

Voluntary Report – Voluntary - Public Distribution

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Report Highlights:

Following the United Kingdom's departure from the European Union, U.S. food exports are now required to follow new UK labeling requirements. Additionally, exporters should consider current labeling trends followed by UK manufacturers and private retailers that may not be required by law just yet, but are steadily becoming more commonplace in UK stores, and expected by consumers.

EXECUTIVE SUMMARY

THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY USDA STAFF AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT POLICY

Following the United Kingdom's exit from the EU on January 1, 2021, UK government certifying agencies have made changes to labeling requirements. Most of these changes were introduced to UK domestic law in January 2021 as retained EU legislation but with some UK and Great Britain (GB) specific amendments. The changes all have a long transition period with most starting to apply from September 2022. One non-Brexit change which was introduced in October 2021 applied to allergen labelling, following a high-profile case of death from undeclared allergens in a pre-prepared sandwich. This is known as Natasha's Law.

The UK government has also committed to making changes in response to consumer views on single-use packaging. In November 2021, UK government published its plan for banning single-use plastics. The plan includes a tax on plastic packaging to deter companies from excessive use of packaging which was introduced in April 2022. Planned consultations on outright bans on single-use plastic have not open for comment yet. Plans were also announced for consultations on a deposit return scheme for recycling containers and a consultation on extended producer responsibility for packaging. The consultations started in March 2021 and closed in May 2021. There has been no government response yet, and the expectation is that the cost-of-living crisis is expected to delay a response even further.

In addition to government regulation changes, British consumers are quickly becoming accustomed to new labeling trends followed by UK manufacturers and private retailers. U.S. exporters are responsible for ensuring that all UK-required labeling is present on the packaging. U.S. exporters should also consider including voluntary labeling trends followed by UK manufacturers and private retailers that are not currently legally required but British consumers expect.

SECTION I. POLICIES AND REGULATION

The standard U.S. label does not comply with [UK requirements](#). There are 116 UK Trading Standards Departments, some of these permit the use of stick-on labels (that cannot be easily removed and include required information) but this is at their discretion and should not be relied on as applying throughout the UK. Major customers, such as supermarkets and multi-site retailers, will expect label modification for the UK market.

Labels must include the name of the food, a 'best before' or 'use by' date, necessary warnings, net quantity information, list of ingredients (if greater than one), the country or place of origin (if required), the lot number or use-by date, special storage conditions, and instructions for use or cooking (if necessary). See Appendix I for labeling example.

Country or Place of Origin

From 1 October 2022, labels on food products sold in Great Britain (England, Wales, and Scotland) must include a UK, Channel Islands, or the Isle of Man address for the food business. If the food business is not in these locations, the label must include the address of the importer, based in the UK, Channel Islands, or the Isle of Man.

Foods sold in Northern Ireland must similarly include the name and address of the Northern Ireland or EU business that is responsible for the information included on the label. If the business is not located in Northern Ireland or the EU, the name and address of the importer must be included instead.

Country or place of origin is required to be included for beef, veal, lamb, mutton, pork, goat, poultry, fish and shellfish, honey, olive oil, wine, fruits, and vegetables. Until September 30, 2022, food sold in and from Great Britain can be labeled 'origin EU.' From 1 October 2022, labels must indicate product origin as "UK", "non-UK", or "UK and non-UK." Alternatively, the label can list the country of origin for each ingredient. If the product's main ingredient is from a different country, then the label must include where it was manufactured, the primary ingredient's country, or place of origin.

Certain food from the EU and Northern Ireland can also be labeled 'origin EU.' Additionally, country of origin must be labeled if there is potential for customers to be misled. For example, if there is a picture of the Eiffel Tower on a label for pastries but the product was made in the United States.

Compositional Standards

The UK has [food compositional standards](#) that reserve descriptions for the name of certain foodstuffs. Food labels are required to give the UK legal name of the food marketed. Foods with a 'reserved description' are bottled water, bread and flour, cocoa and chocolate products, fats and oils, fish, fruit juices and nectars, honey, jams and similar products, products containing meat, milk and milk products, soluble coffee and chicory extracts, and specified sugar products such as sucrose or glucose syrups.

Net Quantity

Labels must also include net quantity information. This net quantity information must be placed close enough to the name of the packaged food so that the consumer can view both the food name and net quantity at the same time. This rule also applies to alcoholic strength for alcoholic drinks. If the packaged food is over 5 grams or 5 milliliters, or is a packaged spice, then the net quantity in grams, kilograms, milliliters or liters must be included. Solid food that is packed in a liquid (or ice glaze) is required to show the drained net weight. Weight or volume on foods sold by number is not required if the consumer can clearly see the number of items included in the packaging.

See Appendix II for examples of quantity labels.

Biotechnology

Biotechnology (GMO) products have additional labeling requirements. Guidance on labeling GMO products, ingredients, or processing aids can be found here: [Food Standards Agency "GM" Labelling](#).

Organic

The United States and the UK have an [organic equivalence arrangement](#). This allows for products certified in one of the two countries as organic to be labeled and sold as organic in the other country as well.

Plant-based Alternative Products

In the UK, there are no specific requirements for food products to be labeled as plant-based meat and dairy alternative. There is also no legal definition for the term's "vegetarian" and "vegan." However, in the UK and EU, plant-based products cannot be labeled with dairy names such as "milk" or "cheese" because dairy terminology is protected as part of [food compositional standards](#). Reserved descriptions detailed in the compositional standards must be followed, and any deviation from consumer expectation needs to be clear on the label. Regulations state that it must be clear to the consumer what a product is, not what it is not. Please see the [Overview of the Plant-Based Food and Beverage Report](#) for more information.

Allergens

The [UK Food Information \(Amendment\)](#), also known as [Natasha's Law](#), became law on October 1, 2021. The law requires all labels on prepacked for direct sale (PPDS) foods to include the name of the food as well as a full ingredients list with clear allergen labeling in Wales, England, and Northern Ireland. Scotland has an equivalent [law](#). The law expanded the requirement for allergen labeling, the allergens that must be identified on food labels did not change. There are 14 allergens that are required to be declared and emphasized. These allergens are: celery, cereals containing gluten, eggs, fish, lupin, milk, mollusks, crustaceans, mustard, peanuts, tree nuts, sesame, soybeans, sulphur dioxide and sulphites (if they are at a concentration of more than ten parts per million). This also applies to additives, processing aids, and all other substances present in the final product. Certain ingredients also require specific warnings, the wording is available [here](#). Labels must comply with the requirements of the country in which they are to be sold.

Policy Responsibility

In England, responsibility for food labeling legislation and policy is split across the Department for Environment, Food and Rural Affairs (Defra), the Food Standards Agency (FSA) and Department of Health see: [Food Labelling and Packaging](#); [Labelling Durability and Composition](#); [FSA Packaging and Labeling](#); Scotland, Wales, and Northern Ireland follow the same labeling rules but there are local bodies overseeing various elements. The [Food Standards Agency Food and Feed Law Guide](#) details where devolved nations of the United Kingdom have legal jurisdiction.

For food labeling queries, please contact Defra helpline on: +44 20 7238 6951 or email the relevant department using: [Defra Contact Page](#)

SECTION II. VOLUNTARY LABELING

Color codes

Many major manufacturers and private retailers use the voluntary "traffic light" labeling system. The labeling system color codes nutritional information so that the consumer can tell from a glance if a food has low, medium, or high amounts of fat, saturates, sugars, and salt. In this system, red means high amounts, amber means medium amounts, and green means low amounts. Guidance on how to create

front-of-pack nutritional information for pre-packed products sold through retail outlets is available here: [Front of Pack Nutritional Labeling Guidance Notes](#).

Environmental Messaging

The [National Food Strategy](#) (NFS) – an independent review for the UK government provides a set of recommendations intended to improve the UK food system. One of the recommendations is to develop and apply a consistent labeling system that informs consumers of the environmental impact of food products. This recommendation is not currently required but the NFS has been discussed and put under consideration in parliament. While NFS is not currently legally required, the UK government and supply chain is committed to reducing greenhouse gases associated with food production. The UK government published its response to the NFS in June 2022, the [Government Food Strategy](#) (GFS) includes policy initiatives to boost health, sustainability, improve accessibility of healthy diets, secure food supply, ensure domestic producers contribute to UK governments levelling up agenda, and to make the most of post-Brexit opportunities. The food strategy focuses on longer-term measures to support a resilient, healthier, and more sustainable food system that is affordable to all. On environmental measures the GFS committed the UK government to ensure that food information (such as labels, online information, QR codes) be optimized and based upon a set of established overarching principles, including developing a mandatory methodology that must be used to produce eco labels or to include claims about the sustainability of products either for marketing purposes or for use on packaging and labels.

Recyclability of products is growing in importance for consumers in the UK. Labeling the recyclability of a product, and the instructions for properly recycling said product are not legal requirements. However, many major manufacturers such as Proctor and Gamble and Johnson and Johnson have started to include this information on their products. Smaller food companies are following the trend and highlighting on the front of pack label that packaging is now plant based, made from recycled material, or recyclable. The UK government has committed to making changes in response to consumer views on single-use packaging and recyclability of materials. In November 2021, UK government published its [plan for banning single-use plastics](#). The plan includes the [tax on plastic packaging](#), introduced in April 2022, and consultations on outright bans on single-use plastic and other materials. The UK government also ran a consultation from March 2021 to May 2021 on a deposit return scheme for recycling containers, and on extended producer responsibility for packaging. There has not been a government response yet to either. The expectation is that the cost-of-living crisis will delay any introduction of policy. If introduced, the proposed laws would result in labeling changes.

When the UK left the European Union, the UK's participation in the EU's "Ecolabel" scheme also ended. The "Ecolabel" scheme allowed producers, retailers, and importers to submit evidence and apply for the permission to use the "Ecolabel" on their product's labeling to display to consumers that their product matched a certain level of environmental excellence. The UK has a private industry pilot, run by [Foundation Earth](#). The Foundation Earth project is supported by several large multi-national food companies including Tyson, Nestle, Unilever, Starbucks, Danone, Pepsico, and Tesco. Several UK supermarkets also support the initiative, including Aldi, Sainsburys, Lidl, Tesco, Morrisons, Marks & Spencer, Waitrose, and Coop. The pilot scheme was launched in August 2021 and scores food products based on four key criteria: water usage, water pollution, biodiversity loss, and carbon emissions. All stages of the product's lifecycle are assessed – farming, processing, packaging, and transport. Products are given an overall rating which can range from a G to an A+ (with A+ being the most environmentally

friendly and G being the least). This scale is also accompanied by a traffic light system where an A+ is given a dark green, an A is given a medium green, a B is given a light green, a C is given a chartreuse, a D is given a yellow, and E is given an amber, an F is given an orange, and a G is given a red.

SECTION III. POLITICAL DEVELOPMENTS

As already referenced, the UK government has announced it is committed to making changes to labeling. At this moment, there is no plan for new legislation to fit the commitments. The [Government Food Strategy](#) includes commitments to improve labeling to help consumers make better choices both for their health and for the environment. The [Animal Health and Welfare Strategy](#) includes a commitment to consult on the inclusion of ‘method of production’ for meat labeling. Method of production labeling was tabled as an amendment in both the Agriculture Act and the Trade Act debates but were not successful. There is consumer demand for such labeling, but the UK government is undecided as to how the policy would work and the impact it would have on imports. The pace of change for labeling law in the UK is expected to be strongly influenced by the cost-of-living crisis. Legislation is expected to stay the same unless changes are needed for human health reasons. The UK government is expected to open consultations on a number of labeling issues but any changes will be delayed until the economy is in a better position, reformatting labels and packaging is very expensive and there will be pressure from the industry for long transition period for label changes.

SECTION IV. CONCLUSION

Since leaving the European Union the UK government has made minor changes to labeling laws. Most changes involve switching out EU terminology for UK or GB terminology, depending on the product. The only other major change is for allergen labeling as a result of human health concerns. The UK government has indicated that it intends to open consultations on labeling for livestock method of production, packaging recyclability, environmental footprint of production, and health metrics. Any changes to labeling law will have a long transition period. For example, the new allergen label requirements had a 24-month transition period. FAS London will continue to monitor UK government labeling commitments and will identify and share appropriate opportunities for U.S. producers and exporters to engage on relevant proposals.

Appendix I: Examples of UK Food Nutrition and Ingredients Labels

Advent calendar with milk chocolate pieces
Milk chocolate contains: cocoa solids 30% minimum, milk solids 20% minimum.

INGREDIENTS
Sugar, Dried Whole Milk, Cocoa Butter, Cocoa Mass, Milk Fat, Emulsifier (Soya Lecithin), Flavouring.
MAY CONTAIN: Peanuts, Nuts.

NUTRITION

Typical Values	Per 100 g
Energy	2260 kJ 542 kcal
Fat	31.9 g
of which Saturates	19.8 g
Carbohydrate	55.4 g
of which Sugars	53.7 g
Protein	2.5 g
Salt	0.20 g

Suitable for vegetarians ✓
No artificial colours ✓
No artificial flavours ✓

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Milk chocolate eggs with a soft fondant centre (47 %).
Ingredients: Sugar, milk, glucose syrup, cocoa butter, invert sugar syrup, dried whey (from milk), cocoa mass, vegetable fats (palm, shea), emulsifier (E442), dried egg white, flavourings, colour (paprika extract).
MILK CHOCOLATE: MILK SOLIDS 14 % MINIMUM.
CONTAINS VEGETABLE FATS IN ADDITION TO COCOA BUTTER.
Best before: See side of carton. Store in a dry place. Protect from heat.

Nutrition Information

	Per 100 g	Per Egg (40 g)	%* Per Egg (40 g)	Reference Intakes
Energy	1860 kJ 440 kcal	744 kJ 177 kcal	9 %	8400 kJ / 2000 kcal
Fat	15 g	6.1 g	9 %	70 g
of which Saturates	9.3 g	3.7 g	19 %	20 g
Carbohydrate	73 g	29 g	-	260 g
of which Sugars	66.5 g	26.5 g	29 %	90 g
Fibre	0.4 g	0.1 g	-	-
Protein	3.2 g	1.3 g	-	50 g
Salt	0.15 g	0.06 g	1 %	6 g

*Reference intake of an average adult (8400 kJ / 2000 kcal)
5 x 40 g eggs per box

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Appendix II: Examples of Net Quantity Label

Chicken & Vegetable Broth

A soup made with vegetables, cooked chicken and pearl barley.

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Ingredients

Water, Carrot (10%), Onion, Chicken (6%), Potato (5%), Spinach (2%), Peas (2%), Cabbage (2%), **Celery** (2%), Chicken stock (chicken skin, water, chicken extract, chicken, sugar, salt, cornflour, chicken fat, onion concentrate), Potato starch, Pearl barley, Rapeseed oil, Garlic purée, Salt, Black pepper.

! ALLERGY ADVICE

For allergens, including cereals containing gluten, see ingredients in bold.

! Warning

Although every care has been taken to remove bones, some may remain.

Nutrition

Typical values (as consumed)	per 100g	per 1/2 pot (300g)	%RI	your RI*
Energy	167kJ 40kcal	501kJ 119kcal	6%	8400kJ 2000kcal
Fat	1.2g	3.6g	5%	70g
of which saturates	0.2g	0.6g	3%	20g
Carbohydrate	4.2g	12.6g		
of which sugars	1.2g	3.6g	4%	90g
Fibre	1.1g	3.3g		
Protein	2.5g	7.5g		
Salt	0.5g	1.5g	25%	6g

*Reference intake of an average adult (8400kJ/2000kcal) (RI). Contains 2 portions.



Attachments:

No Attachments.