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## STATUTORY INSTRUMENTS

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# 1996 No. 1499

## The Food Labelling Regulations 1996

### PART II

#### FOOD TO BE DELIVERED AS SUCH TO THE ULTIMATE CONSUMER OR TO CATERERS

##### *List of ingredients*

##### **Heading of list of ingredients**

**12.** The list of ingredients must be headed or preceded by an appropriate heading which consists of or includes the word “ingredients”.

##### **Order of list of ingredients**

**13.—**(1) Subject to the following paragraphs of this regulation, when a food is marked or labelled with a list of ingredients, the ingredients shall be listed in descending order of weight determined as at the time of their use in the preparation of the food.

(2) Subject to regulation 16, water and volatile products which are added as ingredients of a food shall be listed in order of their weight in the finished product, the weight being calculated in the case of water by deducting from the total weight of the finished product the total weight of the other ingredients used.

(3) In the case of an ingredient which is used in a food in concentrated or dehydrated form and which is reconstituted during preparation of the food, the weight used in determining the order of the list of ingredients may be the weight of the ingredient before concentration or dehydration.

(4) Without prejudice to regulation 12, where a food is in concentrated or dehydrated form and is intended to be reconstituted by the addition of water, its ingredients may be listed in descending order of their weight in the food when reconstituted as directed if the heading of the list of ingredients includes or is accompanied by the words “ingredients of the reconstituted product” or “ingredients of the ready to use product” or by some other indication to similar effect.

(5) Where a food consists of, or contains, mixed fruit, nuts, vegetables, spices or herbs and no particular fruit, nut, vegetable, spice or herb predominates significantly by weight, those ingredients may be listed otherwise than in descending order of weight if—

- (a) in the case of a food which consists entirely of such a mixture, the heading of the list of ingredients includes or is accompanied by the words “in variable proportion” or other words indicating the nature of the order in which the ingredients are listed, and
- (b) in the case of a food which contains such a mixture, that part of the list where the names of those ingredients appear is accompanied by the words “in variable proportion” or other words indicating the nature of the order in which those ingredients are listed.

## **Names of ingredients**

**14.—**(1) Subject to the following paragraphs of this regulation, the name used for any ingredient in a list of ingredients shall be a name which, if the ingredient in question were itself being sold as a food, could be used as the name of the food.

(2) The name used in any list of ingredients for any food which has been irradiated shall include or be accompanied by the word “irradiated” or the words “treated with ionising radiation”.

(3) Where in any case other than one to which paragraph (2) of this regulation applies a purchaser could be misled by the omission from the name used for an ingredient of any indication which, if the ingredient were itself being sold as a food, would be required to be included in or to accompany the name of the food, the name used for the ingredient in a list of ingredients shall include or be accompanied by that indication unless the provision requiring the indication provides to the contrary.

(4) A generic name which appears in column 1 of Schedule 3 may be used for an ingredient which is specified in the corresponding entry in column 2 of that Schedule in accordance with any conditions that are laid down in the corresponding entry in column 3 of that Schedule.

(5) Where an ingredient being a flavouring is added to or used in a food it shall be identified by either—

- (a) the word “flavouring” or, where more than one such ingredient is used, “flavourings”, or
- (b) a more specific name or description of the flavouring (or flavourings).

(6) The word “natural”, or any other word having substantially the same meaning, may be used for an ingredient being a flavouring only where the flavouring component (or components) of such an ingredient consists (or consist) exclusively of—

- (a) a flavouring substance (or flavouring substances) which is (or are) obtained, by physical, enzymatic or microbiological processes, from material of vegetable or animal origin which material is either raw or has been subjected to a process normally used in preparing food for human consumption and to no process other than one normally so used,
- (b) a flavouring preparation (or flavouring preparations), or
- (c) both (a) and (b) above.

(7) If the name of an ingredient being a flavouring refers to the vegetable or animal nature or origin of the material which it incorporates, the word “natural”, or any other word having substantially the same meaning, may not be used for that ingredient unless, in addition to satisfying the requirements of paragraph (6) of this regulation, the flavouring component (or components) of that ingredient has (or have) been isolated by physical, enzymatic or microbiological processes, or by a process normally used in preparing food for human consumption, solely or almost solely from that vegetable or animal source.

(8) In paragraphs (6) and (7) of this regulation—

- (a) distillation and solvent extraction shall be regarded as included among types of physical process, and
- (b) drying, torrefaction and fermentation shall be treated as included among the types of process normally used in preparing food for human consumption.

(9) An additive which is added to or used in a food to serve the function of one of the categories of additives listed in Schedule 4 shall be identified by the name of that category followed by the additive’s specific name or serial number (if any). An additive which is added to or used in a food to serve more than one such function shall be identified by the name of the category that represents the principal function served by the additive in that food followed by the additive’s specific name or serial number (if any).

(10) An additive which is required to be named in the list of ingredients of a food and which is neither a flavouring nor serves the function of one of the categories of additives listed in Schedule 4 shall be identified by its specific name.

(11) In this regulation “serial number” means the number specified for an additive in any of the additive regulations or in Schedule 3 to the Bread and Flour Regulations.

### **Compound ingredients**

**15.**—(1) Subject to paragraphs (3) and (4) of this regulation, where a compound ingredient is used in the preparation of a food, the names of the ingredients of the compound ingredient shall be given in the list of ingredients of the food either instead of or in addition to the name of the compound ingredient itself.

(2) If the name of a compound ingredient is given, it shall be immediately followed by the names of its ingredients in such a way as to make it clear that they are ingredients of that compound ingredient.

(3) The names of the ingredients of a compound ingredient need not be given in a case where the compound ingredient would not be required to be marked or labelled with a list of ingredients if it were itself being sold prepacked as a food.

(4) The names of the ingredients of a compound ingredient need not be given in a case where—

- (a) the compound ingredient is identified in the list of ingredients by a generic name in accordance with regulation 14(4), or
- (b) the compound ingredient constitutes less than 25 per cent of the finished product, except that, subject to regulation 17, any additive which is an ingredient of such a compound ingredient shall be named in the list of ingredients in accordance with paragraph (2) of this regulation.

### **Added water**

**16.**—(1) Water which is added as an ingredient of a food shall be declared in the list of ingredients of the food unless—

- (a) it is used in the preparation of the food solely for the reconstitution or partial reconstitution of an ingredient used in concentrated or dehydrated form; or
- (b) it is used as, or as part of, a medium which is not normally consumed; or
- (c) it does not exceed 5 per cent of the finished product.

(2) Water which is added to any frozen or quick-frozen chicken carcase to which Commission Regulation (EEC) No. 1538/91(1) applies, as amended by Commission Regulation (EEC) No. 2891/93(2), introducing detailed rules for implementing Council Regulation (EEC) No. 1906/90 on certain marketing standards for poultry, need not be declared in the list of ingredients of the food.

### **Ingredients which need not be named**

**17.** The following ingredients of a food need not be named in its list of ingredients:

- (a) constituents of an ingredient which have become temporarily separated during the manufacturing process and are later re-introduced in their original proportions;
- (b) any additive whose presence in the food is due solely to the fact that it was contained in an ingredient of the food, if it serves no significant technological function in the finished product;

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(1) OJ No. L143, 7.6.91, p.11.

(2) OJ No. L263, 22.10.93, p.12.

- (c) any additive which is used solely as a processing aid;
- (d) any substance other than water which is used as a solvent or carrier for an additive and is used in an amount that is no more than that which is strictly necessary for that purpose.

**Foods which need not bear a list of ingredients**

**18.—**(1) The following foods need not be marked or labelled with a list of ingredients:

- (a) fresh fruit and vegetables, including potatoes, which have not been peeled or cut into pieces;
- (b) carbonated water, to which no ingredient other than carbon dioxide has been added, and whose name indicates that it has been carbonated;
- (c) vinegar which is derived by fermentation exclusively from a single basic product and to which no other ingredient has been added;
- (d) cheese, butter, fermented milk and fermented cream, to which no ingredient has been added other than lactic products, enzymes and micro-organism cultures essential to manufacture or, in the case of cheese other than fresh curd cheese and processed cheese, such amount of salt as is needed for its manufacture;
- (e) any food consisting of a single ingredient, including flour to which no substances have been added other than those which are required to be present in the flour by regulation 4 of the Bread and Flour Regulations;
- (f) any drink with an alcoholic strength by volume of more than 1.2 per cent.

(2) Without prejudice to regulation 12, in the case of—

- (a) any vinegar which is derived by fermentation exclusively from a single basic product and to which any other ingredient has been added, or
- (b) any cheese, butter, fermented milk or fermented cream, to which any ingredient, other than one which is mentioned in paragraph (1)(d) of this regulation, has been added,

only those other added ingredients need be named in the list of ingredients, if the heading of the list includes or is accompanied by the words “added ingredients” or other words indicating that the list is not a complete list of ingredients.

(3) The labelling of any food that is not required to bear a list of ingredients shall not include a list of ingredients unless the food is marked or labelled with a complete list of ingredients in accordance with regulations 12 to 17 as if it were required to be so marked or labelled.