Misconceptions

Products sold at farmers’ markets are exempt from labelling requirements

Having an ingredient list available is acceptable

Products sold at farmers’ markets are exempt from nutrition labelling

I can make verbal statements about the health benefits of my product

What requires a label?

All pre-packaged products when offered for sale

With the following exemptions:

- On-bite confections when sold individually
- Fresh fruits and Vegetables with a confining band of less than ½ inch

Basic Labelling Requirements

- Common name
- Net quantity
- Dealer identity and principal place of business
- List of ingredients in descending order of proportion
- Durable life date if product has shelf life of 90 days or less
- Allergen labelling
- Nutrition labelling - unless exempt
- Bilingual labelling – unless exempt

Common Name

"Common name" means:
- Standardized name set out in the Food and Drug Regulations (FDR) or in any other Federal Regulations (ie. Dairy regulations)
  e.g. orange juice from concentrate, butter, etc.
- If the name is not prescribed, the name by which the food is commonly known
  e.g. orange drink, candy bar, etc.

The common name must be shown on the principal display panel

Net Quantity

- The net quantity is to be declared in metric units on the principal display panel
- There are minimum type height requirements for the numerical portion of the net quantity declaration based on the area of the principal display surface (total area of the main panel)
Net Quantity

There are minimum type height requirements for the net quantity declaration:

(i) For all except the numerical portion:
   1.6 mm, based on the lowercase letter "o.

(ii) For the numerical portion, type height requirements are based on the area of the principal display surface (total area of the main panel).

<table>
<thead>
<tr>
<th>Area of Principal Display Surface (square centimetres)</th>
<th>Minimum Type Height of Numerals (millimetres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt; 50</td>
<td>&lt; 4.4</td>
</tr>
<tr>
<td>&gt; 50 to 125</td>
<td>&gt; 4.4 to 1.16</td>
</tr>
<tr>
<td>&gt; 125 to 258</td>
<td>&gt; 2.2 to 1/16</td>
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<tr>
<td>&gt; 258 to 565</td>
<td>&gt; 1.6 to 1/32</td>
</tr>
<tr>
<td>&gt; 565 to 1250</td>
<td>&gt; 0.8 to 1/64</td>
</tr>
<tr>
<td>&gt; 1250</td>
<td>&gt; 0.6 to 1/9</td>
</tr>
</tbody>
</table>

Dealer Identity and Principal Place of Business

- A declaration showing the identity and principal place of business of the responsible party is required.

- The principal place of business is to be the main location where actual company-related enterprise occurs.

- The address should be complete enough for postal delivery.

- Can be declared on any label panel except the bottom.

List of Ingredients

- Ingredients and their components (ingredients of ingredients) are to be declared by their common name in the ingredient list.

- Some ingredients are exempt from component declaration, e.g., butter, flour, flavouring preparations, etc.

- Some components of preparations or components of food must ALWAYS be declared, e.g., salt, peanut oil, allergens, etc.

Allergens & Precautionary Labelling (current regulations)

In Canada, the nine priority food allergens are:

- Peanuts
- Tree nuts (almonds, Brazil nuts, cashews, hazelnuts [filberts], macadamia nuts, pecans, pine nuts, pistachios, walnuts)
- Sesame seeds
- Milk
- Eggs
- Seafood (fish, crustaceans, shellfish)
- Soy
- Wheat
- Sulphites

Enhanced Allergen Regulations coming into force Aug. 4, 2012

Food Allergen Defined: any protein from any of the following foods or any modified protein, including any protein fraction, that is derived from the following foods:

- Almonds, Brazil nuts, cashews, hazelnuts (filberts), macadamia nuts, pecans, pine nuts, pistachios, walnuts
- Peanuts
- Sesame seeds
- Wheat, triticale
- Eggs
- Milk

Soy Defined: any soy protein from the grain of any of the following cereals or the grain of a hybridized strain created from at least one of the following cereals:

- Wheat
- Oats
- Barley
- Rye
- Triticale

Enhanced Allergen Regulations con’t

“Gluten” Defined: any gluten protein from the grain of any of the following cereals or the grain of a hybridized strain created from at least one of the following cereals:

- Wheat
- Oats
- Barley
- Rye
- Triticale
Enhanced Allergen Regulations con’t

Mandatory Declaration of Sulphites
• Sulphites will continue to be declared in the ingredient list when intentionally added as a food additive ingredients at any level in the finished product.
• For ingredients that are not exempted from component declaration, if sulphites are a component of one of these ingredients, they will have to be declared at any level in the finished product.
• Added sulphites are present at levels of *10 p.p.m. or more in the finished product as a component of an exempted ingredient they must be declared either in the list of ingredients or contains statement.

*If less than 10 p.p.m. does not have to be declared.

Label Declaration

Sources of common food allergens and gluten must be declared either:
- in the list of ingredients, OR
- in the statement “Contains”

Added Sulphites when present at levels of 10 ppm or higher must be declared either:
- in the list of ingredients, OR
- in the statement “Contains”

“Contains” statements must be complete and identify all common food allergens, gluten sources and added sulphites at 10 ppm and above in the pre-packaged product.

List of Ingredients

Ingredients must be listed in descending order of proportion by weight of the food.

Some ingredients may appear in any order at the end of the list of ingredients:
- e.g. spices, seasonings & herbs (except salt),
- flavours, etc.

List of Ingredients

Sample ingredient list:
enriched flour*, chocolate chips** (sugar, chocolate, cocoa butter, soy lecithin, flavour),
vegetable oil shortening, glucose-fructose, modified milk ingredients, sweetened dried cranberries (cranberries, sugar, canola oil, sulphites), salt, sodium bicarbonate, artificial flavour.

*The components of the enriched flour are exempt from being declared
**Ingredient = chocolate chips
***Components of chocolate chips = ingredients listed in brackets after the chocolate chips.

Durable Life Date

• A “best before” date is required for products with a durable life of 90 days or less
• Storage instructions, e.g. “keep refrigerated” are required if storage differs from normal room temperature.
• There is a prescribed format for declaring the best before date. The year is to be declared 1st followed by the month & then the day, e.g.

Best before
08 JN 28
Meilleur avant
**Nutrition Facts Table**

Foods sold only at a roadside stand, craft show, flea market, fair, farmers’ market and sugar bush by the individual who prepared and processed the product are exempt from nutrition labelling.

The exemption is lost and a Nutrition Facts table is required when:

- A vitamin or mineral nutrient is added to the product or is declared as a component of an ingredient.
- Labels or advertisements carry a nutritional reference or nutrient content claim, a biological role claim, a health claim, or the phrase “nutrition facts”.
- The product is ground meat, ground meat by-product, ground poultry meat or ground poultry meat by-product.

**Nutrient Content Claims**

- Nutrient content claims are statements, e.g. “low in fat”, “no trans fat”, “source of omega-3 polyunsaturates”, which describe the level of a nutrient in a food.

- In Canada, only the nutrient content claims outlined in the Food and Drug Regulations & Chapter 7 of the Guide to Food Labelling and Advertising are permitted to be made.

- In order to make a claim, the food must meet the compositional criteria which are based on regulated reference amounts and servings of stated size.

- Prohibit all other claims (expressed or implied).

**Permitted Diet-Related Health Claims**

- Sodium and hypertension
- Calcium and osteoporosis
- Saturated and trans fat and heart disease
- Fruit and vegetable and some cancers
- Fermentable carbohydrates and tooth decay

**Diet-Related Health Claims**

Example: Sodium & Hypertension

- “A healthy diet containing foods high in potassium and low in sodium may reduce the risk of high blood pressure, a risk factor for stroke and heart disease. (Naming the food) is low in sodium.”

- The food must meet compositional & labelling criteria.

**Natural**

A natural food or ingredient of a food is not expected to contain, or to ever have contained, an added vitamin, mineral nutrient, artificial flavouring agent or food additive.

The use of the word “natural” on meat, poultry and fish products is not acceptable unless the products in question were raised with *minimal human intervention.*

*Minimal intervention: they were never given or administered substances including vaccinations, antibiotics, medications, veterinary drugs, hormones, direct fed microbials, formulated feeds.

**What does the Canadian Nutrition Facts Table look like?**

![Bilingual Standard Format](image)
Nutrition Facts Table

- Variations of the Std Format (Std, Narrow Std, Bilingual Std) are predominately used.
- Std options must always be considered before the Horizontal Format is used, typically less than 1% of products can use the Horizontal Format.

Bilingual Labelling – unless exempt

The % Daily Value (DV) is related to the amount of the nutrient in the specified amount of food. It is based on recommendations for healthy eating.

The Canadian Food Inspection Agency (CFIA)

- Food and Drugs Act
  - Food and Drug Regulations
- Consumer Packaging and Labelling Act
  - Consumer Packaging and Labelling Regulations
- Canada Agricultural Products Act
  - 10 regulations
- Canadian Food Inspection Agency Act
- Meat Inspection Act
  - Meat Inspection Regulations
- Fish Inspection Act
  - Fish Inspection Regulations
- Health of Animals Act

Food and Drugs Act (FDA)

The labelling of all prepackaged food sold in Canada must not be in contravention of 5 (1) of the FDA.

5. (1) No person shall label, package, treat, process, sell or advertise any food in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character, value, quantity, composition, merit or safety.

"Local" claim on Fresh Fruits and Vegetables

"Local", "locally Grown", and any substantially similar term shall mean that the domestic goods being advertised originated within 50 km of the place where they are sold, measured directly, point to point, or meets the requirements of section B.01.012 of the Food and Drug Regulations, whichever condition is least restrictive.

FDR B.01.012....local food means a food that is manufactured, processed, produced or packaged in a local government unit and sold only in

"Local" continued....

b) One or more local government units that are immediately adjacent to the one in which it is manufactured, processed, produced or packaged, or

c) The local government unit in which it is manufactured, processed, produced or packaged and in one or more local government units that are immediately adjacent to the one in which it is manufactured, processed, produced or packaged

Note: terms such as Product of “Nova Scotia”, “Foodland Ontario”, “Buy BC”, or “Quebec Vrai” etc. may be used to describe fresh produce which is produced and grown within a province but which does not meet the criteria for “local”
Responsibility for enforcement of the Canadian federal legislations that deal with the non-federally registered food industry.

Non-federally registered sector jurisdiction for inspection of non-federally registered foods is shared between the CFIA and provincial/territorial governments.

**Website Links**

Canadian Food Inspection Agency
http://www.inspection.gc.ca/
Guide to Food Labelling and Advertising

Chapter 2, Basic Labelling Requirements
http://www.inspection.gc.ca/food/labelling/guide/ch2e.shtml

Chapter 3, Nutritional Labelling
http://www.inspection.gc.ca/food/labelling/guide/ch3e.shtml

Chapter 5, Nutrient Content Claims
http://www.inspection.gc.ca/food/labelling/guide/ch5e.shtml

Chapter 6, Dietary-Related Health Claims
http://www.inspection.gc.ca/food/labelling/guide/ch6e.shtml

Chapter 4, Composition, Quality, Quantity and Origin Claims
http://www.inspection.gc.ca/food/labelling/guide/ch4e.shtml

Chapter 7, Nutrient Content Claims
http://www.inspection.gc.ca/food/labelling/guide/ch7e.shtml

Chapter 8, Dietary-Related Health Claims
http://www.inspection.gc.ca/food/labelling/guide/ch8e.shtml

Frequently asked Questions on Product of Canada and Made in Canada Claims
http://www.healthycanadians.org/pr-rp/faqcan_e.html

Allergen Labelling

Organic
http://www.inspection.gc.ca/food/labelling/guide/ch7e.shtml

Canadian Food Inspection Agency
Fair Labelling Practices Program

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Neufeld Building, 9021 – 46 Street
Edmonton AB T6B 3B2
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Fax: (780) 495 - 7022

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Calgary AB T3K 5P3
Telephone: (403) 292 - 4650
Fax: (403) 292 - 5692