



Guidance For BCA Members

New EU Law On Food Information To Consumers

The new EU Regulation 1169/2011 on the provision of food information to consumers changes existing legislation on food labelling, which include the following (with their potential relevance to coffee):

- **Mandatory nutrition information on processed foods:**
Whole or milled coffee beans (also decaffeinated), coffee extracts and chicory extracts are exempted from mandatory nutrition labelling, according to Annex V of the provision.
- **Highlighting allergens in the list of ingredients:**
Coffee doesn't contain any allergens under our interpretation of FIR. There is a new analytical method proposed for the presence or absence of gluten that we need to evaluate as soon as details become available. No allergen warnings are needed at this time. Note, however, that if the manufacturing site handles allergens then the site should conduct an allergen risk assessment for all products manufactured and packed and label accordingly.
- **Mandatory origin labelling:**
Indication of the country of origin or the place of provenance shall only be mandatory "where failure to indicate this might mislead the consumer as to the true country of origin or place of provenance of the food, in particular if the information accompanying the food or the label as a whole would otherwise imply that the food has a different country of origin or place of provenance". Thus there is no requirement for origin labelling for coffee in general.

(N.B. The Commission has commissioned an external study/impact assessment with a view to submitting reports by 13 December 2014 for the following foods: Milk and milk used as an ingredient in dairy products; Unprocessed foods; Single ingredient products (including coffee); Ingredients that constitute over 50% of a food)
- **Minimum durability date:**
The ECF has written to the Commission expressing the industry's opposition to the proposed exemption of coffee from date marking or 'best before' labelling, as it plays an important role in quality assurance for the consumer and is also used as an inventory management tool. No decision has yet been taken on this proposal.

It should be noted that B2B sales are also included under FIC in order to ensure that the necessary information is provided by food business operators (FBOs) along the

entire food chain. There is a requirement for that information to be accurate, clear and easy to understand for the consumer. Where the food is not being sold in a form intended for the final consumer, sufficient information must be passed on to enable the purchasing FBO to label the product that they produce correctly, particularly relating to mandatory information required under FIC.

The new rules will apply from **13 December 2014**. The obligation to provide nutrition information will apply from **13 December 2016**.