



GUIDE TO FOOD LABELLING

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Introduction

This Guidebook aims to provide food importers, manufacturers, Packers, Vendors and retailers with a better understanding of the labelling requirements of the Pre-packaged Food Labelling Regulations 2005 and Nutrition, Health and other Food Claims Regulations 2010 with the knowledge of the permitted and prohibited claims for use in food labels and advertisements.

Industry members are responsible to ensure that their food products comply with the safety, specification standards and the labelling requirements stipulated under Pre-packaged Food Labelling Regulations 2005 and Nutrition, Health and other Food Claims Regulations 2010.

In addition, industry members are advised to make reference to the Gazetted Pre-packaged Food Labelling Regulations 2005 and Draft Nutrition, Health and other Food Claims Regulations 2010 Food for the actual legal text where necessary.

We would like to remind importers, manufacturers, Packers, Vendors that it is an offence to sell pre-packed foods without proper labelling or to make false or misleading claims on food products. Any person who contravenes or fails to comply with any of the provisions of the NAFDAC Pre- packaged Food Labelling Regulations 2005 shall be guilty of an offence and shall be liable on conviction.

Terms and definitions

“Claim” means any representation which states, suggests or implies that a food has particular qualities relating to its origin, nutritional properties, nature, processing, composition or any other quality.

“Consumer” means persons and families purchasing and receiving food in order to meet their personal needs.

“Container” means any packaging of food for delivery as a single item, whether by completely or partially enclosing the food and includes wrappers. A container may enclose several units or types of packages when such is offered to the consumer.

“Date of Manufacture” means the date on which the food becomes the product as described.

“Date of Packaging” means the date on which the food is placed in the immediate container in which it will be ultimately sold.

“Sell-by-Date” means the last date of offer for sale to the consumer after which there remains a reasonable storage period in the home.

“Date of Minimum Durability” (“best before”) means the date which signifies the end of the period under any stated storage conditions during which the product will remain fully marketable and will retain any specific qualities for which tacit or express claims have been made. However, beyond the date the food may still be perfectly satisfactory.

“Use-by Date” (Recommended Last Consumption Date, Expiration Date) means the date which signifies the end of the estimated period under any stated storage conditions, after which the product probably will not have the quality attributes normally expected by the consumers. After this date, the food should not be regarded as marketable.

“Food” means any substance, whether processed, semi-processed or raw, which is intended for human consumption, and includes drinks, chewing gum and any substance which has been used in the manufacture, preparation or treatment of “food” but does not include cosmetics or tobacco or substances used only as drugs.

“Food Additive” means any substance not normally consumed as a food by itself and not normally used as a typical ingredient of the food, whether or not it has nutritive value, the intentional addition of which to food for a technological (including organoleptic) purpose in the manufacture, processing, preparation, treatment, packing,

packaging, transport or holding of such food results, or may be reasonably expected to result, (directly or indirectly) in it or its by-products becoming a component of or otherwise affecting the characteristics of such foods. The term does not include "contaminants" or substances added to food for maintaining or improving nutritional qualities.

"Ingredient" means any substance, including a food additive, used in the manufacture or preparation of a food and present in the final product although possibly in a modified form.

"Label" means any tag, brand, mark, pictorial or other descriptive matter, written, printed, stencilled, marked, embossed or impressed on, or attached to, a container of food.

"Labelling" includes any written, printed or graphic matter that is present on the label, accompanies the food, or is displayed near the food, including that for the purpose of promoting its sale or disposal.

"Lot" means a definitive quantity of a commodity produced essentially under the same conditions.

"Prepackaged" means packaged or made up in advance in a container, ready for offer to the consumer, or for catering purposes.

"Processing Aid" means a substance or material, not including apparatus or utensils, and not consumed as a food ingredient by itself, intentionally used in the processing of raw materials, foods or its ingredients, to fulfil a certain technological purpose during treatment or processing and which may result in the non-intentional but unavoidable presence of residues or derivatives in the final product.

"Foods for Catering Purposes" means those foods for use in restaurants, canteens, schools, hospitals and similar institutions where food is offered for immediate consumption.

"Principal Display Panel"

The panel easier to be found on package or containers of prepackaged foods

General Labelling Requirements

The following information is required on the labels of pre-packed foods:

1. Declaration of Information on food label.

1.1 Information must be clear, accurate and not mislead consumers

The information on the label must be clear and unambiguous and must not be such as it could mislead the consumer to a material degree. In addition, the labelling must not attribute to any foodstuff, the property of preventing, treating or curing a human disease or refer to such properties.

1.2. Information must be legible and easy to understand

The information provided on the label must be easy to understand, be clearly legible, it must also be indelible, easy to see and not obscured in any way.

1.3 Information must be in English

The labelling of food must be in English.

1.4 Information on Pre-packaged food shall not be described or presented on any label or in any labelling by words, pictorial or other devices which refer to or are suggestive either directly or indirectly, or any other product with which such food might be confused, or in such a manner as to lead the purchaser or consumer to suppose that the food is connected with such other product.

1.5 Prepackaged food shall not be described or presented on any label or in any labelling in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character in any respect.

1.6 Labels in prepackaged foods shall be applied in such a manner that they will not become separated from the container.

1.7 Where the container is covered by a wrapper, the wrapper shall carry the necessary information or the label on the container shall be readily legible through the outer wrapper or not obscured by it.

- 1.8** The name and net contents of the food shall appear in a prominent position and in the same field of vision.

2. Name or description of food

- 2.1** The name shall indicate the true nature of the food and normally be specific and not generic.

2.1.1 Where a name or names have been established for a food in a Codex standard, at least one of these names shall be used.

2.1.2 In other cases, the name prescribed by national legislation shall be used.

2.1.3 In the absence of any such name, either a common or usual name existing by common usage as an appropriate descriptive term which was not misleading or confusing to the consumer shall be used.

2.1.4 A "coined", "fanciful", "brand" name, or "trade mark" may be used provided it accompanies one of the names provided in Subsections 2.1.1 to 2.1.3

- 2.1** The name of a food must be stated in order to inform the purchaser of the true nature of the product.

For example, 'milk chocolate' must have a certain compositional content, e.g. not less than 25% total dry cocoa solids.

- 2.2** When a legal name does not exist, a customary name may be used, i.e. a name that has come to be accepted by consumers without needing further explanation such as "fish fingers", "spaghetti" and "muesli". In certain circumstances, in order to avoid confusion, a description may be required to indicate the true nature of the product and to distinguish it from other foods.

- 2.3.** The use of a brand name, sales name, fancy name or trademark is permitted in addition to the product's legal or customary name.

- 2.4** Details of the physical condition of the foodstuff or processes it has undergone must accompany the name of the food such as powdered, freeze-dried, frozen,

concentrated, pasteurized and smoked where omission of such information could create confusion in the mind of the purchaser.

3. List /Statement of Ingredients

3.1 Except for single ingredient foods, a list of ingredients shall be declared on the label.

- The list of ingredients shall be headed or preceded by an appropriate title which consists of or includes the term 'ingredient'.
- All ingredients shall be listed in descending order of ingoing weight (m/m) at the time of the manufacture of the food.
- Where an ingredient is itself the product of two or more ingredients, such a compound ingredient may be declared, as such, in the list of ingredients, provided that it is immediately accompanied by a list, in brackets, of its ingredients in descending order of proportion (m/m). Where a compound ingredient (for which a name has been established in a Codex standard or in national legislation) constitutes less than 5% of the food, the ingredients, other than food additives which serve a technological function in the finished product, need not be declared.
- The following foods and ingredients are known to cause hypersensitivity and shall always be declared:
 - Cereals containing gluten; i.e., wheat, rye, barley, oats, spelt or their hybridized strains and products of these;
 - Crustacea and products of these;
 - Eggs and egg products;
 - Fish and fish products;
 - Peanuts, soybeans and products of these;
 - Milk and milk products (lactose included);
 - Tree nuts and nut products; and
 - Sulphite in concentrations of 10 mg/kg or more.
- Added water shall be declared in the list of ingredients except when the water forms part of an ingredient such as brine, syrup or broth used in a compound food and declared as such in the list of ingredients. Water or other volatile ingredients evaporated in the course of manufacture need not be declared.

- As an alternative to the general provisions of this section, dehydrated or condensed foods which are intended to be reconstituted by the addition of water only, the ingredients may be listed in order of proportion (m/m) in the reconstituted product provided that a statement such as “ingredients of the product when prepared in accordance with the directions on the label” is included.
- The presence in any food or food ingredients obtained through biotechnology of an allergen transferred from any of the products listed in Section 3.1.4 shall be declared.

When it is not possible to provide adequate information on the presence of an allergen through labelling, the food containing the allergen should not be marketed. (see details on number 11)

3.2 A specific name shall be used for ingredients in the list of ingredients in accordance with the provisions set out in Section 2.1 (Name of the Food) except as follows;

3.2.1 Except for those ingredients listed in section 3.1.4, and unless a general class name would be more informative, the following class name may be used:

NAME OF CLASSES	CLASS NAMES
Refined oils other than olive	'Oil' together with either the term 'vegetable' or ' animal' qualified by term 'hydrogenerated' or partially hydrogenerated' as appropriate
Refined fats	'Fat' together with either , the term 'vegetable' or 'animal' as appropriate
Starches, other than chemically modified starches	'Starch'
All species of fish where the fish constitutes an ingredients of another food and provided that the labelling and presentation of such food does not refer to specific species of fish	"Fish"
All types of poultry meat where such meat constitutes an ingredients of food and provided that the labelling and presentation of such food does not refer to specific type of poultry meat	'Poultry meat
All types of cheese where the cheese or	'Cheese'

mixture of cheese constitutes an ingredients of food and provided that the labelling and presentation of such food does not refer to specific type of cheese	
All spices and spice extracts not exceeding 2% by weight either singly or in combination in food	'Spice', 'spices', or 'mixed spices', as appropriate
All herbs or parts of herbs not exceeding 2% by weight either singly or in combination in food	'Herbs', or 'mixed herbs', as appropriate
All types of gum preparations used in the manufacture of gum base for chewing gum	'Gum base'
All types of sucrose	'Sugar'
Anhydrous dextrose and dextrose monohydrate	'Dextrose' or 'glucose'
All types of caseinates	'Caseinate'
Milk products containing a minimum of 50% of milk protein (m/m) in dry matter	'Milk Protein'
Press , expeller or refined cocoa butter	'Cocoa butter'
All crystallized fruit not exceeding 10% or weight of food	'Crystallized fruit'

3.1.8 Notwithstanding the provision set out in Section 3.2.1, pork fat, lard and beef fat shall always be declared by their specific names.

3.1.9 For food additives falling in the respective classes and appearing in lists of food additives permitted for use in foods, the following functional classes shall be used together with the specific name or recognized numerical identification such as the Codex International Numbering System (CAC/GL 36-1989) as required by national legislation.

The following class titles may be used for food additives falling in the respective classes and appearing in lists of food additives permitted generally for use in foods:

- Acidity Regulator
- Anticaking Agent
- Antifoaming Agent

- Antioxidant
- Bleaching Agent
- Bulking Agent
- Carbonating Agent
- Colour
- Colour Retention Agent
- Emulsifier
- Emulsifying Salt
- Firming Agent
- Flour Treatment Agent
- Foaming
- Gelling Agent
- Humectants
- Preservative
- Propellant
- Raising Agent
- Sequestrant
- Stabilizer
- Sweetener
- Thickener

The expression “flavours” may be qualified by “natural”, “nature identical”, “artificial” or a combination of these words as appropriate.

- Flavour(s) and Flavouring(s) Modified Starch(es)

3.1.11 A food additive carried over into a food in a significant quantity or in an amount sufficient to perform a technological function in that food as a result of the use of raw materials or other ingredients in which the additive was used shall be included in the list of ingredients.

3.1.12 A food additive carried over into foods at a level less than that required to achieve a technological function, and processing aids, are exempted from declaration in the list of ingredients. The exemption does not apply to food additives and processing aids listed in section 3.1.4

3.3 A list of ingredients is compulsory on all products, with the exception of cheese, butter, beverages which contain more than 1.2% volume of alcohol, carbonated water and ‘one ingredient’ products, e.g. milk, salt.

3.4 The name of the ingredients must be specific enough to accurately describe the ingredient and for consumers to identify potential allergens, for example,

where the ingredient 'starch' (or modified starch) originates from a source that contains gluten, the cereal origin of the starch must always be given in the list of ingredients, e.g. wheat starch. Products containing meat as an ingredient, such as ready meals and sausages, must declare the animal species from which the meat is derived, such as 'bovine meat' or 'beef meat' or simply 'beef' in the list of ingredients.

- 3.5 Additives performing technological functions in the final food must be declared in the list of ingredients such that the name of the category of additive is followed by the specific name of the additive or its E number, e.g. Monosodium glutamate is often used as a flavour enhancer in food and must be declared in the list of ingredients as Flavour Enhancer: E621 or Flavour Enhancer: Monosodium glutamate (see example below).
- 3.6 'Flavourings' are used in or on foodstuffs to impart a taste and/or odour. Flavourings must be indicated in the list of ingredients by the word "flavouring(s)" or by a more specific name or description, for example, 'Flavouring: vanilla'.

Example (Ingredient List)

Chicken breast (45%), Salt, Milk Proteins,
Soya Protein Isolate, Spices, Stabiliser: E450,
Flavour Enhancer: Monosodium glutamate,
Dextrose, Modified Starch, Colour: E160c,
Water, Hydrolysed Vegetable Protein,
Wheat Flour, Antioxidants: E301, E331, Herbs.

- This helps consumers identify the presence or absence of particular additives in a food. Quinine and caffeine are flavourings which may cause hypersensitivity or temporary behavioural changes and they must be declared in the list of ingredients, e.g. "flavouring: quinine"
- 3.6 In addition, drinks other than tea and coffee which contain caffeine in excess of 150mg/l must also provide a warning message on the label, followed by an indication of the caffeine content such that: 'High caffeine content (Xmg/100ml)'.

4. Quantitative Ingredient Declaration (QUID)

- 4.1 In certain circumstances, it is necessary to state on the label, the quantity of an ingredient which is used in the manufacture or preparation of a foodstuff. The quantity must be declared in percentage terms and should appear in or next to the name of the food or be in the list of ingredients. This is known as quantitative ingredient declaration or QUID. QUID is designed to help consumers to compare the composition of similar products on ingredients likely to influence their choice.

Example is as shown below;

INGREDIENTS :

Pasteurised Egg, Whole Milk, Wheat Flour,
Cheese (13%), Onion (12%), Vegetable Oil and
Hydrogenated Vegetable Oil, Modified Maize
Starch, Salt, Dextrose

For example, the quantity of an ingredient as a percentage must be declared on the label where the ingredient is:

- Included in the name of the food such as 'ham pizza' where the ham must be quantified
- Associated with the name of the food such as 'summer pudding' where the fruit content must be quantified or
- Emphasised in words, pictures or graphics such as 'with cheese' This does not apply to 'serving suggestions

5. Net Quantity

5.1 The net contents shall be declared in the metric system ("Système International" units).

The net contents shall be declared in the following manner:

- (i) for liquid foods, by volume;
- (ii) for solid foods, by weight;
- (iii) for semi-solid or viscous foods, either by weight or volume.

5.2 All pre-packaged foodstuffs must be labelled with information on the net quantity of the foodstuff, i.e. its weight or volume, which does not include the packaging material.

5.2 The net quantity must be expressed using the metric system, i.e. litres or millilitres for liquids or kilograms or grams for solids or either weight or volumetric measure for semisolid or viscous foods such as tomato paste, yoghurt. In the case of weight measure, suitable words such as "net weight" shall be used to describe the manner of measure.

5.3 Food packed in a liquid medium will be required to have both “net weight” and “drained weight” declared.

Examples of products that require drained weight declaration:

- Products with liquid packing medium which is drained away prior to consumption of the product. The products include canned seafood in brine e.g. abalone, pacific clams, tuna, crabmeat and canned vegetables in brine such as button mushrooms, whole corn kernels, chickpeas in water.
- Preserved/pickled products in liquid medium with salt, vinegar or sugar. The liquid medium² is neither drained away nor consumed. The products include pickled green chilli, cucumbers, onions, mustard greens, salted plums etc.
- Canned fruit and vegetable packed in juices or sugar syrups. For this instance, juice content is not a decisive factor to purchase. The products includes peaches, pears, in light syrup, fruit cocktail in syrup.

Examples of products that do not require drained weight declaration:

- Products for drinking which contain solid bits. For such products, the liquid portion forms the most part of the product. Example of these products includes fruit juice with aloe vera bits, juice drink with coco, and others.
- Products containing solid food in gravy, paste or sauce which are meant to be consumed as a dish. Example of such products include, peanut soup, curry chicken, sardines and baked beans in tomato sauce, fried gluten in soy sauce.
- Products containing solid food in oil predominantly. Example of such products are canned seafood such as tuna, anchovies in vegetable oil, sundried tomato in oil and fermented bean curd.
- Products containing solid food with small amount of water. Example of such product is beancurd and jelly.
- For frozen food that has been glazed with ice, both the “gross weight” and “net weight” shall be declared. The net weight declared for such product must exclude the weight of the ice glazing. For example, the net content declaration of glazed fish fillet will be declared as “Gross weight of
 - fish: 1000g; Net weight of fish: 800g.

6. Date of Minimum Durability

- 6.1 The date of minimum durability of a foodstuff is the date until which a foodstuff retains its specific properties when properly stored . Most foods must be date marked. However, there are some exemptions, e.g. an indication of the date of minimum durability is not required for beverages with greater than 10% volume of alcohol, vinegar or cooking salt.
- 6.2 The pre-packed foods are mandatorily required to be labeled with their expiry dates. Expiry date refers to the date after which the food may not retain its normal nature and quality. The expiry date should be qualified by words like "USE BY", "SELL BY", "EXPIRY DATE", "BEST BEFORE" or other words of similar meaning.
- 6.3 A 'best-before' date is the date up until which a food can reasonably be expected to retain its optimum condition. Most non-perishable foods with a long shelf-life which do not require refrigeration, fall into this category, such as biscuits and dried pasta.
- 6.4 A 'use-by' date however, is required for foods which, from a microbiological point of view, are highly perishable and are therefore likely after a short period, to be an immediate danger to human health. Foods with a short shelf-life that require refrigeration fall into this category, such as raw and cooked meats, milk and yoghurts.

7. Special Storage Instructions or Conditions of Use

- 7.1 The label should outline any special storage conditions to enable the consumer to maintain the quality of the product. Details on how the product should be stored once the packaging is opened should be outlined such as 'refrigerate after opening', 'store in a cool dry place'.
- 7.2 Other options for the storage of the food can also be detailed in order to maintain the specific properties of the opened food such as, 'suitable for freezing'.

8.0 Batch Number

Each container shall be embossed or otherwise permanently marked in code or in clear to identify the producing factory and the lot.

9. Name and Address

- 9.1 The label must contain the name or business name and address of the manufacturer or Packer, Distributor, Importer, Exporter, Vendor inside or outside the country. The contact details must be precise enough to enable a complainant to contact the named agent where necessary. A website address alone is not acceptable.
- 9.2 The name of the country of origin of the food should be indicated on the labels of foods. The name of a city, town or province alone is not acceptable alone without the country of origin.

10. Instructions for Use

- 10.1 Where necessary, the label must contain instructions on how to use the product to enable the consumer to make appropriate use of the food such as cooking, reheating or preparation instructions or declarations such as 'not suitable' for a particular purpose.

11. Allergen Declaration

- 11.1 It is recognized that certain ingredients or substances can cause allergies or intolerances in consumers. These allergenic ingredients must be declared on the label so that consumers who have allergies or intolerances are able to identify the ingredients they are sensitive to.
- 11.2 The allergen(s) must be indicated on the label with a clear reference to the name under which the allergen is known either in the name of the product example, cake with almonds in the list of ingredients or somewhere else on the label e.g contains eggs, contains nuts.
- 11.3 There are some exceptions where the nature of the food indicates it contains an allergen for example, dairy products such as cheese , butter or yoghurt are clearly milk product and milk would not need to be declared separately as an allergen.

The categories of ingredients (and products thereof) legally defined as ingredients that are known to cause allergic reactions are as shown below:

- | | |
|---|--|
| (i) Cereals containing gluten | This group includes wheat, rye, barley, oats, spelt or their hybridised strains and their products. |
| (ii) Crustacean and crustacean products | This group includes crayfish, prawns, shrimps, lobsters, crabs and their products. |
| (iii) Eggs and egg products | This group includes eggs from laying hens as well as eggs from duck, turkey, quail, goose, gull, guinea fowl and their products. |
| (iv) Fish and fish products | This group also includes molluscs such as oysters, clams, scallops and their products. |
| (v) Peanuts, soybeans and their products | Peanuts may be declared using similar terms such as "groundnuts". Terms such as "soya" or "soy" can be used for soybeans. |
| (vi) Milk and milk products (including lactose) | This group includes milk from cows, buffaloes, or goats and their products. |
| (vi) Tree nuts and nut products | This group includes almond, hazelnut, walnut, cashew nut, pecan nut, Brazil nut, pistachio nut, macadamia nut and their products |
| (vii) Sulphites in concentrates | Food products that have sulphur of |

10mg/kg or more dioxide

and/or sulphites directly added and/or carried over from food ingredients at a total concentration of 10mg/kg or more(calculated in terms of total sulphur dioxide).

(viii) Celery and celeriac

(ix) Mustard

(x) Sesame seeds

(xi) Lupins

12 Nutrition labelling

12.1 Nutrition labelling is required only when nutrition claims, or permitted health claims are made.

This information requires nutrient declaration in an acceptable nutrition information panel, for pre-packed foods for which nutrition claims are made. The information to be declared in the panel includes the energy, protein, fat and carbohydrate contents of the food. Declaration of other nutrients is mandatory when such nutrients are the subject of a nutrition claim.

More information on this Paragraph can be found on the Nutrition Information Labelling guideline.

13. Other Compulsory Labelling Requirements

Other particulars which require a mandatory declaration are:

13.1 Food packaged with packaging gases must be labelled "packaged in a protective atmosphere"

13.2 Food containing sweeteners must declare "with sweeteners" near the product name

13.3 Food containing sugar and sweeteners must declare "with sugar(s) and sweetener(s)"near the product name

13.4 Food containing aspartame must declare "contains a source of phenylalanine"

13.5 Food containing more than 10% polyols must declare “excessive consumption may produce laxative effects”

13.6 Confectionery or beverages containing glycyrrhizinic acid or its ammonium salt or the liquorice plant *Glycyrrhiza glabra* (above certain levels) must declare “contains liquorice – people suffering from hypertension should avoid excessive consumption”.

13.6.1 For confectionery containing glycyrrhizinic acid or its ammonium salt at concentrations of 4g/kg or above, the statement **‘contains liquorice – people suffering from hypertension should avoid excessive consumption’** must be added after the list of ingredients. In the absence of an ingredients list the statement must appear near the name under which the product is sold.

13.6.2 For beverages containing glycyrrhizinic acid or its ammonium salt at concentrations of 50mg/l or above, or of 300mg/l or above in the case of beverages containing more than 1.2% by volume of alcohol, the statement **‘contains liquorice – people suffering from hypertension should avoid excessive consumption’** must appear after the list of ingredients. In the absence of a list of ingredients a statement should appear near the name under which the product is sold.

13.7 Foods that have been irradiated must include a statement that the food has been treated with ionising radiation. For example Treated with Ionising Radiation or Irradiated (name of food).



13.7.1 When an irradiated product is used as an ingredient in another food, this shall be so declared in the list of ingredients.

13.7.2 When a single ingredient product is prepared from a raw material which has been irradiated, the label of the product shall contain a statement indicating the treatment.

13.8 In the case of pre-packaged products ‘consisting’ of or ‘containing’ GMOs, the words **‘genetically modified’** or **‘produced from genetically modified (name of the ingredient)’** shall appear in the list of ingredients in parentheses immediately following the ingredient concerned.

