L.N. 317 of 2009

FOOD SAFETY ACT
(CAP. 449)

The Nutrition Labelling for Foodstuffs (Amendment) Regulations, 2009

IN exercise of the powers conferred by article 10 of the Food Safety Act, the Minister for Social Policy has made the following regulations:-

Citation and commencement.

L.N. 247 of 1998.

1. (1) The title of these regulations is the Nutrition Labelling for Foodstuffs (Amendment) Regulations, 2009, and they shall be read and construed as one with the Nutrition Labelling for Foodstuffs Regulations, 1998, hereinafter referred to as "the principal regulations".

(2) These regulations shall enter into force on the 31st October, 2009.

Scope.

2. (1) These regulations implement the provisions of Commission Directive 2008/100/EC amending Council Directive 90/496/EEC on nutrition labelling for foodstuffs as regards recommended daily allowances, energy conversion factors and definitions.

(2) The trade in products which do not comply with Directive 90/496/EEC, as amended by Directive 2008/100/EC shall be prohibited as from 31 October 2012.

Substitutes regulation 3 of the principal regulations.

3. For regulation 3 of the principal regulations there shall be substituted the following:-

"3. In these regulations, unless the context otherwise requires:

"average value" means such value as best represents the amount of the nutrient which a given food contains, and reflects allowances for seasonal variability, patterns of consumption and other factors which may cause the actual value to vary;

"carbohydrates" means any carbohydrate which is metabolised in man, and includes polyols;

"fat" means total lipids, and includes phospholipids;

"fibre" means a material as defined in the Second Schedule to these regulations;

"mono-unsaturates" means fatty acids with one cis double bond;

"nutrition claim" means any representation or advertising message which states, suggests or implies that a foodstuff has particular nutrition properties due to the energy (calorific value) which it provides at a reduced or increased rate, or does not provide, and, or due to the nutrients which it:

(a) contains,

(b) contains in reduced or increased proportions,

(c) or does not contain:

Provided that a reference to qualities or quantities of a nutrient shall not constitute a nutrition claim in so far as it is required by other legislation;

"nutrition labelling" means any information appearing on labelling and relating to:

(a) energy value;

(b) the following nutrients:

(i) protein,
(ii) carbohydrate,
(iii) fat,
(iv) fibre,
(v) sodium,
(vi) vitamins and minerals listed in the First Schedule to these regulations and

present in significant amounts as defined in that Schedule ;

"polyunsaturates" means fatty acids with cis, cis-methylene interrupted double bonds;

"protein" means the protein content calculated using the formula:

protein = total Kjeldahl nitrogen x 6.25;

"saturates" means fatty acids without double bond;

"sugars" means all monosaccharides and disaccharides present in food, but excludes polyols.".

Amends regulation 6 to the principal regulations.

4. Immediately after the entry 'salatrims' in regulation 6 of the principal regulations, there shall be added the following:

" - fibre 2kcal/g – 8kJ/g
- erythritol 0kcal/g – 0kJ/g. ".

Amends regulation 7 of the principal regulations.

5. In sub-regulation (4) of regulation 7 of the principal regulations, for the words "the Schedule", there shall be substituted the words "the First Schedule".

Deletes the Schedule to the principal regulations.

6. The Schedule to the principal regulations shall be deleted.

Adds First Schedule to the principal regulations.

7. Immediately after regulation 7 of the principal regulations, there shall be added the following schedule:-

"FIRST SCHEDULE

Regulation 7(4)

Vitamins and minerals which may be declared and their recommended daily allowances (RDAs)

Vitamin A (µg)	800
Vitamin D (µg)	5
Vitamin E (mg)	12
Vitamin K (µg)	75
Vitamin C (mg)	80
Thiamin (mg)	1,1

Riboflavin (mg)	1,4
Niacin (mg)	16
Vitamin B6 (mg)	1,4
Folic acid (µg)	200
Vitamin B12 (µg)	2,5
Biotin (µg)	50
Pantothenic acid (mg)	6
Potassium (mg)	2 000
Chloride (mg)	800
Calcium (mg)	800
Phosphorus (mg)	700
Magnesium (mg)	375
Iron (mg)	14
Zinc (mg)	10
Copper (mg)	1
Manganese (mg)	2
Fluoride (mg)	3,5
Selenium (µg)	55
Chromium (µg)	40
Molybdenum (µg)	50
Iodine (µg)	150

As a rule, 15 % of the recommended allowance specified in this Schedule supplied by 100 g or 100 ml or per package if the package contains only a single portion should be taken into consideration in deciding what constitutes a significant amount.".

8. Immediately after the First Schedule to the principal regulations, there shall be added the following new schedule:

Adds the Second Schedule to the principal regulations.

"SECOND SCHEDULE

Regulation 3

Definition of the material constituting fibre

For the purposes of these regulations, 'fibre' means carbohydrate polymers with three or more monomeric units, which are neither digested nor absorbed in the human small intestine and belong to the following characters:

- edible carbohydrate polymers naturally occurring in the food as consumed;

- edible carbohydrate polymers which have been

obtained from food raw material by physical, enzymatic or chemical means and which have a beneficial physiological effect demonstrated by generally accepted scientific evidence;

- edible synthetic carbohydrate polymers which have a beneficial physiological effect demonstrated by generally accepted scientific evidence.”.

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