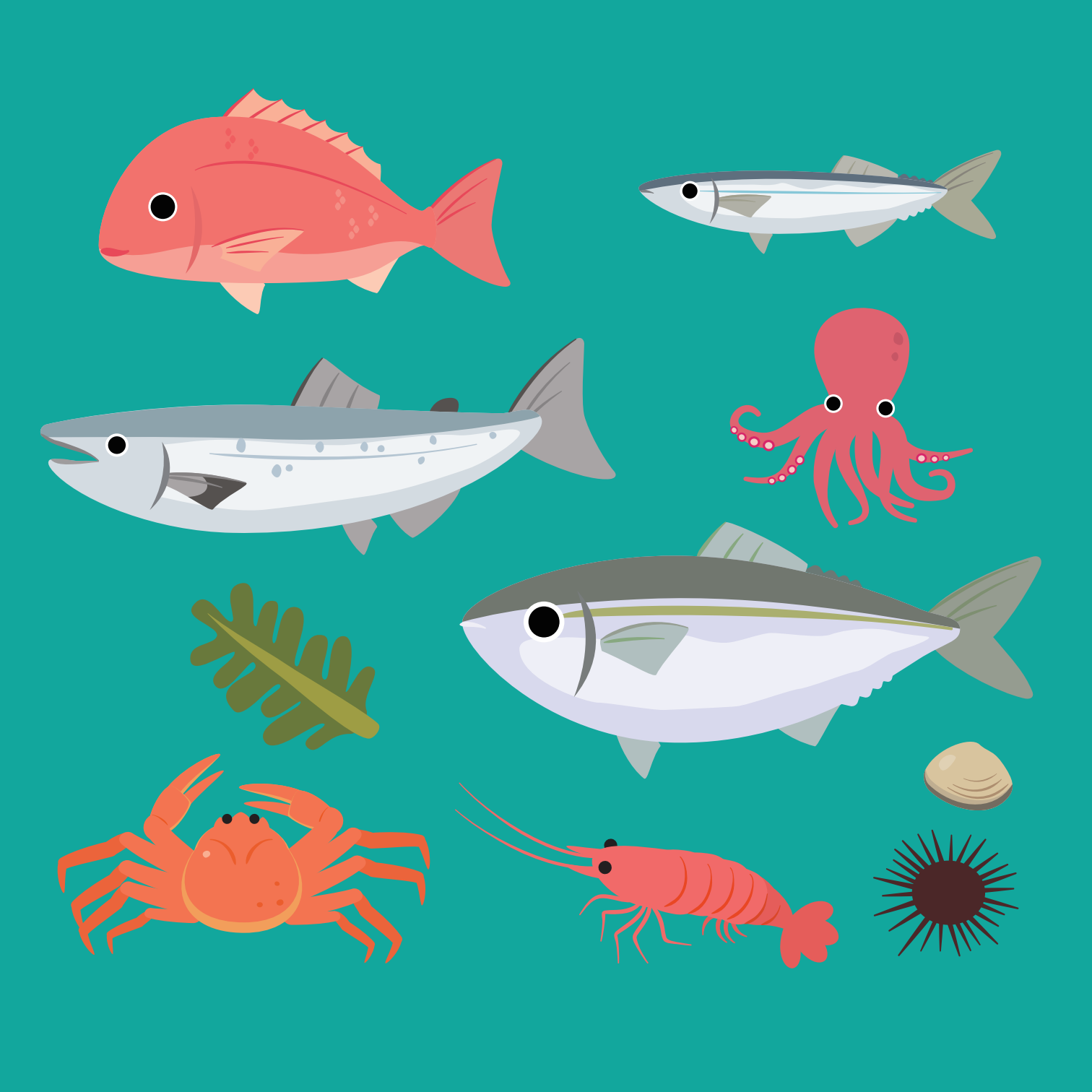
European Commission

A pocket guide to the EU's new fish and aquaculture consumer labels

Fisheries



A pocket guide to the EU's new fish and aquaculture consumer labels

Did you know that from 13 December 2014, the rules for labels accompanying all fishery and aquaculture products for EU consumers will change? This pocket guide will explain what must appear on the new labels and what additional information can be displayed.

This is a handy guide to help you apply the new rules. It is neither a legal or formal document nor an exhaustive list of requirements.

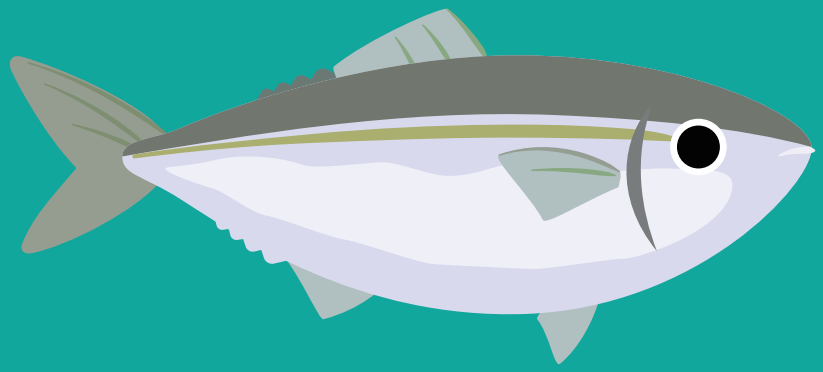
For further information, please consult the legislation listed on page 15 and the links provided on the back cover of this guide.

A. Unprocessed and certain processed fishery and aquaculture products

The following requirements apply to the fishery and aquaculture products in Annex 1 (points a, b, c and e) of the CMO Regulation.

In short, these requirements apply to all unprocessed and some processed products (e.g. salted, smoked products, cooked shrimps in their shells). These products can be 'prepacked' and 'non-prepacked'.

The **CMO Regulation (chapter IV) and the FIC Regulation** both apply (see page 15).



1. Mandatory information

Prepacked and non-prepacked products

Commercial designation and scientific names:

➜ Both the commercial and scientific names must be displayed. These names must match those on the official list drawn up and published by each EU country.

➜ The commercial designation and the scientific name can either correspond fully with the name of the food (FIC Regulation) or partly, as would be the case where additional particulars must be added to the name.

Production method:

➜ The production method should be displayed using the following designations in particular:
'caught ...'; or
'caught in freshwater ...'; or
'farmed ...'.

➜ **Mixed** products of the same species and different production methods must display the method of production for each batch.

Catch area / country and body of water / country of production:

➜ The catch area for **fish caught at sea** is the FAO area, sub-area or division where the fish were caught.

Fish caught in the Northeast Atlantic and Mediterranean and Black Sea must display the name of the **sub-area or division**, along with a name that is easy for the consumer to understand, or a map or a pictogram. This replaces the name of the area.

For the rest of the world, only the name of the **area** must be displayed.

The list of areas, sub-areas and divisions (ICES) is published by the FAO http://www.fao.org/fishery/cwp/handbook/h/en.

➜ **Fish caught in freshwater** must display both the name of the body of water (river, lake, etc.) and the country where the product was caught.

➜ **Farmed fish** (aquaculture) must display the country of production.

➜ **Mixed** products of the same species caught in different catch areas or fish-farming countries must, at least, display the area/country of the batch that is more representative in terms of quantity, and indicate that products come from different areas/countries.

Fishing gear:

➜ Wild fish must display one of the following **fishing gear categories** used to catch the fish: 'seines', 'trawls', 'gillnets and similar nets', 'surrounding nets and lift nets', 'hooks and lines', 'dredges', and 'pots and traps'.

➜ **Mixed** products of the same species caught with different categories of fishing gear must display the fishing gear category for each batch.

Defrosted:

➜ The label should show whether the product has been defrosted. For pre-packed products, this information must accompany the commercial name. For non-prepacked products, the information need not accompany the name of the food, although it must be shown on billboards or posters.

🡐 This information is not necessary if fishery and aquaculture products:

- are ingredients present in the final product; or
- have been previously frozen for health safety purposes; or
- have been defrosted before smoking, salting, cooking, pickling, drying or a combination of these processes; or
- are foods for which freezing is a technologically necessary step.

‘Best before’ date / ‘Use by’ date:

➜ The date of minimum durability corresponds to the ‘best before’ date or ‘best before end’ date.

➜ All **prepacked** products which are not highly perishable must display the ‘best before’ date. By contrast, highly perishable products should display the ‘use by’ date.

➜ For all **non-prepacked products**, products prepacked for direct sale or on sales premises at the consumer’s request, EU countries can decide whether to adopt national rules stipulating that the ‘best before’ or the ‘use by’ date should be displayed.

➜ For **live bivalve molluscs**, the ‘best before’ date can be replaced by the label ‘these animals must be alive when sold’.

Allergens:

➜ For **prepacked** products, a clear reference to the name of any allergens should be included in the list of ingredients. This should appear in a typeset (e.g. font style, or background colour) which clearly distinguishes it from the rest of the list of ingredients.

➜ For **non-prepacked** products, products pre-packed for direct sale or on sales premises at the consumer’s request, information on allergens is also mandatory. However, EU countries can adopt national measures about the ‘means’ by which this information is provided.

➜ Where no list of ingredients exists, the presence of allergens must be indicated as follows: ‘contains…’.

🡐 Not required when the food name clearly refers to allergen(s).

Additional requirements for prepacked products

The following information must be provided for prepacked products, in addition to that listed above:

List of ingredients:

➜ A list of all ingredients in descending order of weight should be displayed next to ‘Ingredients’.

🡐 This is not necessary for single-ingredient foods that have the same name as the ingredient.

Quantity of ingredients:

➜ This must be expressed as a percentage.

➜ This must be shown when the ingredient:
- appears in the name of the food;
- is emphasised on the labelling;
- is essential to characterise a food.

🡐 There are certain exceptions to this, e.g. if the drained net weight is provided.

Net quantity: (Net weight)

➜ This must be expressed in grams or kilograms.

➜ The **drained net weigh**t of the food must also be shown where a solid food is in a liquid medium (also frozen or quick-frozen).

➜ If the food has been glazed, the declared net weight of the food must exclude the glaze. In this case, one of these four possibilities should be indicated on the label (example of 250 g):

a) Net weight = 250 g and Drained net weight = 250 g
b) Net weight = Drained net weight = 250 g
c) Drained net weight = 250 g
d) Net weight (without glaze) = 250 g

Conditions for storage and use:

➜ Any special storage conditions and/or conditions of use must be shown.

Name or business name and address of the food business operator:

➜ The name and address of the food operator responsible for the food information, and under whose name the food is marketed, should be displayed;

➜ If the operator is not in the EU, the name and address of the importer must be shown.

Country of origin or place of provenance:

➜ This **must** be shown **where** failure to do so could **mislead** the consumer.

Instructions for use:

➜ Only if needed.

Nutrition declaration (from 13 December 2016):

➜ This includes the energy value and the amount of fat, saturates, carbohydrates, sugars, protein and salt per 100g or 100 ml. Vitamins, minerals and other specified nutrients can be included.

➜ In addition, this can also be expressed as 'per portion' or as a percentage of the 'reference intake'.

➜ Unprocessed products that include a single ingredient or category of ingredients are exempt.

Packaged in a protective atmosphere:

➜ This must be included if the product was packaged in certain gases.

'Date of freezing' or 'Date of first freezing':

➜ This requirement only applies to **unprocessed** products.

➜ The date must be indicated as follows: 'Frozen on day/month/year'.

Added water:

➜ Added water must be shown in the **list of ingredients** in accordance with the requirements of the FIC Regulation.

➜ For fishery products having the appearance of a cut, joint, slice, portion, fillet or a whole fishery product, the added water must also be shown in the **name of the food** if the added water makes up more than 5% of the weight of the finished product.

Added proteins of different animal origin:

➜ The **name of the food** must indicate the presence of added proteins and of their animal origin.

Formed fish:

➜ Products which give the impression that they are made of a whole piece of fish but actually consist of different pieces combined using other ingredients (e.g. food additives, food enzymes) or other means, need to indicate this.

➜ The operator is bound to use the term 'formed fish'.

Identification mark:

➜ The name of the country, the approval number of the establishment where production takes place and the abbreviation EC, or its translation in other EU languages, must be shown when the product is produced in the EU.

➜ For imported products, only the name of the country and the approval number of the establishment are mandatory.

Date of packaging:

➜ This date must be shown for live bivalve molluscs.

➜ This date must comprise at least the day and the month.

2. Voluntary information

In addition to the mandatory information required, the following information can be provided if it is clear, unambiguous and verifiable, and does not mislead the consumer.

Voluntary information must not be displayed to the detriment of the space available for mandatory information.

Date of catch / harvest:

➜ As per the appropriate documentation.

Date of landing:

➜ As per the appropriate documentation

Port of landing of fishery products:

➜ Name of the port where the fish was first landed

More detailed fishing gear:

➜ As per the appropriate documentation.

➜ In addition to the seven mandatory fishing gear categories listed in section 1, more detailed information can be added, such as the gears listed in columns 2 and/or 3 of Annex III of the CMO Regulation. You can find more information on the CMO Regulation at the end of this guide.

➜ If the fish was caught by other **fishing techniques** not listed (e.g. by hand or diving) this can be indicated voluntarily.

Vessel's flag state:

➜ As per the appropriate documentation.

Environmental, ethical or social information:

➜ As per the appropriate documentation.

Production techniques and practices:

➜ As per the appropriate documentation.

Nutritional content / Nutrition declaration:

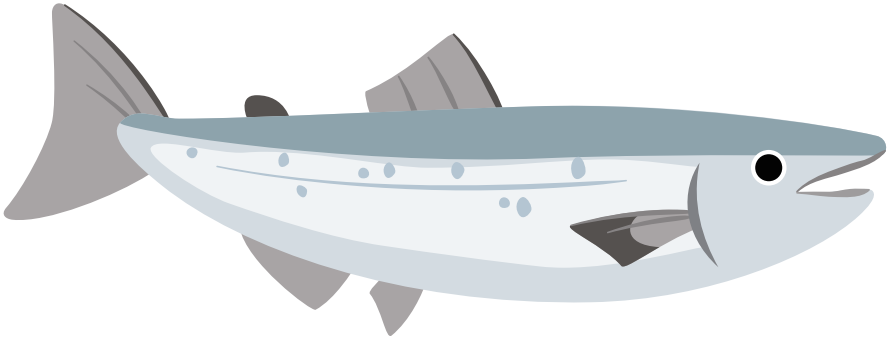
➜ Food business operators are encouraged to provide the nutrition declaration voluntarily in the following cases:

- until it becomes mandatory on 13 December 2016;
- for products covered by one of the exemptions from providing the mandatory nutrition declaration in Annex V of the FIC Regulation. You can find the Regulation on the European Commission website listed on the back cover.

➜ From 13 December 2014, this voluntary information follows the same rules of expression and presentation as the mandatory nutrition declaration.

Other:

➜ Any other information that the food business operator considers useful for the consumer, provided it is clear, unambiguous and verifiable.



Example of label for an unprocessed and prepacked fresh product

Commercial designation and scientific name

Fishing gear category

Net weight

Food operator

MACKEREL *(Scomber scombrus)*

Trawls

Net quantity: 250g

Business name and address: xxx

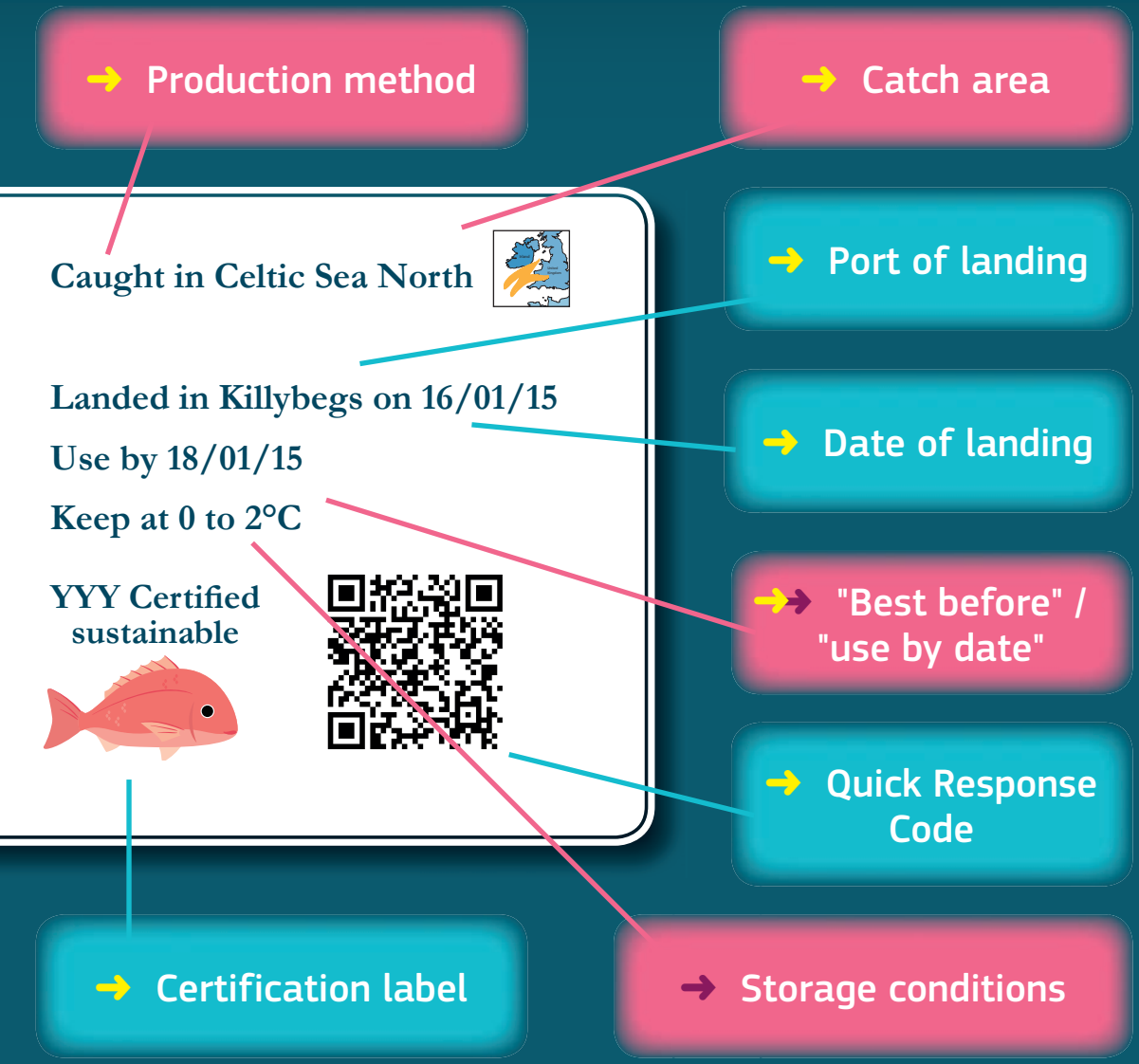
Ireland
XX-YYY-ZZ
EC

Identification mark

MANDATORY — CMO REGULATION

VOLUNTARY — FIC REGULATION

Note that for unprocessed and non-prepacked products, the mandatory information of the CMO Regulation must be displayed, amongst others, on billboards or posters

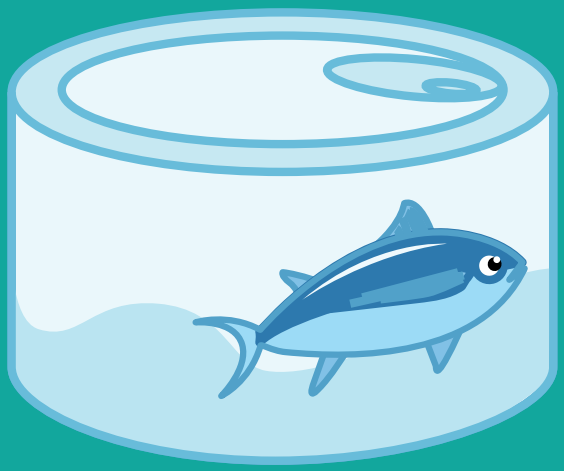

Production method
Catch area
Caught in Celtic Sea North
Port of landing
Landed in Killybegs on 16/01/15
Date of landing
Use by 18/01/15
Keep at 0 to 2°C
"Best before" / "use by date"
YYY Certified sustainable
Quick Response Code
Certification label
Storage conditions

B. Other processed fishery and aquaculture products

The following requirements apply to fishery and aquaculture products OTHER THAN those in points a, b, c and e of Annex I to the CMO Regulation.

In short, these requirements apply to processed products such as canned, composite products, breaded products, etc. These products can be 'pre-packed' and 'non-prepacked'.

Only the FIC Regulation applies (see page 15).



1. Mandatory information

Note: For non-prepacked products, only information on allergens is mandatory, the remaining mandatory particulars do not apply unless EU countries adopt national measures on all or some of them.

Name of the food:

➜ The legal name should be used or, if this is absent, the customary name. If there is no customary name or the customary name is not used, a descriptive name may be used.

Defrosted:

➜ In the case of foods that have been frozen before sale and which are sold defrosted, the name of the food must be accompanied by the designation 'defrosted'.

🡐 This information is not necessary for:
- ingredients present in the final product;
- foods for which freezing is a technologically necessary step of the production process;
- foods where defrosting has no negative impact on the safety or quality of the food.

List of ingredients:

➜ Please see Chapter A.

Any ingredient or processing aid causing allergies or intolerances (allergens):

➜ Please see Chapter A.

Quantity of ingredients:

➜ Please see Chapter A.

Net quantity:

➜ Please see Chapter A.

"Best before" date / "use by" date:

➜ Please see Chapter A.

Conditions for storage and use:

➜ Please see Chapter A.

Name or business name and address of the food business:

➜ Please see Chapter A.

Country of origin or place of provenance:

➜ Please see Chapter A.

Instructions for use:

➜ Please see Chapter A.

Nutrition declaration (from 13 December 2016):

➜ Please see Chapter A.

Additional mandatory particulars:

Packaged in a protective atmosphere:

➜ Please see Chapter A.

Added water:

➜ Please see Chapter A.

Formed fish:

➜ Please see Chapter A.

Added proteins of different animal origin:

➜ Please see Chapter A.

Canned tuna and bonito / sardines and sardine-like products:

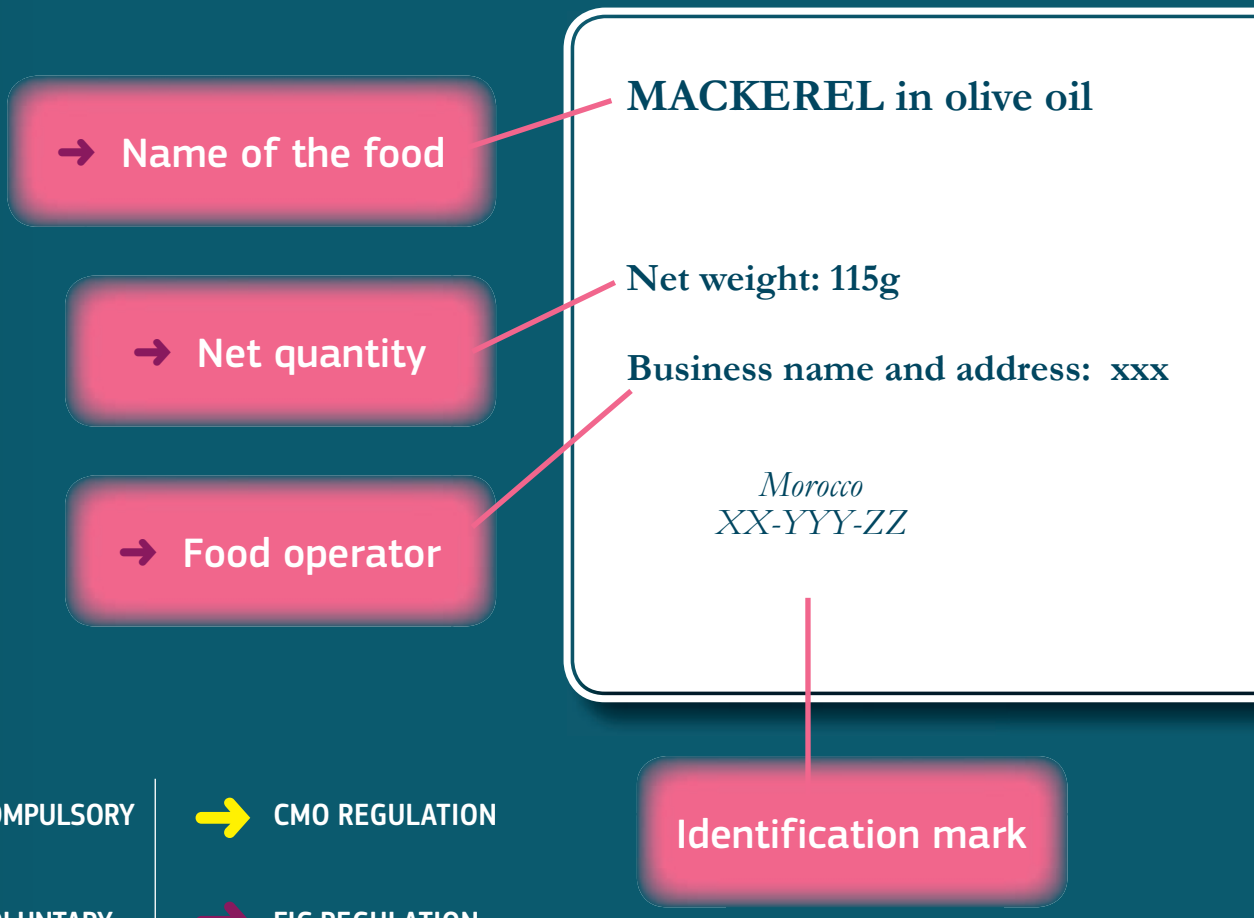
➜ There are specific marketing standards for these products as well. These can be found in Regulations 1536/92 and 2136/89 respectively.

2. Voluntary information

In addition to the mandatory information required for fishery and aquaculture products, voluntary information can be provided as long as it is clear, unambiguous, based on relevant scientific data, and does not mislead the consumer.

Any voluntary information must not be displayed to the detriment of the space available for mandatory information.

Example of label for a processed product (canned)



COMPULSORY → CMO REGULATION

VOLUNTARY → FIC REGULATION

Ingredients: **Mackerel** (75%), olive oil, salt

Best before end 10/2016

Keep in cool and dry place

➜ List of ingredients (quantity of main ingredient, allergens)

➜ "Best before" / "use by date"

➜ Storage conditions

➜ Bar code

How to display the mandatory information to consumers?

➜ The mandatory information must be available and easily accessible.

- For **prepacked** products, it shall appear directly on the package or on a label attached thereto.
- For **non-pre-packed** products covered by the CMO regulation, information can be provided in different forms - labels, billboards, posters or the like.

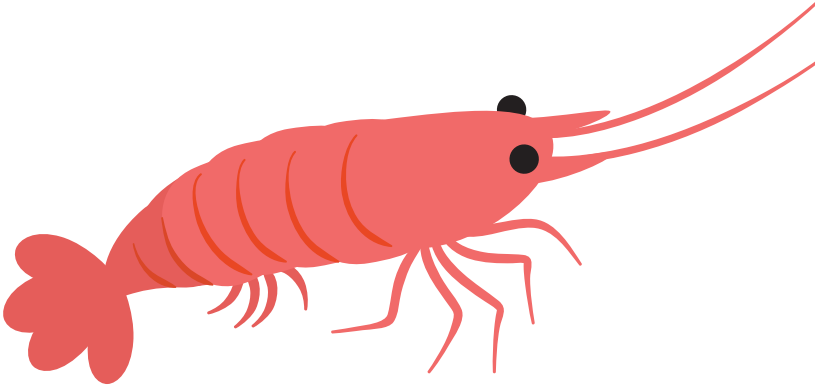
➜ It must be marked in a conspicuous place and be easily visible, clearly legible and, where appropriate, indelible.

It shall not in any way be hidden, obscured, detracted from or interrupted by any other written or pictorial matter or any other intervening material.

➜ It must be printed on the package or on the label in such a way as to ensure clear legibility, in characters using a font size where the x-height is equal to or greater than 1,2 mm.

In case of packaging or containers the largest surface of which has an area of less than 80 cm2, the x-height of the font size shall be equal to or greater than 0,9mm.

➜ The complete name of the food and the net weight shall appear in the same field of vision.



Legal basis

CMO-related Regulations

Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000

Council Regulation (EEC) No 1536/92 of 9 June 1992 laying down common marketing standards for preserved tuna and bonito

Council Regulation (EEC) No 2136/89 of 21 June 1989 laying down common marketing standards for preserved sardines

FIC Regulation

Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004

Food additives

Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives

Hygiene rules

Regulation 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin

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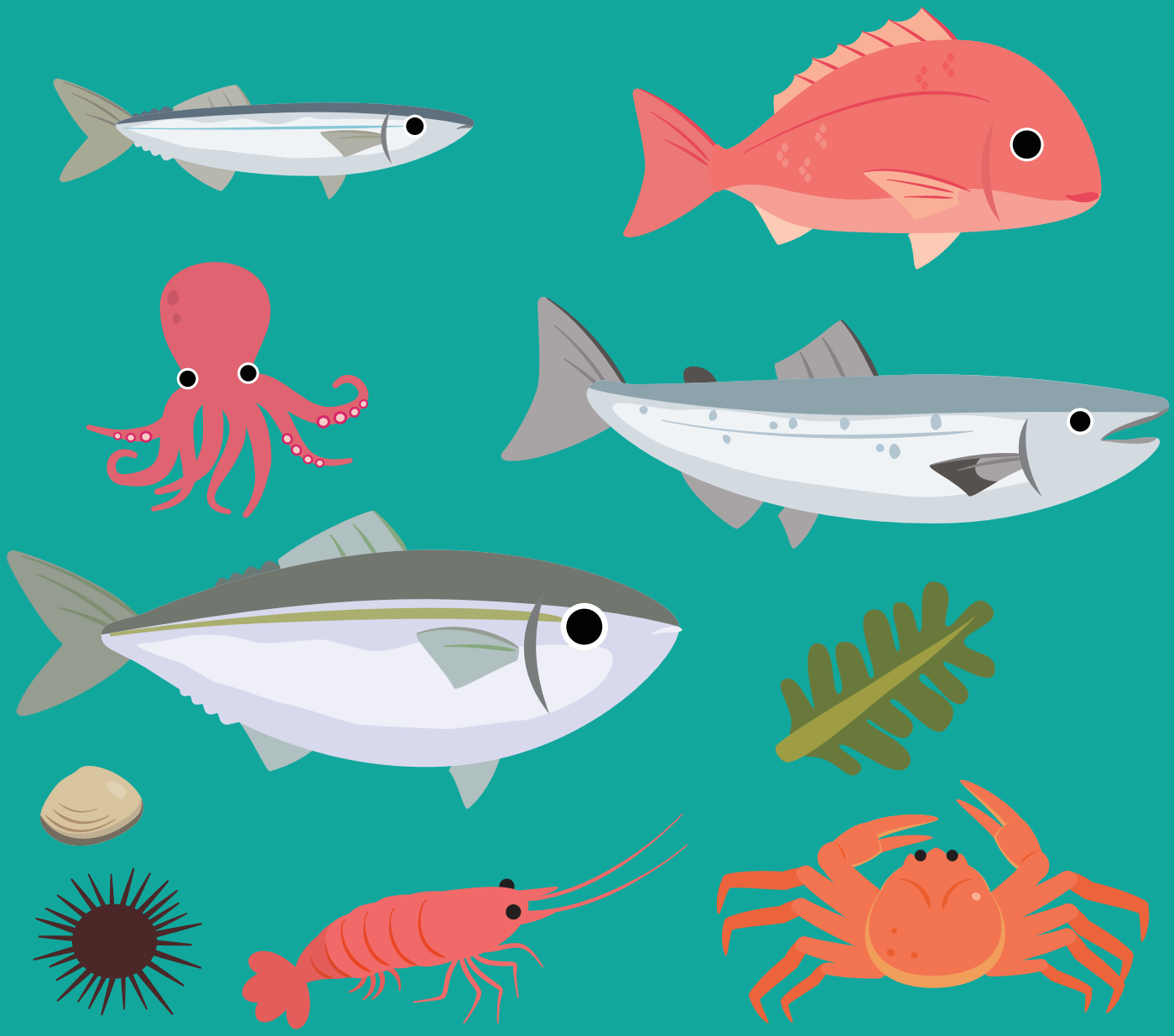

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Frequently asked questions:

CMO
http://ec.europa.eu/fisheries/cfp/market/faq/index_en.htm

FIC
http://ec.europa.eu/food/food/labellingnutrition/foodlabelling/docs/qanda_application_reg1169-2011_en.pdf

Websites
http://ec.europa.eu/fisheries/cfp/market/index_en.htm
http://ec.europa.eu/dgs/health_consumer/index_en.htm

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