



Product Labelling – What are the requirements?

All dairy manufacturers are obliged by Australian law to label their food with particular information that will allow consumers or users to make informed choices about the product. This Note outlines what the basic current legal requirements are, and provides references to where they can be found.

Additional Information Notes will provide more specific details and practical examples of these labelling regulations.

The Food Standards Code (The Code) ⁽¹⁾

This Code is the basis of all food labelling laws in Australia. It should be used as the first point of reference for information relating to food labelling. Manufacturers are advised to review all of the labelling standards, and identify those applicable to their product range. The Code will be an essential tool for those responsible for designing product labels.

The Code has been developed and is maintained by Food Standards Australia New Zealand (FSANZ). All parts of The Code are freely available and can be downloaded from the web site:

www.foodstandards.gov.au/thecode/

Labelling Standards

The majority of labelling requirements within the Code are contained in Standard 1.2 - *Labelling and other Information Requirements* under the following sections:

- 1.2.1 Application of Labelling and Other Information Requirements
- 1.2.2 Food Identification Requirements
- 1.2.3 Mandatory Warning and Advisory Statements and Declarations
- 1.2.4 Labelling of Ingredients
- 1.2.5 Date Marking of Packaged Food
- 1.2.6 Directions for Use and Storage
- 1.2.8 Nutrition Information Requirements
- 1.2.9 Legibility Requirements
- 1.2.10 Characterising Ingredients and Components of Food
- 1.2.11 Country of Origin Requirements

Other Standards on labelling

The following are additional sections of The Code that mention labelling. Some of these will only relate to specific product types:

Standard 1.1.1 (clauses 11-13). Covers prohibited label changes, modifying information statements and advertising by misrepresentation.

Standard 1.3.2. Covers claims that can be made for the presence of vitamins or minerals.

Standard 1.5. Covers conditions for labelling novel foods and genetically modified foods.

Standard 2.5. Some specific products may need additional labelling information (e.g. the content of animal fats and oils in ice cream).

Standard 2.9. Special purpose foods, (e.g. infant formula, sports foods), have particular labelling requirements.



User Guides for the Food Standards Code ⁽²⁾

There are a number of User Guides available through FSANZ to help explain and interpret labelling standards. They are a good starting point to assist in understanding The Code, however, users need to be aware that although updated periodically, the information in these guides needs to be checked to ensure it is still current. Unlike the Code itself, the User Guides are not legally binding.

Other Regulatory requirements

1. Food Act 1984⁽³⁾

This Act details the legal obligations for a manufacturer of food sold in Victoria. It includes the maximum penalties that can be imposed on individuals or corporations found guilty of non-compliance.

Dairy Food Safety Notes

2. Trade Practices Act 1974⁽⁴⁾

This Federal legislation was initiated to prevent and discourage misleading and deceptive representations about food, and compliance with these consumer protection laws is overseen by the Australian Competition and Consumer Commission (ACCC).

3. Trade Measurement Act 1995 and the Trade Measurement Regulations 1995⁽⁵⁾

This (Victorian) legislation relates to packaged product weight or volume recording requirements, and is regulated by Consumer Affairs Victoria.

Export

Most (bovine) dairy products intended for export are defined as "Prescribed Goods" by the Australian Quarantine and Inspection Service (AQIS).

Manufacturers of prescribed goods for export require AQIS registration, and are allocated a site-specific registration number. The final manufacturer's registration number, identifying lot or batch number, as well as the other components listed in the Food Standards Code, must all be included on the product trade description (label).

The specific AQIS labelling requirements can be found in Schedule 7 of the *Export Control (Milk and Milk Products) Orders 2005*⁽⁶⁾, and manufacturers of export products will need to be familiar with them.

In addition to complying with AQIS trade descriptions, there may also be importing country requirements that need to be met. Alternatively, there may be exemptions that are allowed by specific importing countries. Advice and approvals of these aspects will need to be obtained through AQIS. The web link reference is: <http://www.daff.gov.au/aqis/export/dairy>

Summary

The FSANZ Food Standards Code is the crux of most mandatory labelling requirements for food manufactured in Australia, and is supported and complemented by other state and federal legislation.

Standards do change over time, and it is the responsibility of a dairy manufacturer to be aware of this, and to ensure that product label descriptions comply with the current laws.

References

1. Food Standards Australia New Zealand - Food Standards Code (2009). Available from: www.foodstandards.gov.au/thecode/foodstandardscode.cfm
2. Food Standards Australia New Zealand (2009). User Guides to the Food Standards Code. Available from: <http://www.foodstandards.gov.au/thecode/assistanceforindustry/userguides/index.cfm>
3. Government of Victoria – Department of Premier and Cabinet, (1984). 'Food Act 1984'. Act No.10082/1984. Part II – Offences Relating to Food. Available from: [http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubLawToday.nsf/2184e627479f8392ca256da50082bf3e/18FA1EDB27D09483CA257528007F750F/\\$FILE/84-10082a073.doc](http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubLawToday.nsf/2184e627479f8392ca256da50082bf3e/18FA1EDB27D09483CA257528007F750F/$FILE/84-10082a073.doc)
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5. Consumer Affairs Victoria (2006). Trade Measurement. Pre-packed Articles. Available from: [http://www.consumer.vic.gov.au/CA256902000FE154/Lookup/CAV_Publications_Trade_Measurement/\\$file/trade_prepacked_articles.pdf](http://www.consumer.vic.gov.au/CA256902000FE154/Lookup/CAV_Publications_Trade_Measurement/$file/trade_prepacked_articles.pdf)
6. Australian Quarantine & Inspection Service (2005). Export Control (Milk and Milk Products) Orders 2005. Available from: [http://www.comlaw.gov.au/ComLaw/Legislation/LegislativeInstrumentCompilation1.nsf/0/D4345EB42C1BDA0ECA25723600824222/\\$file/ECMilk&MilkProdOrder2005_Am2006No2_FRLI.doc](http://www.comlaw.gov.au/ComLaw/Legislation/LegislativeInstrumentCompilation1.nsf/0/D4345EB42C1BDA0ECA25723600824222/$file/ECMilk&MilkProdOrder2005_Am2006No2_FRLI.doc)

Further information

Other Dairy Food Safety Notes are available from www.dairysafe.vic.gov.au

Or Contact: Dairy Food Safety Victoria

info@dairysafe.vic.gov.au

tel (03) 9810 5900

PO Box 840

Hawthorn VIC 3122

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