of meat products can be granted.

The 2002 Regulations permit the approval of low capacity meat products premises and make provisions for the use of a national health mark by operators of such meat products premises.

### **8.3 Cocoa and chocolate products**

European Communities (Marketing of Cocoa and Chocolate Products) Regulations, 2003 (S.I. No. 236 of 2003) gives legal effect to Directive 2000/36/EC which prescribes, and harmonises within the European Union, standards for the composition and labelling of cocoa and chocolate products for human consumption.

The Food Standards (Cocoa and Chocolate Products) (European Communities) Regulations, 1975 (S.I. No. 180 of 1975) are revoked.

### **8.4 Fruit juices and fruit nectars**

European Communities (Marketing of Fruit Juice and Certain Similar Products) Regulations, 2003 (S.I. No. 240 of 2003) gives legal effect to Directive 2001/112/EC which prescribes and harmonises within the European Union, standards for the composition and labelling of fruit juices and certain similar products.

The Food Standards (Fruit Juices and Fruit Nectars) (European Communities) Regulations, 1978 (S.I. No. 173 of 1978), the Food Standards (Fruit Juices and Fruit Nectars) (European Communities) (Amendment) Regulations, 1984 (S.I. No. 266 of 1984) and the Food Standards (Fruit Juices and Fruit Nectars) (European Communities) (Amendment) Regulations, 1992 (S.I. No. 27 of 1992) are revoked.

The Department of Agriculture and Food in conjunction with the FSAI have produced a guide on the “Labelling of Fruit Juices and Related Products” and should be consulted for a more detailed guide to the legislation.

### **8.5 Sugars**

There is a typographical error whereby ‘Council Directive 73/473/EEC’ regulating sugars intended for human consumption should read ‘Council Directive 73/**437**/EEC’.

Directive 2001/111/EC relating to certain sugars intended for human consumption repeals and replaces Council Directive 73/437/EEC. European Communities (Marketing of Sugar Products) Regulations, 2003 (S.I. No. 289 of 2003) implements the provisions of Directive 2001/111/EC.

The Food Standards (Certain Sugars) European Communities) Regulations, 1975 (S.I. No. 118 of 1975) and the Food Standards (Certain Sugars) (European Communities) Regulations, 1981 (S.I. No. 412 of 1981) are revoked.

## **8.6 Honey**

European Communities (Marketing of Honey) Regulations, 2003 (S.I. No. 367 of 2003) gives legal effect to Directive 2001/110/EC relating to the marketing of honey and revoke the Food Standards (Honey) (European Communities) Regulations, 1976 (S.I. No. 155 of 1976).

## **8.7 Dehydrated Preserved Milk**

Council Directive 76/118/EEC relating to certain partly or wholly dehydrated preserved milk for human consumption is repealed and replaced by Council Directive 2001/114/EC with effect from 17 July 2003.

Directive 76/118/EEC has been recast in order to make the rules governing partly or wholly dehydrated preserved milk for human consumption more accessible. The new requirements bring Directive 2001/114/EC into line with general Community legislation on foodstuffs, particularly legislation on labelling, authorised additives, hygiene and health rules.

European Communities (Dehydrated Preserved Milk) Regulations, 2003 (S.I. No. 298 of 2003) gives effect to Directive 2001/114/EC and revokes European Communities (Dehydrated Preserved Milk) Regulations, 1980 (S.I. No. 152 of 1980), European Communities (Dehydrated Preserved Milk) Regulations, 1987 (S.I. No. 68 of 1987) and European Communities (Dehydrated Preserved Milk) Regulations, 1990 (S.I. No. 167 of 1990).

## **8.8 Jams and Jellies**

European Communities (Marketing of Fruit Jams, Jellies, Marmalades and Sweetened Chestnut Puree) Regulations, 2003 (S.I. No. 294 of 2003) gives legal effect to Directive 2001/113/EC which prescribe and harmonise, within the European Union, standards for the composition and labelling of fruit jams, jellies, marmalades and sweetened chestnut puree products. The European Communities (Fruit Jams, Jellies and Marmalades and Chestnut Puree) Regulations, 1982 (S.I. No. 250 of 1982) are revoked.

## **8.9 Fishery Products**

European Communities (Labelling of Fishery and Aquaculture Products) Regulations, 2003 (S.I. No. 320 of 2003) gives effect to Council Regulation (EC) No. 104/2000 and to Commission Regulation (EC) No. 2065/2001 laying down the conditions for informing consumers about fishery and aquaculture products.

A guidance document to these Regulations entitled '*Guidance Note No.7 – The labelling of Fish and Aquaculture Products according to Council Regulation (EC) No. 104/2000 and Commission Regulation (EC) No. 2065/2001 Revision 1 : 2003*' was drawn up by the Food Safety Authority of Ireland in conjunction with DCMNR and Bord Iascaigh Mhara. The guide which specifically details the labelling and packaging requirements for fishery and aquaculture products and the traceability of such products should be consulted for a more detailed guide to the legislation.

## **8.10 Olive oil**

Commission Regulation (EC) No. 2815/98 concerning marketing standards for olive oil ceased on 31<sup>st</sup> October 2002 and is no longer in force. The provisions of this Regulation have been replaced by inclusion in a new Olive Oil marketing Regulation, Commission Regulation (EC) No. 1019/2002 on marketing standards for olive oil. This Regulation entered into force on 1<sup>st</sup> November 2002.

Commission Regulation (EC) No. 1019/2002 was itself amended by Commission Regulation (EC) No. 1964/2002 (which is now no longer in force) and Commission Regulation (EC) No. 1176/2003 on the marketing standards for olive oil.

The new rules lay down marketing standards for retail sales of olive oil to final consumers. It covers information on the labelling of different categories of olive oil, designation of origin, packaging requirements, optional labelling indications and labelling of foodstuffs containing olive oil.

## **8.11 Wine**

Commission Regulation (EC) No. 316/2004 amends Regulation (EC) No. 753/2002 which lays down certain rules for applying Council Regulation (EC) No.1493/1999 as regards the description, designation, presentation and protection of certain wine sector products.

This amendment simplifies the rules governing the use of EU traditional expressions used to designate quality wines and which refer to a production or ageing method, a colour, a quality etc. The 2002 Regulation provided a system of two categories of such terms. The first category contained expressions that could be used by third countries under certain conditions (e.g. “klassic”, “château”, “classico”, “reserva”). The second category was exclusively reserved to wines produced in the EU and included traditional expressions, which were linked to production in particular geographical areas (e.g. “vin *jaune*”, “*amarone*”, “*amontillado*”, “*ruby*” etc). Some traditional expressions such as “fino” and “claret” that had been used for many years in other areas of the world, were not permitted to appear in the EU market, on wine labels produced by third countries.

This Amending Regulation merges the designations into a single category and third countries will be permitted to use such terms, on the condition that they comply with a set of strict conditions equivalent to those existing for Member States.

## **8.12 Natural Mineral Water and Bottled Water**

European Commission Directive 2003/40/EC amends Council Directive 80/777/EEC and Directive 96/70/EC on the exploitation and marketing of natural mineral waters. It establishes the list, concentration limits and labelling requirements for the constituents of natural mineral waters and the conditions for using ozone-enriched air for the treatment of natural mineral waters and spring waters.

European Communities (Natural Mineral Waters, Spring Waters and Other Waters in Bottles or Containers) Regulations, 2004 (S.I. No.6 of 2004) gives effect to Council Directive 80/777/EEC, Directive 96/70/EC and Commission Directive 2003/40/EC.

The 2004 Regulations also revoke European Communities (Natural Mineral Waters) Regulations, 1986 (S.I. No.11 of 1986) and European Communities (Natural Mineral Waters) (Amendment) Regulations, 1998 (S.I. No. 461 of 1998).

## **CHAPTER 9 Miscellaneous Labelling Rules**

### **9.1 Foods for Particular Nutritional Purposes**

European Communities (Foodstuffs Intended for Particular Nutritional Uses) Regulations, 1991 (S.I. No. 331 of 1991) is revoked and replaced by European Communities (Foodstuffs Intended for Particular Nutritional Uses) Regulations, 2002 (S.I. No. 379 of 2002). These Regulations give effect to the provisions of Commission Directive 2001/15/EC on substances that may be added for specific nutritional purposes in foods for particular nutritional uses.

Commission Directive 2001/15/EC (amending 89/398/EC and its amendments) is applicable from 1<sup>st</sup> April 2002. This Directive lists the chemical substances which may be used in the manufacture of foodstuffs for particular nutritional uses such as vitamins, minerals, amino acids, carnitine, taurine, nucleotides, choline and inositol. These chemical substances have been selected on the basis of their safety, their availability for use by humans and their organoleptic and technological properties.

Commission Directive 2001/15/EC has subsequently been amended by Commission Directive 2004/5/EC to include certain substances in the Annex and by Commission Directive 2004/6/EC derogating from Directive 2001/15/EC to postpone the application of the prohibition of trade to certain products.

### **9.2 Food Supplements Labelling**

Directive 2002/46/EC regulating food supplements came into force on 31<sup>st</sup> July 2003. The objective of the Directive is two-fold. Firstly, it sets out a general framework as well as safety rules for food supplements. Secondly, it requires that detailed information should appear on the label to ensure consumers can make an informed choice such as information regarding daily dosage, a warning relating to possible health risks in cases of excess use and a statement that the supplements should not be used as a substitute for a varied diet.

In addition to the general labelling provisions of Directive 2000/13/EC, specific labelling provisions apply to food supplements, including the requirement to use the word 'supplement' on the label. Where a food supplement is marketed or imported for the first time in a country, there are provisions for the manufacturer or the importer to notify the competent authority.

European Communities (Food Supplements) Regulations, (S.I. No. 539 of 2003) implements the provisions of Directive 2002/46/EC.

### **9.3 Infant Formulae**

Commission Directive 2003/14/EC amends Directive 91/321/EEC on infant formulae and follow-on formulae. It stipulates that infant formulae and follow-on formulae shall not contain any substance in such quantity as to endanger the health of infants and young children. On the basis of opinions given by the Scientific Committee on Food it established a general maximum residue level of 0.01 mg/kg for any individual pesticide in infant formulae and follow-on formulae.

European Communities (Infant Formulae and Follow-on Formulae) Regulations, 2004 (S.I. No. 242 of 2004) gives effect to Commission Directive 91/321/EEC, Council Directive 92/52/EEC, Commission Directive 96/4/EC, Commission Directive 1999/50/EC and Commission Directive 2003/14/EC on compositional, labelling, marketing and informational requirements for infant formulae and follow-on formulae intended for infants in good health.

The Regulations revoke the European Communities (Infant Formulae and Follow on Formulae) Regulations, 1998 (S.I. No. 243 of 1998) and the European Communities (Infant Formulae and Follow-on Formulae) (Amendment) Regulations, 2000 (S.I. No. 446 of 2000).

### **9.4 Cereal-based Foods and Baby Foods for Infants and Young Children**

Commission Directive 2003/13/EC amends Directive 96/5/EC on processed cereal-based foods and baby foods for infants and young children. It stipulates that processed cereal based foods and baby foods shall not contain any substance in such quantity as to endanger the health of infants and young children. On the basis of opinions given by the Scientific Committee on Food it establishes a general maximum residue level of 0.01 mg/kg for any individual pesticide in processed cereal-based foods and baby foods.

## **9.5 Material and Articles Intended to Come into Contact with Foodstuffs**

European Communities (Material and Articles Intended to Come into Contact with Foodstuffs) Regulations, 1991 (S.I. No. 307 of 1991) has been most recently amended by:

- European Communities (Material and Articles Intended to Come into Contact with Foodstuffs) (Amendment) Regulations, 2003 (S.I. No. 542 of 2002)
- European Communities (Material and Articles Intended to Come into Contact with Foodstuffs) (Amendment) Regulations, 2003 (S.I. No. 76 of 2003).

The 2002 Amendment implements Commission Directive 2001/62/EC and Commission Directive 2002/17/EC (amending Directive 90/128/EC for the sixth and seventh time) relating to plastic materials and articles intended to come into contact with foodstuffs.

The 2003 Amendment implements Commission Directive 2002/16/EC on the use of certain epoxy derivatives in materials and articles intended to come into contact with foodstuffs.

There is a typographical error on page 114 which should read as follows ‘These Regulations give effect to.....Vinyl chloride (Directive 78/142/EEC) and Ceramics (Directive 84/500/EEC) and their amendments’.

## **9.6 Food Additives, Colours and Sweeteners**

European Communities (Additives, Colours and Sweeteners in Foodstuffs) Regulations, 2000 (S.I. No. 437 of 2000) has been amended by the following:

- European Communities (Additives, Colours, and Sweeteners in Foodstuffs)(Amendment) Regulations, 2001 (S.I. No. 342 of 2001)
- European Communities (Additives, Colours, and Sweeteners in Foodstuffs)(Amendment) Regulations, 2002 (S.I. No. 344 of 2002)
- European Communities (Additives, Colours, and Sweeteners in Foodstuffs) (Amendment No. 3) Regulations, 2002 (S.I. No. 380 of 2002).

These Regulations implement the Directives on colours and sweeteners 94/35/EEC and 94/36/EEC and the relevant Directives on purity criteria.



## **9.7 Foods With Added Phytosterols**

Commission Regulation (EC) No. 608/2004 regulates the labelling of foods and food ingredients with added phytosterols, phytosterol esters, phytostanols and/or phytostanol esters.

Phytosterols, phytosterol esters, phytostanols and phytostanol esters reduce serum cholesterol levels but also reduce beta-carotene levels. In order to allow consumers to restrict their consumption of these materials, the Regulation requires the ingredients to be designated in prescribed terms and for a statement to appear in the same field of vision as the name of the food “with added plant sterols/ plant stanols”. Further cautionary statements are also required.

## **9.8 Confectionery and Beverages Containing Glycyrrhizinic Acid**

Commission Directive 2004/77/EC amends Directive 94/54/EC as regards the labelling of certain foods containing glycyrrhizinic acid and its ammonium salt. This Directive provides for additional labelling of confectionery and beverages containing glycyrrhizinic acid or its ammonium salt above certain limits because of the possibility that these flavourings can give rise to hypertension.

For confectionery or beverages containing glycyrrhizinic acid or its ammonium salt at a concentration of 100mg/kg or 10mg/l or above, statement ‘contains liquorice’ must be added immediately after the list of ingredients, unless the term ‘liquorice’ is already included in the list of ingredients or in the name under which the product is sold. In the absence of an ingredients list, the statement should appear near the name under which the product is sold.

For confectionery containing glycyrrhizinic acid or its ammonium salt at concentrations of 4g/kg or above, the statement ‘contains liquorice – people suffering from hypertension should avoid excessive consumption’ must be added after the list of ingredients. In the absence of an ingredients list the statement must appear near the name under which the product is sold.

For beverages containing glycyrrhizinic acid or its ammonium salt at concentrations of 50mg/l or above, or of 300mg/l or above in the case of beverages containing more than 1.2% by volume of alcohol, the statement ‘contains liquorice – people suffering from hypertension should avoid excessive consumption’ must appear after the list of ingredients. In the absence of a list of ingredients a statement should appear near the name under which the product is sold.

These levels apply to the products ready for consumption or as re-constituted according to the instructions of the manufacturer. Member States must bring into force Regulations to implement this Directive by 20<sup>th</sup> May 2005.

## Appendix 1a Allergenic ingredients

- Cereals containing gluten (i.e. wheat, rye, barley, oats, spelt, kamut or their hybridised strains) and products thereof
- Crustaceans and products thereof
- Eggs and products thereof
- Fish and products thereof
- Peanuts and products thereof
- Soybeans and products thereof
- Milk and products thereof (including lactose)
- Nuts i. e. Almond (*Amygdalus communis L.*), Hazelnut (*Corylus avellana*), Walnut (*Juglans regia*), Cashew (*Anacardium occidentale*), Pecan nut (*Carya illinoensis (Wangenh.) K. Koch*), Brazil nut (*Bertholletia excelsa*), Pistachio nut (*Pistacia vera*), Macadamia nut and Queensland nut (*Macadamia ternifolia*) and products thereof
- Celery and products thereof
- Mustard and products thereof
- Sesame seeds and products thereof
- Sulphur dioxide and sulphites at concentrations