

GUIDANCE NOTES ON NUTRITION LABELLING

INTRODUCTION

Purpose

These notes explain the requirements under the Food Labelling Regulations 1996 (FLR) (SI 1996 No. 1499) (as amended) which implement the provisions of the EC Nutrition Labelling Directive (90/496/EEC) in Great Britain¹. They are intended to be read in conjunction with the Regulations (the relevant sections of which are referred to where appropriate), and are not exhaustive.

Status

These notes are advisory only. Any legal queries should be resolved by reference to the Regulations or the Directive.

Enforcement officers should be approached for advice on any point, although ultimately the decision as to whether or not a particular aspect of labelling is acceptable is for the courts.

Interpretation of the Regulations

In these notes we have indicated the practices that we believe are acceptable. However our advice is not authoritative, and *we strongly urge those planning to follow those practices in respect of which more than one interpretation of the Regulations is possible to seek the agreement of their Home Authority before taking any definite action.*

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This publication precedes the establishment of the Food Standards Agency, but the information remains valid.

¹ Regulations can be purchased from The Stationery Office Tel:0870-600-5522
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GENERAL INFORMATION

Do the rules apply to all foods?

The nutrition labelling rules do not apply to:

- food supplements
- natural mineral waters and other waters for human consumption

See definition of "nutrition labelling" - Regulation 2(1) of FLR

Are there special rules for some foods?

No. However, there are some variations in the rules, covered elsewhere in these notes, for

- foods for particular nutritional uses - *see FLR Schedule 6 Part II Item 1*
- non-pre-packed foods sold other than by caterers - *see FLR Schedule 7 Part II 2-(1)(a)*
- non-pre-packed foods sold by caterers - *see Regulation 41(3)(a)*

Unless indicated otherwise, these guidelines cover the rules for pre-packed foods.

Is nutrition labelling compulsory?

Only if a nutrition claim e.g. "low fat" or "high in fibre" is made (other than in generic advertising, or for a loose food sold by a caterer unless from a vending machine), and on foods for particular nutritional uses. Otherwise it is voluntary, following most of the same rules.

What sorts of claims make nutrition labelling compulsory?

All stated and implied nutrition claims made in food labelling and advertising, other than those made in generic advertising, and all stated and implied claims that a food is suitable for particular nutritional uses, trigger compulsory nutrition labelling.

The definition of nutrition claim excludes statements required by law. Therefore, such statements, which resemble nutrition claims, do not trigger compulsory nutrition labelling. For instance, the use of the name "low fat margarine" as defined in Council Regulation 2991/94 on spreadable fats and enforced by The Spreadable Fats (Marketing Standards) Regulations 1995, SI No. 3116.

Statements which resemble nutrition claims but which do not state or imply particular nutrition properties are not nutrition claims and therefore do not trigger compulsory nutrition labelling. For instance, descriptions of taste such as "tea without sugar".

See definition of "nutrition claim" - Regulation 2(1) of FLR

If I make a nutrition claim in an advertisement, do I need to give nutrition labelling information within the advertisement?

No. When a nutrition claim is made in advertising, other than generic advertising, nutrition labelling is required on the labels of the products concerned: no information is required to appear in the advertisement itself. When a nutrition claim is made in generic advertising nutrition labelling is not required.

What items can I, or should I, declare?

Nutrition labelling may be given in two main formats, but must include the amount of any nutrient for which a claim has been made.

The minimum declaration permitted is a "Group 1" declaration.

See FLR Schedule 7 Part II.1(a)(i)

"Group 1" (also known as "Big 4") declaration

energy	kJ and kcal
protein	g
carbohydrate	g
fat	g

The other standard format is a "Group 2" declaration.

See FLR Schedule 7 Part II.1(a)(ii)

"Group 2" (also known as "Big 4 + little 4" and "4+4" declaration)

energy	kJ and kcal
protein	g
carbohydrate	g
of which:	
- sugars	g
fat	g
of which:	
- saturates	g
fibre	g
sodium	g

The Government recommends that Group 2 information be given on all foods, on a voluntary basis, as this gives consumers information on the key health-related nutrients.

Other nutrients which may be declared

The following nutrients can be included in a nutrition declaration on a voluntary basis, but must be declared if a claim about them is made:

sugars*
polyols
starch
saturates*
mono-unsaturates**
polyunsaturates**
cholesterol**
fibre*
sodium*
vitamins***
minerals***

* If any of these items are declared in the nutrition information, they must all be declared as part of a Group 2 declaration.

**when one of these is declared, saturates must also be declared.

***only vitamins and minerals listed in the Regulations can be declared, and they must be present in significant amounts.

Nutrients not covered above

Any nutrient not listed above can only be declared if a claim has been made about it, in which case its declaration as part of nutrition labelling becomes compulsory, e.g. fructose or trans fatty acids.

What amount of food must the declaration be for?

Information must be declared per 100g or 100ml of the food. (If a vitamin and/or mineral claim is made, an additional per serving or portion statement for the claimed vitamins and/or minerals is required, but is not required for any other nutrients).

LAYOUT

Does the prescribed layout have to be followed exactly?

We do not believe it will matter in practice if minor changes are made, provided this would not confuse or mislead consumers or make it more difficult to compare the nutritional content of foods.

For example:

carbohydrate of which: - sugars	might be shown as	carbohydrate of which: sugars
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Does all the information have to be in a specified order?

The regulations do not lay down rules for all cases as this would go beyond what the European Community agreed, but the order specified at Schedule 7, Part I paragraph 1 for energy and the named nutrients must be followed. Please note that this requires sodium to follow fibre. For consistency we suggest the following additional practices be followed:

- | | | |
|-----------------------|---|---|
| Energy | - | Give kJ before kcal |
| Vitamins and minerals | - | Give vitamins before minerals in the order shown in Table A and B of Schedule 6 |
| Components | - | State the amount of the named nutrient followed immediately by the amount of the component. For example, if a fructose claim has been made, it is suggested that the following format be used:
carbohydrate 28g
of which:
- sugars 17g
of which
- fructose 14g |

Can I give information on the main nutrients in tabular form followed by vitamin and mineral information in linear form?

No. Information should be either all tabular or all linear.

When can I give declarations in linear form?

Information must be in tabular form whenever there is sufficient space for it to be printed clearly. Where there is not enough space, it can be given in linear form.

What does "with the numbers aligned" mean?

We believe that this means that the numbers must be in a column. We do not believe that it necessarily means that the numbers must be aligned around a decimal point, although care should be taken that if numbers are not presented in this way that the relative amounts of nutrients are clear.

TERMINOLOGY

What heading should I use?

We suggest "nutrition information" plus "typical values per 100g" (or "per 100 ml").

Must I use the words specified in the regulations?

Yes, but it is permitted to add further information if thought desirable. For example, "Kcal (calories)."

When can "trace" be used on food labels?

As a general rule, use "trace", or similar terms such as "nil" or "negligible", when a nutrient is present in less than 0.1g per 100g/100ml although we believe declarations of "0g" may be used. Figures of between 0.05g and 0.15g can however be rounded to 0.1g and that value used instead.

In cases where it is difficult to analyse for a nutrient, even if there were, say, 0.2g present per 100g, then you should establish from your local public analyst what they regard as the practical limit of detection. Were this, say, 0.2g, in our view it would be reasonable to put "less than 0.2g".

DERIVATION OF INFORMATION

How can I derive the information for the declaration?

The information should be based on:

- (1) manufacturer's analysis; or
- (2) calculation from known or actual average values of the ingredients used; or
- (3) calculation from generally established and accepted data.

See FLR Schedule 7 Part 1 Paragraph 4(c)

In relation to indents (2) and (3), data from analyses carried out by retailers or others can be used.

Are the methods listed in order of preference? Can I mix the methods?

Manufacturers are free to use whichever method, or combination of methods, best fits the circumstances.

Can I derive the energy declared by analysis?

No. the energy factors given must be used. These are:

<u>1g contributes</u>	<u>kJ</u>	<u>kcal</u>
carbohydrate (excluding polyols)	17	4
polyols	10	2.4
protein	17	4
fat	37	9
ethanol	29	7
organic acid	13	3

See FLR Schedule 7 Part 1 Paragraph 5

What do I do about nutrients for which there are not conversion factors?

The energy provided by these nutrients should be ignored unless to do so would render the statement of total energy manifestly untrue or misleading (and thus in breach of the requirements of Section 15 of the Food Safety Act 1990). It should, however, be borne in mind that the energy conversion factors are intended to be broadly representative and that the statement of total energy is thus an approximation.

We are aware of only one additional nutrient for which specific guidance is needed at present. There is no appropriate energy conversion factor for polydextrose. We have agreed with LACOTS that a conversion factor of 5kJ or 1kcal can be used when not doing so would result in a manifestly untrue or misleading energy declaration.

In order to avoid unnecessary investigations by enforcement officers we suggest that the polydextrose content be quantified in the ingredients list. It will then be clear to them that the polydextrose content is significant, and therefore it is probable that the special conversion factor has been used. This will explain why the energy declared does not match the Regulations' energy factors applied to the nutrients present.

Please let us know of any substances for which special conversion factors may be required.

Can I use a more accurate protein definition?

No. The definition that protein equals "total Kjeldahl nitrogen X 6.25" is intended to be broadly representative and is considered to be sufficiently accurate for most circumstances.

Should trans fatty acids be included when determining fat, saturates, mono-unsaturates and/or polyunsaturates content?

Trans fatty acids should be counted as part of total fat. They do not, however, meet the definitions of saturates, mono-unsaturates and/or polyunsaturates and must not be included as such.

Can I use standard McCance and Widdowson figures as "generally established and accepted data"?

Information about a wide range of nutrients is contained in "McCance and Widdowson's The Composition of Foods, Fifth Edition" (ISBN 0-85186-391-4), is published by the Royal Society of Chemistry (RSC), and the Ministry of Agriculture, Fisheries and Food and is obtainable from Turpin Distribution Services Ltd, Letchworth, Herts, SG6 1HN (Tel: 01462 672555 or Fax: 01462-480947). This should be read in conjunction with detailed supplements available from the same address. However, care is needed when using published values and manufacturers should satisfy themselves that values are representative of their particular product.

Should the figures given for the types of fat (saturates, mono-unsaturates and polyunsaturates) add up to the total fat figure?

No. These types of fats are defined in the FLR as fatty acids. Because of other components such as glycerol, the figures for fatty acids will be less than for fat. The amount of fatty acids in fat will vary between foods and the conversion factors given in McCance and Widdowson's for different foods should therefore be used.

Can I declare carbohydrates as monosaccharides ?

No Carbohydrates must be declared as the weights of the carbohydrates themselves, (as in *The Composition of Foods*) as monosaccharide equivalents.

Conversion factors are given in *The Composition of Foods* and we recommend that this is carefully read in conjunction with these explanatory notes.

What definition do I use for fibre?

~~Although the situation is under review, for the time being we continue to advise that fibre, for the purposes of the Regulations, means dietary fibre defined as non starch polysaccharides, in line with COMA's recommendations in the DRV report. The Englyst procedure remains the reference procedure, but analysts may use other methods which give similar results. Claims relating to fibre should also be based on this definition and on COMA's recommendation of a DRV of 18g per day. If other definitions are used, fibre claims on the basis of the UK's DRV are likely to be misleading. Please see attached IP letter of 22 September 2000 on the Nutrition Labelling of Dietary Fibre (Annex 1).~~

Will other nutrients be defined?

It seems unlikely that, with the exception of "fibre", more nutrients will be defined. Please let us know of any particular problems caused by a lack of definition of any nutrient(s) so that we may consider the need to issue guidance.

How do I calculate vitamins?

Vitamins should be calculated according to the following table:

VITAMIN	TO BE CALCULATED AS
Vitamin A	retinol <i>or</i> retinol equivalent on the basis that 6µg of β-carotene or 12µg of other biologically active carotenoids equal 1µg of retinol equivalent.
Vitamin D	ergocalciferol (vitamin D ₂) <i>or</i> cholecalciferol (vitamin D ₃)
Vitamin E	D-α tocopherol equivalent on the basis that 3.3 mg α tocotrienol or 10 mg γ tocopherol are equivalent to 1 mg D-α tocopherol.
Vitamin C	L-ascorbic acid and L-dehydroascorbic acid
Thiamin	Thiamin
Riboflavin	Riboflavin
Niacin	nicotinic acid <i>or</i> nicotinamide <i>or</i> niacin equivalent on the basis that 60mg of tryptophan equal 1mg of niacin equivalent
Vitamin B ₆	Pyridoxine
Folacin/Folic acid	total folates
Vitamin B ₁₂	Cobalamines
Biotin	Biotin
Pantothenic acid	D-pantothenic acid

Can I call vitamins and minerals by more familiar names?

Folacin can also be known as folic acid.

See FLR Schedule 1 Paragraph 4(1)

Other vitamins must be called by the listed name, but we believe it is acceptable to give their more familiar name in brackets e.g. "thiamin (Vitamin B₁)"

What is meant by "unnamed" and "named" vitamins and minerals?

A claim for "unnamed" vitamins or minerals is one which does not name the vitamins and minerals to which the claim relates, e.g. "contains 5 vitamins", "rich in minerals".

A claim for "named" vitamins or minerals is one which names vitamins or minerals in the claim e.g. "contains iron", "rich in vitamin C".

Both types of claims are subject to similar rules.

See FLR Schedule 6 Part II Items 4 and 5

NUTRIENTS

Can I give information about nutrients not listed in the Regulations?

Yes, if they are components of nutrients as defined in the Regulations for which a claim has been made. For instance, fructose can be declared if a claim has been made for it because it is a component of carbohydrate. But selenium cannot be declared because it is not one of the minerals listed in Tables A and B of Schedule 6, Part II. (Separate rules apply to PARNUT foods.)

See definition of "nutrient" – regulation 2 (1) of the FLR

What information can I give about components of nutrients?

Information may be given in respect of the components of nutrients which are named in the regulations, whether or not a claim is made. That is, information may be given in respect of sugar, polyols, starch, saturates, mono-unsaturates, polyunsaturates and cholesterol.

In addition, if a claim is made, information may be given in respect of a component of any of the named nutrients, for example fructose as a component of sugars, or trans fatty acids as a component of fat.

Can I give a declaration for any amount of vitamin and mineral present in a food?

No. Vitamins and minerals can only be declared when they are present in significant amounts, and must be declared when a claim has been made.

What is a significant amount?

The Regulations say:

"As a rule, significant amount means 15% of the recommended daily allowance in respect of each vitamin and mineral specified that is supplied by 100g or 100ml of the food, or per package of a food if the package contains only a single portion."

See FLR Schedule 6 Pt II (end)

The phrase "As a rule" provides useful flexibility. It means foods which provide nutritionally significant amounts of vitamin or mineral can declare its presence - even though it is less than 15% of the RDA in 100g/ml.

How can I tell whether an amount is significant or not?

We suggest examining the following points:

1	Has a "source" or "rich source" claim for the vitamin or mineral been made in accordance with Food Labelling Regulations 1996 Schedule 6 Part II Items 4 or 5?	If the answer is "yes", the level present is nutritionally significant and declaration is compulsory.
2	Although no such claim has been made, could it meet the conditions?	If the answer is "yes", then the level is nutritionally significant and may be declared voluntarily.
3	Is there more than 15% of the RDA present in a single serving package of the food, but not in 100g/ml?	If the answer is "yes", then the level is significant as defined in the Regulations and may be declared voluntarily.

PER SERVING AND PER PORTION

Can I give information per portion or per serving?

Information can be given per portion (provided the number of portions in the package is stated) or per quantified serving in addition to, but not instead of, per 100g/ml information. (The rules covered under LOOSE FOODS AND CATERERS are different).

See FLR Schedule 7 Part I Paragraph 4(a)

What is the difference between a portion and a quantified serving?

A portion is either a division of a package as a whole, e.g. half a quiche, a sausage, a sixth of a cake, two biscuits or a complete package.

A quantified serving is a measured amount, which may or may not be a division of the whole package - e.g. X oz of cheese, a spoon (Y ml) of mayonnaise.

Do I need to state the number of portions in every case?

Not necessarily. There is no need to state the number of portions explicitly if this is obvious. For instance, on a ready-prepared meal it would be appropriate to say "this package contains two portions", but on a shrink-wrapped pack which the consumer can see contains 8 sausages it is necessary only to state that the information is provided per sausage.

What if a package of the product does not always contain the same number of individual items?

Some products (such as biscuits and sweets) may be packaged by weight with a variable number of individual items in the package.

In this case information may either be given per portion (per biscuit or per sweet, with the average number of portions in the package stated) or per quantified serving (per Xg biscuit or per Yg sweet) provided that in either case the information given is not so inaccurate as to be likely to mislead the consumer as to the nutritional profile of the actual portion or serving they purchase/consume. If the nature of the product is such that per portion or quantified serving information cannot be given without misleading consumers then we believe only per 100g information can be given.

May per serving or per portion information be given selectively for some nutrients? For instance, can energy per serving be declared in isolation on a single portion pack where space is limited?

If the additional information is clearly intended to benefit the consumer, and there really is too little space for full per serving/portion information, we consider such flexibility may be appropriate.

When a vitamin or mineral claim is made must per serving or per portion information be given for energy and all nutrients declared on a per 100g/ml basis?

No. The vitamin and mineral claims conditions require per serving/portion information to be given for the claimed vitamin(s) or mineral(s). This does not trigger the giving of per serving/portion information for everything else. But if per serving/portion vitamin and mineral information is given voluntarily (i.e. in the absence of a claim) it is necessary to give information on everything else on that basis.

CLAIMS

What extra nutrition labelling is needed if I make a claim?

If you make a claim, you must include the nutrient that is the subject of the claim in the declaration. If your claim is about sugars, saturates, fibre or sodium, you must give at least Group 2 information.

What sort of claims make nutrition labelling compulsory?

All stated and implied nutrition claims made in food labelling and advertising, other than those made in generic advertising, trigger compulsory nutrition labelling.

Mentions of nutrients required by law, such as in ingredients lists or in the name of a food where the name is required by law (e.g. "low fat margarine" as defined in Council Regulation 2991/94 on spreadable fats as enacted in the UK by The Spreadable Fats (Marketing Standards) Regulations 1995, SI No. 3116. do not trigger compulsory nutrition labelling because such mentions are specifically excluded from the definition of nutrition claim.

However energy is not covered by this exclusion and thus all mention of it in labelling and advertising, even if required by law, do trigger compulsory nutrition labelling. We believe implied mentions of energy - e.g. use of the words "diet" or "calorie" - are also subject to this requirement.

See definitions of "nutrient" and "nutrition claim" - Regulation 2 (1) of the FLR

Do claims for ingredients which are also nutrients (e.g. fat or sugar) trigger nutrition labelling? Do claims for salt trigger nutrition labelling?

Yes. We consider these to be implied claims for the nutrients concerned, and we consider salt claims to be implied sodium claims.

Does the claim "light" or "lite" trigger nutrition labelling?

It depends on the circumstances. Nutrition labelling would be required if it was an implied nutrition claim (e.g. reduced calories or fat) but not in some other cases (e.g. a light textured cake).

Is nutrition labelling needed if a food is claimed to be free of a nutrient?

Yes. For example a "no sugars" claim would trigger the need for the amounts of energy, protein, carbohydrate, sugar and fat together with saturates, fibre and sodium. We would encourage declaration of the amount of polyols if these had been added to replace sugars.

LOOSE FOODS AND CATERERS

Do foods sold loose (non-pre-packed) have to carry full nutrition labelling?

No. If a claim is made then information must be given about the subject of the claim. Information may be given voluntarily for any or all energy or nutrients listed in the regulations.

See FLR Schedule 7 Part II Paragraph 2

What does this mean in practice?

A "low fat paté" sold loose (e.g. from a delicatessen counter) must give the amount of fat per 100g on the label. If oranges are claimed to be a source of vitamin C (other than in generic advertising) then the amount and % RDA per 100g must be given.

What about food sold by caterers?

Non-pre-packed food sold at a catering establishment (otherwise than from a vending machine) does not need to carry any nutrition labelling, even if a claim is made. However, information may be given on a per 100g or per portion basis about energy or any nutrient listed in the regulations or for which a claim is made.

See Regulation 41(3)(a) of FLR

Do caterers have to quantify servings, or state the number of portions in the amount sold?

No. However if they provide information for a dish which is intended to be eaten by more than one person we recommend they make it clear what proportion of the dish the information relates to.

See Regulation 41(3) of the FLR

FOODS FOR PARTICULAR NUTRITIONAL USES (PARNUT FOODS)

Are PARNUT foods subject to nutrition labelling?

Yes - all PARNUT foods must give nutrition information.

Are there different requirements for PARNUT foods?

Yes. PARNUT foods are required to carry information on the special nutrient properties that make them suitable for PARNUT use. This means that they can - and must - give declaration of nutrients contributing to this even when this would not be permitted on a normal food.

See FLR Schedule 6 Part II Item 1

What does this mean in practice?

PARNUT foods can carry information "voluntarily" on nutrients that on a normal food could only be given as a result of a claim. For instance, a declaration of gluten content is necessary and permitted on a food suitable for coeliacs, even though no specific gluten claim has been made. Or, on a food for diabetics, declarations of fructose and/or individual polyols may be given because these are contributing to the PARNUT properties of the food.

Can information intended for health professionals be given on PARNUT foods? What form must it take?

Yes. Information for health professionals (e.g. doctors or dieticians) to use can be given in any format which is suitable. This is expected to be done primarily for medical foods.

Can declarations on medical foods be based on more accurate definitions and calculations than generally required?

Yes, where it is vital that the true nutritional profile of the food be given.

Can claims be made for diabetic foods?

Claims that a food is suitable for diabetics are not prohibited. However, specially formulated "diabetic foods" are considered unnecessary in the dietary management of diabetes. Current dietary advice to diabetics from health professionals is that management of diabetes is **best** achieved through consumption of a normal well-balanced diet.

Any foods carrying a claim that it is suitable for, or has been specially made for diabetics would be subject to the rules for PARNUT foods in the FLR, including the requirements that the food must be capable of fulfilling the claim and be labelled with an indication of what makes it suitable for diabetics.

FOOD SUPPLEMENTS

Do the rules on nutrition labelling apply to food supplements?

No, they are exempt, but if a claim is made in respect of vitamins and/or minerals then the percentage RDA per portion together with an indication of the number of portions contained within the package must be given.

How should information on nutrients appear on food supplements?

Any information that is given must be true and not misleading. We suggest the nutrition labelling provisions provide a good basis for deciding the acceptability of such information and that, to assist consumers, it should where appropriate, be presented in the same manner as on other foods. For example, information about vitamins and minerals should be given in the same order with the quantity (expressed in mg or µg) preceding the percentage of RDA. We see no need to give per 100 g/ml information for supplements which are intended to be eaten in small quantities (e.g. 1 or 2 pills per day) nor the amounts of energy and the macro nutrients if these are trivial.

WATERS

Do the rules on nutrition labelling apply to waters?

Natural mineral waters, spring waters and bottled drinking waters are exempt from rules on nutrition labelling.

Are natural mineral waters required to state the composition on the label?

The Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations 1999 (SI 1999/1540) have a mandatory requirement for natural mineral waters to state the analytical composition of the water on the label. Details of the characteristic constituents of the water must be provided.

What are the compositional labelling requirements for spring water and bottled drinking water?

Under the Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations 1999, there is no requirement for spring waters and bottled drinking waters to state the analytical composition of the water on the label.

What advice is available on the compositional labelling requirements of bottled waters?

Further guidance on the compositional labelling requirements of bottled waters will be available in the form of Guidelines which are being drafted to accompany the new bottled water Regulations.

ALCOHOL

Is a claim about alcohol a nutrition claim? Does such a claim trigger compulsory nutrition labelling?

No, because alcohol is not a nutrient as defined in the Regulations. Therefore a claim related to alcohol content does not trigger compulsory nutrition labelling.

Can I declare alcohol as part of voluntary nutrition labelling?

No, again because alcohol is not a nutrient as defined in the Regulations.

Do I need to take account of the energy provided by alcohol in nutrition labelling?

Yes, the amount of energy provided by ethanol, calculated as 29kJ/7kcal per gram, must be included in any energy declaration.

ANNEX 1

To All Interested Parties

22nd September 2000

Reference:

Dear Sir/Madam

Nutrition Labelling of Dietary Fibre

You will recall that in August 1999 the Joint Food Safety and Standards Group (JFSSG) of the Ministry of Agriculture, Fisheries and Food and the Department of Health consulted on proposals to change the UK's preferred definition and method of analysis of dietary fibre for nutrition labelling purposes. The key proposal was for adoption of AOAC International methodology. The consultation paper also included recommendations for a benchmark intake figure, against which consumers could compare their total dietary intakes; and proposals for revised claims criteria for "source", "increased" and "high" fibre claims

Responsibility for decisions on this and other labelling issues now lies with the Agency and I am pleased to inform you that a decision, in principle, to recommend AOAC International methodology for nutrition labelling of dietary fibre has now been made. A copy of our new guidance is attached for information.

This guidance has no legal status. It has been produced with the aim of providing informal, non-statutory advice on the labelling of dietary fibre, in the absence of specific provisions in the Food Labelling Regulations 1996 (as amended) which implement the provisions of EC Directive 90/496/EEC on nutrition labelling.

We do not intend to revise existing guidance on nutrient content claims at this time. The European Commission now intends to propose harmonised legislation for nutrient content claims by July 2001, and we believe a single change to Community wide rules is the appropriate way forward.

The consultation has raised two issues which require further discussion with interested parties to aid effective application of this new guidance. These are the need for clear advice on use of fibre declarations and for appropriate sources of food composition data for labelling purposes. I will be writing to organisations representing consumers,

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manufacturers, health professionals and enforcement bodies to arrange a series of meetings to discuss how to deal with these matters.

The initial proposals provided for an 18 month implementation period. This has proved to be a source of considerable concern to many manufacturers and we will consider this further in the light of discussions on the availability of food composition data.

I will keep you informed of progress and the outcome of these discussions in due course.

Yours faithfully

Rosemary Hignett
Food Labelling, Standards & Consumer Protection Division

FOOD STANDARDS AGENCY GUIDANCE NOTE ON NUTRITION LABELLING OF DIETARY FIBRE

What definition do I use for fibre?

The recommended reference procedure for analysis of dietary fibre is an AOAC International method e.g. 991.43², 997.08³. This represents a departure from previous Government advice that the Englyst method be used for the analysis of non-starch polysaccharides for labelling purposes. AOAC International methodology is now widely accepted as the standard analytical technique for the measurement of dietary fibre, and its adoption by UK manufacturers is recommended to ensure consistent labelling of products. Claims for dietary fibre measured by the AOAC International method should not be related to the UK's dietary reference value for non-starch polysaccharides of 18g recommended by Committee on Medical Aspects of Nutrition Policy⁴. Any such claims are likely to be considered to be misleading.

² *Official Methods of Analysis*, 16th Ed. 1996. AOAC INTERNATIONAL, Gaithersburg, Maryland US..

³ *Official Methods of Analysis* 17th Ed 2000, Chapter 45, p 74-78. Fructans in food products ion exchange chromatographic method. Publ. AOAC INTERNATIONAL, Gaithersburg, Maryland US. (ISBN 0935584676)

⁴ Department of Health Report on Health and Social Subjects 41: Dietary Reference Values for Food Energy and Nutrients for the United Kingdom. Publ. HMSO ISBN No: 0-11-321397-2