

Food Standards (Proposal P1025 – Code Revision) Variation

The Board of Food Standards Australia New Zealand gives notice of the making of this standard under section 92 of the *Food Standards Australia New Zealand Act 1991*. The Standard commences on 1 March 2016.

Dated 25 March 2015



Standards Management Officer
Delegate of the Board of Food Standards Australia New Zealand

Note:

This Standard will be published in the Commonwealth of Australia Gazette No. FSC 96 on 10 April 2015.

Standard 1.2.10 Information requirements – characterising ingredients and components of food

Note 1 This instrument is a standard under the *Food Standards Australia New Zealand Act 1991* (Cth). The standards together make up the *Australia New Zealand Food Standards Code*. See also section 1.1.1—3.

Note 2 The provisions of the Code that apply in New Zealand are incorporated in, or adopted under, the *Food Act 2014* (NZ). See also section 1.1.1—3.

1.2.10—1 Name

This Standard is *Australia New Zealand Food Standards Code – Standard 1.2.10 – Information requirements – characterising ingredients and components of food*.

Note Commencement:

This Standard commences on 1 March 2016, being the date specified as the commencement date in notices in the *Gazette* and the *New Zealand Gazette* under section 92 of the *Food Standards Australia New Zealand Act 1991* (Cth). See also section 93 of that Act.

1.2.10—2 Definitions

Note Section 1.1.2—4 (Definition of **characterising component** and **characterising ingredient**) provides as follows:

- (1) In this Code, in relation to a food for sale:
 - characterising component** means a component of the food that:
 - (a) is mentioned in the name of the food; or
 - (b) is usually associated with the name of the food by a consumer; or
 - (c) is emphasised on the label of the food in words, pictures or graphics.
 - characterising ingredient** means an ingredient or a category of ingredients of the food that:
 - (a) is mentioned in the name of the food; or
 - (b) is usually associated with the name of the food by a consumer; or
 - (c) is emphasised on the label of the food in words, pictures or graphics.
- (2) Despite subsection (1), any of the following is not a **characterising ingredient**:
 - (a) an ingredient or category of ingredients that is used in small amounts to flavour the food; or
 - (b) an ingredient or category of ingredients that comprises the whole of the food; or
 - (c) an ingredient or category of ingredients that is mentioned in the name of the food but which is not such as to govern the choice of the consumer, because the variation in the amount is not essential to characterise the food, or does not distinguish the food from similar foods.
- (3) Compliance with labelling requirements elsewhere in this Code does not of itself constitute emphasis for the purposes of this section.

1.2.10—3 Requirement to declare characterising ingredients and components

- (1) For the labelling provisions, information about *characterising ingredients and *characterising components is a declaration of the proportion of each characterising ingredient and characterising component of the food:
 - (a) calculated in accordance with sections 1.2.10—4 to 1.2.10—7; and
 - (b) expressed in accordance with section 1.2.10—8.
- (2) If:
 - (a) the proportion of a *characterising component of a food is declared in accordance with this Standard; and
 - (b) an ingredient or category of ingredients contains that characterising component;

the proportion of a characterising ingredient containing that characterising component does not need to be declared.

- (3) For the labelling provisions, information about *characterising ingredients and *characterising components is not required for the following:
- (a) prepared filled rolls, sandwiches, bagels or similar products;
 - (b) a food for sale that is sold at a *fund-raising event;
 - (c) a food for sale that is in a small package;
 - (d) infant formula product;
 - (e) cured and/or dried meat flesh in whole cuts or pieces;
 - (f) a standardised alcoholic beverage;
 - (g) a beverage containing no less than 0.5% alcohol by volume, other than one referred to in paragraph (f).

Note The labelling provisions are set out in Standard 1.2.1.

1.2.10—4 Method of calculating proportion of characterising ingredients

- (1) Subject to sections 1.2.10—5 and 1.2.10—6, the proportion, P_{CI} , of a *characterising ingredient must be calculated using the following equation:

$$P_{CI} = \frac{IW}{TW} \times 100$$

where:

IW is:

- (a) if the proportion of the characterising ingredient is declared in accordance with paragraph 1.2.10—8(4)(b)—the minimum ingoing weight of that ingredient; or
- (b) otherwise—the ingoing weight of the characterising ingredient.

TW is the total weight of all ingoing ingredients.

- (2) The weight of added water or volatile ingredients removed during the course of manufacture of the food must not be included in the weight of the ingoing ingredients when calculating P_{CI} .
- (3) If a concentrated or dehydrated ingredient or category of ingredients is reconstituted during manufacture of the food, the weight of the reconstituted ingredient or category of ingredients may be used when calculating P_{CI} .
- (4) If a food requires reconstitution prior to consumption, P_{CI} may be calculated as a proportion of the food as reconstituted.

1.2.10—5 Calculating proportion of characterising ingredients where moisture loss occurs

If moisture loss occurs in the processing of a food, the proportion of a characterising ingredient in the food may be calculated taking into account any such moisture loss, on the basis of the weight of the characterising ingredient in the food.

1.2.10—6 Calculating proportion of characterising ingredient or characterising component where proportion is declared in nutrition information panel

Unless otherwise specified, where the proportion of a *characterising ingredient is declared in a nutrition information panel, the amount declared must be the *average quantity of the characterising ingredient present in the food.

1.2.10—7 Method of calculating proportion of characterising components

- (1) The proportion of a *characterising component, P_{CC} , in a food must be calculated using the following equation:

$$P_{cc} = \frac{W}{TW} \times 100$$

where:

TW is the total weight of the food.

W is:

- (a) the weight of the characterising component of the food; or
 - (b) if the proportion of the characterising component is declared in accordance with paragraph 1.2.10—8(4)(b)—the minimum weight of that component.
- (2) If a food requires reconstitution prior to consumption, **P_{cc}** may be calculated as a proportion of the food as reconstituted.

1.2.10—8 Declaration of characterising ingredients and components

- (1) The proportion of a *characterising ingredient or *characterising component must:
 - (a) be declared as a percentage; or
 - (b) unless otherwise specified, be declared as the *average quantity per serving and per unit quantity, when declared in a nutrition information panel.
- (2) If the proportion of a *characterising ingredient is declared in accordance with paragraph (1)(a) in a statement of ingredients, the percentage must immediately follow the common, descriptive or generic name of the ingredient.
- (3) The percentage may be rounded to:
 - (a) the nearest whole number; or
 - (b) if the percentage is below 5%—the nearest 0.5 decimal place.
- (4) The proportion of a *characterising ingredient or *characterising component must be declared as:
 - (a) the actual percentage; or
 - (b) if the minimum weight of a characterising ingredient or characterising component was used when performing the calculation in section 1.2.10—4 or 1.2.10—7 as appropriate—a minimum percentage; or
 - (c) unless otherwise specified—the *average quantity when declared in a nutrition information panel.
- (5) If a minimum percentage is declared, that fact must be clearly indicated.
- (6) The proportion of a *characterising ingredient or *characterising component of a food that requires reconstitution prior to consumption may be declared as a percentage of the food as reconstituted if:
 - (a) in the case of a characterising ingredient—the proportion of the characterising ingredient was calculated in accordance with subsection 1.2.10—4(4); and
 - (b) in any case—the fact that the ingredient or component is a proportion of the food as reconstituted is clearly indicated.