

THE FOOD LABELLING REGULATIONS 1996

A GUIDE FOR PACKERS ABOUT SANDWICH LABELS / SANDWICH LABELLING

WHAT DOES THIS FACT SHEET COVER?

The labelling of sandwiches which are pre-packed by retailers, wholesalers or manufacturers for retail sale, or for sale to a catering establishment.

The Food Labelling Regulations 1996 require virtually all pre-packed foods to be fully labelled. In the past sandwiches were largely exempt from labelling, but from July 1997 this exemption was removed. As a result, sandwiches will have to be fully labelled in accordance with the regulations.

In this fact sheet, the term “sandwiches” is used to describe all types of product and filling components and includes rolls, baps, baguettes, pitas etc.

WHAT LABELLING IS REQUIRED?

The labelling required depends on how the sandwiches are sold and whether or not they are sold at a catering establishment. They can be separated into the following 3 categories.

However if the sandwiches or their ingredients have been irradiated, this fact must always be labelled or declared.

Sandwiches which are not pre-packed or are pre-packed for direct sale (other than at catering establishments)

These sandwiches must be labelled with:

- a) the name of the food and
- b) the category names of any of the following additives which they contain; Antioxidants; Flavourings; Sweeteners; Preservatives; Colours; and Flavour Enhancers e.g. “Contains colour and flavouring”.

‘Pre-packed for direct sale’ means pre-packed by the retailer and sold on the premises from a vehicle or stall used by him. It does not include sandwiches produced at a central site and distributed for sale at other retail premises – these are covered by category 3 below.

‘Catering establishments’ includes restaurants, pubs, sandwich bars, canteens, or similar premises.’

Sandwiches sold at a catering establishment which are not pre-packed or are pre-packed for direct sale.

No information is required to be labelled on these sandwiches (unless they have been irradiated as stated above). However, any description of the sandwiches or their fillings must be accurate and must not mislead the customer.

All other pre-packed sandwiches.

Must be labelled with the following information:

- c) the name of the food
- d) a list of ingredients.
- e) A date mark and storage conditions.
- f) Name and address of the manufacturer.
- g) Indication of the place of origin.
- h) Instructions for use (if necessary) e.g. “consume on the day of purchase”

These requirements are explained in more detail below:

The name of the food.

- a) This is a key labelling provision and the name applied must.
 - be sufficiently precise to indicate the true nature of the food.
 - enable the food to be distinguished from foods with which it could be confused; and...
 - indicate any treatment to which the food has been subjected if failure to declare this could mislead the consumer.
- b) Generally the name of a sandwich will include an accurate description of the filling, the type of bread and where appropriate, the fat spread e.g. low fat sunflower spread.
- c) The description of the filling should include its main and characterising ingredients e.g. “roast ham with mustard”, “mature cheddar cheese and tomato mayonnaise”.
- d) For meat ingredients which themselves contain non-meat ingredients e.g. “chicken roll with cereal”, or “ham with added water and gelatine” etc, these non-meat ingredients must be indicated in the name to distinguish it from similar products with no added ingredients e.g. “whole chicken pieces” or “roast ham”.
- e) If the meat has been reformed this must be stated in the name of the meat e.g. reformed ham with added water and gelatine”.
- f) If descriptions are used which indicate a process or method of cooking, such as “smoked” or “roast”, these descriptions must be accurate i.e. if only smoked flavouring is used or if a product has been steamed and flash roasted, then that is how it should be described e.g. “smoke flavour ham”, pork-steamed and flash roasted”.
- g) For meat ingredients, care should be taken when using terms such as burgers and sausages, as these are required to contain a minimum meat content.
- h) Care should be taken to ensure that other mis-descriptions are not applied e.g.:
 - Brown bread must not be described as “wholemeal” unless it is wholemeal.
 - Margarine or other fat spreads must not be described as butter.
 - Cooked pork shoulder must not be described as ham.
 - Processed cheese must be described as such and not simply as cheese
 - Analogues and cheese substitutes which are usually made from vegetable oil and milk protein must not be described as ‘cheese’

A list of ingredients

- a) All the ingredients, including water and additives, must be listed in descending order of weight determined at the time of their use in the preparation of the food.
- b) The list of ingredients must have a heading which consists of or includes the word “ingredients”
- c) The name used for the ingredients must be a name that would be used if it was sold as a food.
- d) Additives, except flavourings and modified starch, must be listed by their category name and, the serial (E) number or extract name e.g “Colour (E102) or “Colour (tartazine)”. Flavourings and modified starch may be listed simply by these category names.
- e) Sandwiches usually contain compound ingredients to which specific labelling requirements apply. Compound ingredients are those which themselves are made up of a number of ingredients, such as bread, chicken roll, sausage, mayonnaise, tomato ketchup etc.

Normally the constituents of a compound ingredient must be listed unless:

- The compound ingredient constitutes less than 25% of the finished product; or
- The name used for the compound ingredient is a generic name which is permitted by the regulations e.g. cheese.

In which case only the name of the compound ingredient is required. However if the compound ingredient constitutes less than 25% of the finished product, but contains an additive which performs a specific function in the sandwich (such as a colour or preservative), the presence of the additive will need to be shown e.g. “tomato ketchup (contains colour E102)”

The constituents of compound ingredients can be listed in one of two ways:

- By stating the constituents individually in the appropriate places in the list of ingredients (without the name of the compound ingredient); or
 - By stating the name of the compound ingredient (in the appropriate place) followed in brackets by a list of its constituents e.g. “mayonnaise (pasteurised egg, com oil, salt, pepper)”
- f) Water should be included in the list unless it is less than 5% of the finished product.
- g) If the ingredient has been subject to a significant treatment e.g. “dried” or “smoked” this must be stated. In particular if an ingredient has been “irradiated” or the words “treated with ionising radiation”.
- h) If special emphasis is given to the presence or low content of a particular ingredient in the sandwich (e.g. by means of a picture or by emphasising certain words) then a declaration must be made in the ingredient list of the:
- Minimum percentage (when emphasising the presence of an ingredient); or
 - Maximum percentage (when emphasising the low content of an ingredient).

A Date Mark and Storage Instructions

- a) The Date Mark must state the words “Use By” or “Best Before” and the date up to and including which the food will remain in good condition. The date must state at least the day and the month.
- b) “Use By” dates are required for fillings which are highly perishable and likely to cause food poisoning if not eaten with a short periods e.g. pate, cooked meats, mayonnaise, cheeses etc. “Best Before” dates should be used for other fillings eg peanut butter. In practice most sandwiches will require a “Use By” date.
- c) IF food as been stored in a particular manner to remain in good condition until the expiry date of the date mark then storage instructions must accompany the date mark. Food marked with a “Use By” date should include a maximum storage temperature eg “Keep refrigerated at 8C or colder”.

Name and Address

The name and address of the manufacturer, packer or seller must be given on the label.

WHAT OTHER LABELLING MAY BE REQUIRED ON SANDWICH LABELS?

Special claims:

Any claim made in relation to food must be justified (e.g. “Suitable for Vegetarians”, “Reduced Fat” etc). For certain special claims (eg “Low Calorie”, “Diet”, “Rich in Vitamins”, “High Protein”, “Low Cholesterol”) the food must also comply with prescribed criteria for the composition and labelling. If you think these requirements may apply to your product, please seek further advice from the Trading Standards Department.

Nutritional Information:

This is only required to be given if a nutritional claim is made eg “Low Fat”, “High Fibre” etc. However if nutritional information is labelled voluntarily then it must comply with the Regulations. A separate Fact Sheet is available on nutrition labelling.

Nuts:

It is possible for a product to contain nuts or nut products but for this not to be obvious from the list of ingredients due to them being present in a compound ingredient or in an ingredient for which a generic name us used eg vegetable oil. If this is the case it is recommended that the presence of nuts is made clear in the labelling eg “This sandwich contains nut products”. (This is not a legal requirement but it is recommended as good practice in the interests of the safety of the consumers who may be allergic to nuts.)

Health Mark:

Sandwiches, except those made for direct sale to the consumer, may require a health mark on the label. This is a code within an oval shaped mark which identifies the country of origin and the packer. It is required under Hygiene Regulations, further information can be obtained from your local Environmental Health Department who enforce these Regulations.

HOW MUST THE INFORMATION BE GIVEN?

Sandwiches which are not pre-packed or pre-packed for direct sale.

When sold to the consumer the required information should be marked:

- On a label attached to the food; or
- On a label, ticket or notice that can easily be seen and ready by the purchaser at the place where they choose the food

All other pre-packed sandwiches.

The required information must be marked

- On the packaging; or
- On a label attached to the packaging; or
- On a label that is clearly visible through the packaging.

The information must be easy to understand, indelible, clearly legible and visible, and must not be hidden, obscured or interrupted by any other written or pictorial matter.

The name of the food and the date mark must appear in the same field of vision.

WHAT IS THE BEST WAY TO ENSURE THAT I SATISFY THESE REQUIREMENTS?

Please contact Etiquette Labels Ltd at the address indicated. We will be happy to advise you before you design and before you print your labels to ensure you get it right first time.

WHAT ARE THE CONSEQUENCES OF NON-COMPLIANCE?

Failure to comply with these requirements is a criminal offence. The maximum penalty on a conviction is £5000

SANDWICH LABELLING SOLUTIONS

Etiquette provides a complete sandwich labelling solution. For further information visit <http://www.sandwich-labels.com> or contact 01978 664544