

## Food Labelling Regulation Challenges Made Easy



Webinar Q&A 20 October 2020

Submit further inquiries to [consulting@decernis.com](mailto:consulting@decernis.com)

No.	Question	Response	Decernis Responder
1	Do these labeling requirements apply to non-retail foods? which labeling regulations apply to "wholesale" or "business-to-business" companies	It varies from country to country: some countries include the exemption while others do not specify whether the FOP would apply to B2B or not. Generally speaking, when you cross customs, food products must be labelled in a manner consistent with the labelling laws of the country.	Llaine Groninger lgroninger@decernis.com
2	Any guidance on low alcohol or alcoholic product regulations abroad?	Low and no alcoholic beverage requirements differ greatly from market to market. There are several very recent changes to this alcohol content distinction already this year due to the pandemic and some countries' desire to minimize alcoholic beverage consumption. This is a somewhat nuanced question with the answer dependent on product formulation, market, and even advertising. This would make a great consulting project, and we could provide very detailed information.	Julie Holt jholt@decernis.com

3	We have halal & kosher requirements as per the exporting country norms? can you please explain about this in detail?	Yes, different countries will recognize different certifying bodies for Halal or for Kosher. It is important to work with a certifying body recognized by the target market. For example, IFANCA is very well recognized throughout the world but Malaysia and Indonesia prefer more locally recognized entities. A key watchout is calcium sources for Halal. It is extremely important to know the sources of your ingredients as there may be "hidden" processing aids which would render the product not available for HALAL certification. For Kosher the Kosher Orthodox Union is very well recognized.	Llaine Groninger lgroninger@decernis.com
4	Whether vegan details need to be declared in the food label? Please clarify the same?	India requires Vegetarian vs Non Vegetarian labeling. You may voluntarily add information regarding Vegan but it is not required.	Llaine Groninger lgroninger@decernis.com
5	If we are supplying same product to four different countries, whether four language is permitted as food labelling norms?	It really depends on the four countries. If you can meet the mandatory requirements and the label is legible and does not confuse or mislead the consumer, you can export to four countries.	Llaine Groninger lgroninger@decernis.com
6	Are there any guidelines (or) standard available for international food labelling?	Unfortunately no. Each country has its own set of regulations. There are general commonalities such as every country requires an ingredient statement, a nutrition panel, an indication of the shelf life or best before. How those requirements are interpreted and executed varies greatly.	Llaine Groninger lgroninger@decernis.com

7	Many times we can see food products are recalled due to undeclared additives? Please share your comments?	Yes, undeclared allergens are probably one of the key issues as well as undeclared ingredients. Sometimes this happens when there is a supplier change. Sometimes this happens because a particular country may require an actual ingredient to be declared such as canola oil, while others may accept the declaration of the class of the ingredient such as vegetable oil.	Llaine Groninger lgroninger@decernis.com
8	Whether target consumer details need to be declared in products with high amount of salt (or) sugar? What is your comment for this question?	It depends upon the country. There are a number of countries which are now requiring Front of Pack Nutrition labeling which calls out products with high amounts of salt/sodium, sugar or fat.	Llaine Groninger lgroninger@decernis.com
9	Whether legal requirements need to be mentioned in the food label based on legal norms of the nation especially for exports?	In China, it is required that the standard to which the product conforms be included on the label. Most other countries do not require this.	Llaine Groninger lgroninger@decernis.com
10	whether we have any guidelines for food labelling requirements for RTE food products as per international norms?	There is no single regulation which is recognized internationally when it comes to food labelling.	Llaine Groninger lgroninger@decernis.com
11	Does Canadian label need to be in British English?	For the Canadian label, the language requirements are British English and French.	Llaine Groninger lgroninger@decernis.com
12	if you know that all your ingredients are from vegetable source could you claim as VEGAN or do you	Knowing your suppliers and your raw materials is always a very critical part of food labelling as well as food safety in general. There are additional points to consider if you are going to make a "vegan" claim. Honey and bee products are not considered vegan. Products from insects such as dye (e.g.	Llaine Groninger lgroninger@decernis.com

	need an Official Certifier for validating this claim?	cochineal) or even sugar filtered with bone char would be issues for Vegan certification. Some countries do not have firm definitions of vegan claims and that is when you may wish to consider a trusted third party certification.	
13	Is there a cost for accessing information from Decernis?	Please contact us under <a href="mailto:consulting@decernis.com">consulting@decernis.com</a> with your question and we will provide you with the required information regarding cost.	<a href="mailto:consulting@decernis.com">consulting@decernis.com</a>
14	In Europe, can food additives in finished food and food supplements be considered as organic or natural? Thank you very much!	<b>Organic</b> - It will depend on the additive, only additives, processing aids, flavourings, water, salt, preparations of micro-organisms and enzymes, minerals, trace elements, vitamins, as well as amino acids and other micronutrients in foodstuffs for particular nutritional uses may be used, and only in so far as they have been authorised for use in organic production. Annex IV Sections A,B and C of EC Regulation No 889/2008 amended per EU 2019/2164 contains a list of food additives which may be considered organic depending on the food stuff and specific conditions. Regarding <b>Natural</b> : Only a few countries around the world have the term 'natural' and rules for its use defined in their legislation. EU legislation provides for the use of the term 'natural' in two cases. Natural mineral waters are defined in Directive 2009/54/EC and Regulation (EC) 1334/2008 lays down the condition for the use of the description 'natural' for flavourings. For other foods and beverages there is not clearly defined what is and what is not 'natural'.	llaine Groninger <a href="mailto:lgroninger@decernis.com">lgroninger@decernis.com</a>
15	Does Russia and Turkey follow EU regulations on labelling? Other? Their own?	Both Russia and Turkey have their own regulations for labelling, however, the Turkish one is very very close to the EU one.	Llaine Groninger <a href="mailto:lgroninger@decernis.com">lgroninger@decernis.com</a>

16	is it possible to have a copy of all the presentation at the end of the conference? Thank you	Yes, you have them now! Please see the Handouts section and you can download the presentations!	Kevin C. Kenny kkenny@decernis.com
17	In allergen declaration, can you please explain the cases where the statment "it may contain" can be used?	May contain is very controversial. For many countries, this statement is percevied as the manufacturer not having a good food safety program or that the manufacturer is not reviewing the supplier information as they should. The U.S. FDA does not encourage the use of may contain type statements because it leaves the consumer in a gray area, not knowing if the allergen is in the product or not. If you have a good food safety plan, of which allergen control is a part, you should be able to develope an accurate allergen statement.	Llaine Groninger lgroninger@decernis.com
18	Hi, do we need to declare all ingredients in compound ingredient in lingredient list?	It will depend on the country as this varies. For example, processing aids carriers and solvents are not required to be listed per some country regulations.	Llaine Groninger lgroninger@decernis.com

19	Do you need to consider incidental additives in the processing of an ingredient when making a natural claim in the US?	<p>This has been a complicated topic for the U.S. FDA has not yet established a formal definition for the term "natural". However there is a long standing policy of what FDA considers to be "natural" in the context of human food. The FDA has considered the term "natural" to mean that "nothing artificial or synthetic (including all color additives regardless of source) has been included in, or has been added to, a food that would not normally be expected to be in that food." However, this policy was not intended to address food production methods, such as the use of pesticides, nor did it explicitly address food processing or manufacturing methods, such as thermal technologies, pasteurization, or irradiation. The FDA also did not consider whether the term "natural" should describe any nutritional or other health benefit. In the end, the burden still remains on the manufacturers to assure that the label is not misleading or confusing to consumers.</p>	<p>Llaine Groninger lgroninger@decernis.com</p>
20	Under 7718 someone told me that it's ok if we peel off the original label and put the Chinese sticker at the bonded warehouse, isn't that correct?	<p>Today, yes at a bonded warehouse, with the product under your control, that is possible. Of course there are permits associated with repacking operations. Strict inventory control is required. If peeling off the label changes the shelf life or adds/deletes an ingredient, it will not be permitted. With the draft proposal, if the product is not appropriately labelled for sale in China, it will not be able to pass through customs. That is a key point of disagreement and why we are anxious to see the final regulation.</p>	<p>Llaine Groninger lgroninger@decernis.com</p>

21	For countries, where regulation is silent on certain claims (for example China do not have regulation for “Gluten Free” claim), can I still go ahead make claims?	There would be a couple of points to consider. One point is that if there is no regulation, will consumers know or understand the claim? Hence a regulator may perceive the claim to be misleading (perhaps conveying a health benefit) for the consumer. Another point, specifically for China, if a claim is not regulated, then it is not permitted to make the claim. China is very specific in their labeling and food additive requirements. Always refer to the pertinent GB standards for China.	Llaine Groninger lgroninger@decernis.com
22	In the USA, can the manufacture set the serving size, example 1.5oz package to read as 2 - .75oz serving?	By law, serving sizes must be based on the amount of food people typically consume, rather than how much they <i>should</i> consume. Serving sizes are determined from the RACCs established in 21 CFR 101.12(b) and the procedures described in 21 CFR 101.9(b). Manufacturers are required to follow these aforementioned regulations.	Llaine Groninger lgroninger@decernis.com
23	Mexico: Front Labelling enter into force October 1st, 2020 (an extension to December 1st, 2020 has been approved)	This is correct: The Mexican authority declared that even if the regulation came into on October 1st, the companies that don't meet the requirements will not be fined until December 1st, 2020.	Adrián Varela Álvarez avarela@decernis.com
24	Hi It is possible to get the copy of slides pls?	Decernis has them in the chat box, and can send them separately via email.	Susanne Kuehne skuehne@decernis.com
26	Can we declare whole vegetable or fruit as a juice percentage? Or just the juice that we use to made the drink has to be declared as juice percentage?	It depends somewhat on the market, but typically only juices are considered as juice. Whole fruits or vegetables usually trigger a statement such as "made with real fruit" or "made with real vegetables". Because there are regulations governing this as well as market nuances, a detailed answer would require a small consulting project.	Julie Holt jholt@decernis.com

27	Do countries view honey differently regarding GMO status?	Yes. There was a very public law suit in the EU around honey and its GM status. As a result, in the EU honey which contains trace amounts of pollen from GM corn must be labelled as GM. In the U.S. there is a list of Bioengineered foods to identify crops or foods that are available as bioengineered and hence may require a disclosure. Honey is not on that list. FYI, Decernis is part of FOODCHAIN ID. (FCID) FCID offers verification of products to the NON GMO PROJECT standards.	<a href="mailto:consulting@decernis.com">consulting@decernis.com</a>
28	Do you have labelling experts for Middle East market ?	Yes, we have a couple Arabic speakers, a Persian native speaker and a Hebrew speaker on our team. We regularly do label reviews in the Middle East.	Kevin C. Kenny kkenny@decernis.com



29	What is the stand of Middle east countries on Partially Hydrogenated Oil?	<p>From our Middle East team: <b>Saudi Arabia:</b> SFDA.FD Technical Regulation 2483/2018: Trans fatty acids (Arabic) prohibiting the use of partially hydrogenated oils starting 31 December 2019. The claim Trans Fat Free can be used when trans fat content is &lt; 0.2 g per portion (this differs from the GSO requirement of &lt;0.5 g/100g). Refined oils and fats: shall be declared with the term “Oils” or “Fats” accompanied by either “vegetable” or “animal” and shall be declared as “hydrogenated” or “partially hydrogenated” when applicable.</p> <p><b>UAE:</b> Refined oils and fats: shall be declared with the term “Oils” or “Fats” accompanied by either “vegetable” or “animal” and shall be declared as “hydrogenated” or “partially hydrogenated” when applicable. <b>Lebanon:</b> Oils and fats shall be declared with either ‘vegetable’ or ‘animal’ as appropriate. The adjective ‘hydrogenated’ must accompany the indication of hydrogenated oil or fat. Egypt - Same requirement as Lebanon <b>Oman</b> - 2019 DRAFT from Oman to ban PHO:  <a href="https://members.wto.org/crnattachments/2019/TBT/OMN/19_5283_00_x.pdf">https://members.wto.org/crnattachments/2019/TBT/OMN/19_5283_00_x.pdf</a></p>	<p>Emanuela  Pizzutiloepizzutilo@decernis.com  Kevin C.  Kennykenny@decernis.com</p>
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31	Is the simplified label format that is used in the US, applicable to individual products or is it only applicable to the package with multiple product units in it?	The simplified format is used when a food product contains insignificant amounts of eight or more of the following (for adults): Calories, total fat, saturated fat, trans fat, cholesterol, sodium, total carbohydrates, dietary fiber, total sugars, added sugars, protein, vitamin D, calcium, iron and potassium. Don't forget to include the footnote ("..not a significant source of...").	Llaine Groninger lgroninger@decernis.com
32	IS it possible to use the same NFT for different market in Europe. I don't see that there is a unique EU database	The EU does have mandatory nutrition labeling requirements as set forth in Regulation (EU) No 1169/2011. (Consolidated 2018-01-01)	Llaine Groninger lgroninger@decernis.com
33	Hi do you think this Black octagone will be implemented in other region/country? and because a universal like MSDS?	The black octagon doesn't seem to be the main reference in other regions outside LATAM /// Codex has already creating a working group to discuss and present a reference standard for FOP, as they do for general food labelling, food standards, etc. I think that will be one step forward a universal regulation, but as I mentioned there is still no harmonization even within the regional blocks.	Adrián Varela Álvarez avarela@decernis.com