

Food Exempt from Labelling

Providing Information When There is No Label

Under the 'Australia New Zealand Food Standards Code' (the Code), some foods for retail sale do not need to bear a label.

Which foods don't need a label?

Food for retail sale that does not require a label includes food that is:

- unpackaged
- made and packaged on the premises from which it is sold, or packaged in the presence of the purchaser
- packaged food displayed in an assisted service cabinet which requires food to be served on request from the purchaser
- whole or cut fresh vegetables and fruit, in a package which displays the nature and the quality of the food (sprouting seeds are excluded from this exemption)
- delivered packaged and ready for consumption at the order of the consumer (e.g. delivered pizza)
- sold at a fundraising event
- in an 'inner' package, with a surface area of less than 30 cm² and not designed for sale without the outer (labelled) package.

Providing information when there is no label

Even though a food may be exempt from bearing a label, certain information requirements may still apply. That information needs to be provided in other ways, including:

- in documentation accompanying the food. For example, in a tear-away pamphlet.
- displayed in connection with the display of the food. For example, on a sign next to the food or on a menu board.
- verbally or in writing upon request. For example, by answering the customer's question or writing information on a takeaway container or
- declared or provided to the purchaser in some other way.

Sometimes there is more than one option for how particular information can be presented.

What information must be provided?

Depending on the food, the type of information that may need to be provided includes:

- the name of the food or the prescribed name of the food
- advisory or warning statements or declarations (e.g. the presence of allergens)
- directions for use and storage
- percentage labelling
- nutrition information panel (NIP)
- prescribed statements.

The information requirements for foods that are not required to bear a label, and the method by which that information may be presented is shown in Table 1.

Note: This information is a general summary and cannot cover all situations. Food businesses are required to comply with all of the provisions of the Food Standards Code and the *Food Act 2003* (Tas).

More information

- See the labelling information detailed in Part 1.2 of the Food Standards Code, available at: www.foodstandards.gov.au/code/Pages/default.aspx
- See the DHHS 'Guide to Labelling Packaged Food', available at: www.dhhs.tas.gov.au/publichealth/food_safety
- Speak to an Environmental Health Officer at your local council.
- Phone the Public Health Hotline on 1800 671 738 or email public.health@dhhs.tas.gov.au

Food safety – Public Health Services

www.dhhs.tas.gov.au/publichealth/food_safety

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Table 1 Information requirements for foods that are not required to bear a label under Standard 1.2.1(9) of the 'Australia New Zealand Food Standards Code'. Where there is the option to use more than one method for presenting information, only one of those methods needs to be used. For more detailed information refer to the relevant provisions of the Code shown in square brackets.

| Type of food | Information required | Method | | | |
|--|--|--------------------|-----------------------|-------------------------------------|-------------------------------------|
| | | Accompany the food | Display with the food | Provide to the purchaser on request | Declare or provide to the purchaser |
| Any food | <ul style="list-style-type: none"> Name of the food [1.2.2(2)] Any advisory statements [1.2.3(2)] Any declarations [1.2.3(4)] | | ✓ | ✓ | |
| Unpackaged food where the food must be used or stored in accordance with certain directions for health or safety reasons | Those directions for use and storage [1.2.6(2)(b)] | ✓ | | | |
| Any unpackaged food or food that is made and packed onsite ¹ | Information about characterising ingredients and charactering components [1.2.10(3)] | | ✓ | ✓ | |
| Any food where a nutrition, health or related claim is made | Information relating to nutrition, health or related claims [1.2.7(26)(4)] | | ✓ | ✓ | |
| Any food where a claim requiring nutrition information is made | Information required for a nutrition information panel [1.2.7(26)(2)] and [1.2.7(26)(3)] and [1.2.8] | | ✓ | ✓ | |
| Food sold from a vending machine | <ul style="list-style-type: none"> Any advisory statements [1.2.3(2)] Any declarations [1.2.3(4)] | ✓ | ✓ | | |
| Irradiated food | Statement to the effect that the food, or an ingredient or component, has been treated with ionising radiation [1.5.3(9)] | ✓ | ✓ | | |
| Unpackaged food produced using gene technology | Label as 'genetically modified' or, for ingredients, additives or processing aids, list as genetically modified in the statement of ingredients [1.5.2(4)] | ✓ | ✓ | | |

¹ Excludes prepared rolls and sandwiches, food sold at a fundraising event, food in a small packaged (surface area less than 100 cm²), infant formula, cured and/or dried meat, alcoholic beverages (standardised or with 0.5% or more alcohol).

| Type of food | Information required | Method | | | |
|--|--|--------------------|-----------------------|-------------------------------------|-------------------------------------|
| | | Accompany the food | Display with the food | Provide to the purchaser on request | Declare or provide to the purchaser |
| Unpackaged fermented comminuted processed or manufactured meat | The prescribed name [2.2.1(9)] or [2.2.1(10)] | ✓ | ✓ | | |
| Food that is or contains offal | Statement indicating the presence of offal [2.2.1(6)]. | | | | ✓ |
| Minced meat where a claim is made in relation to fat content | The maximum proportion of fat in the minced meat [2.2.1(7)] | | ✓ | ✓ | |
| Raw meat formed into the semblance of a cut of meat | <ul style="list-style-type: none"> A declaration that the food consists of meat that is formed or joined [2.2.1(8)] Cooking instructions to ensure the microbiological safety of the food [2.2.1(8)] | | | | ✓ |
| Formed or joined fish | <ul style="list-style-type: none"> A declaration that the food consists of meat that is formed or joined [2.2.3(3)] Cooking instructions to ensure the microbiological safety of the food [2.2.3(3)] | | | | ✓ |
| Formulated caffeinated beverages | Any advisory statements [2.6.4(5)(3)] | | ✓ | ✓ | |
| Food that is or contains royal jelly | The prescribed warning statement [1.2.3(3)] | ✓ | ✓ | | |
| Unpackaged food that consists of kava root | <ul style="list-style-type: none"> The prescribed warning statements [2.6.3(4)] Name and address of the supplier [1.2.2(4)] | ✓ | ✓ | | |
| Food that is or contains raw bamboo shoots | A statement indicating that bamboo shoots should be fully cooked before consumption [1.2.6(2)(c)(i)] | ✓ | | | |
| Food that is or contains raw sweet cassava | A statement indicating that sweet cassava should be peeled and fully cooked before consumption [1.2.6(2)(c)(ii)] | ✓ | | | |