

## **STANDARD 1.2.5**

### **DATE MARKING OF FOOD**

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#### **Purpose**

This Standard prescribes a date marking system for food and the form in which those foods must be date marked. The Standard requires food, with some exceptions, to be date marked, and prohibits the sale of food after the expiration of the use-by date, where such a date mark is required. In particular, clause 2 of this Standard sets out the circumstances in which a use-by date must be used instead of a best-before date.

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#### **Clauses**

##### **1 Interpretation**

In this Standard –

**baked-for date**, in relation to bread, means a date not later than 12 hours after the time the bread was baked.

**Editorial note:**

For example, bread that is baked after midday on one day may have a ‘baked-for’ date for the following day.

**baked-on date**, in relation to bread, means the date on which the bread was baked.

**best-before date**, in relation to a package of food, means the date which signifies the end of the period during which the intact package of food, if stored in accordance with any stated storage conditions, will remain fully marketable and will retain any specific qualities for which express or implied claims have been made.

**use-by date**, in relation to a package of food, means the date which signifies the end of the estimated period if stored in accordance with any stated storage conditions, after which the intact package of food should not be consumed because of health or safety reasons.

##### **2 Food must be date marked**

(1) Unless otherwise expressly prescribed in this Code, the label on a package of food must include –

- (a) its use-by date, where the food should be consumed before a certain date because of health or safety reasons; or
- (b) where paragraph 2(1)(a) does not apply, its best-before date;

unless –

- (c) the best-before date of the food is two years or more; or
- (d) the food is –
  - (i) an individual portion of ice cream or ice confection; or
  - (ii) in a small package, except where the food should be consumed before a certain date because of health or safety reasons.

(2) Reserved.

**Editorial note:**

Standard 1.2.1 sets out the exemptions to the general labelling requirements in this Code, and provides a definition of 'small package'.

(3) The label on a package of bread with a shelf life less than 7 days, may include instead of a best-before date –

- (a) its baked-on date; or
- (b) its baked-for date.

### **3 Prohibition on sale of food after the use-by date**

Food must not be sold past its use-by date.

### **4 Prescribed form of date mark**

(1) A best-before date must use the words –

'Best Before'

accompanied by the date or a reference to where the date is located in the label.

(2) A use-by date must use the words –

'Use By'

accompanied by the date or a reference to where the date is located in the label.

(3) A baked-for date must use either the words –

'Baked For'; or

'Bkd For'

accompanied by the date or a reference to where the date is located in the label.

(4) A baked-on date must use either the words –

'Baked On'; or

'Bkd On'

accompanied by the date or a reference to where the date is located in the label.

### **5 Prescribed form of date**

(1) If the best-before date or use-by date of a food is not more than 3 months from the date it is applied, the date mark must consist at least of the day and month, expressed in that order.

(2) If the best-before date or use-by date of a food is more than 3 months from the date it is applied, the date mark must consist at least of the month and year, expressed in that order.

(3) The best-before date and use-by date must be expressed in numerical form, except for the month which may be expressed in letters. Where the month is expressed in letters, the month may precede the day.

(4) The day, month and year so expressed within the best-before or use-by date must be distinguishable.

**Examples:**

**For subclause 5(1) –**

23 Dec or 23 12  
23 12 2012 or 23 Dec 2012

**For subclause 5(2) –**

Dec 2012 or 12 2012  
23 12 2012 or 23 Dec 2012

**For subclause 5(3) –**

23 Dec 2012 or Dec 23 2012

**6 Statement of storage conditions**

The label on a package of food must include a statement of any specific storage conditions required to ensure that the food will keep for the period indicated by the use-by date, or the best-before date.

**7 Exclusive date marking system to be used**

(1) Subject to subclause (2), the label on a package of food must not include a date marking system other than that prescribed by this Standard.

(2) Subclause (1) does not preclude the label on a package of food from including a packed-on date or a manufacturer's or packer's code in addition to the required use-by date or best-before date.

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