

Standard 1.2.10

Characterising Ingredients and Components of Food

Purpose

This Standard sets out specific requirements for the declaration of the percentage of characterising ingredients and components of certain food products which are required to be declared.

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Clauses

1 Interpretation

In this Standard -

category of ingredients means ingredients declared in the statement of ingredients using a generic name set out in the Table to Clause 4 of Standard 1.2.4.

characterising component means a component of a food that –

- (a) appears in the name of a food; or
- (b) is usually associated with the name of a food by the consumer; or
- (c) is emphasised on the label of a food in words, pictures or graphics; or
- (d) is essential to characterise a food, and to distinguish it from other foods with which it might be confused because of its name or appearance.

Editorial note:

Two examples of characterising components of food, are milkfat in ice cream and cocoa solids in chocolate.

characterising ingredient means an ingredient or category of ingredients that –

- (a) appears in the name of a food; or
- (b) is usually associated with the name of a food by the consumer; or
- (c) is emphasised on the label of a food in words, pictures or graphics; or
- (d) is essential to characterise a food, and to distinguish it from other foods with which it might be confused because of its name or appearance;

but does not include -

- (e) an ingredient or a category of ingredients which is used in small quantities for the purposes of a flavouring; or
- (f) an ingredient that is the sole ingredient of a food; or
- (g) a category of ingredients that comprises the whole of the food; or
- (h) an ingredient or category of ingredients which, while appearing in the name of the food, is not such as to govern the choice of the consumer, because the variation in the quantity is not essential to characterise the food, or does not distinguish the food from other foods; or
- (i) an ingredient or category of ingredients declared as a characterising component of a food in accordance with this Standard.

Editorial note:

Standard 1.2.4 defines ‘ingredient’ as ‘any substance, including a food additive, used in the preparation manufacture or handling of a food’. A component of a food that is naturally present in a food is not an ingredient of the food and therefore cannot be a characterising ingredient. For example, caffeine that is naturally present in coffee or tea cannot be a characterising ingredient. Food components that are mentioned in the name of a food, but which have not actually been used in its preparation eg *cream* in ‘cream biscuit’ are not ingredients of the food and therefore cannot be characterising ingredients.

Examples of ingredients that appear in the name of the food include “*strawberry* yoghurt”, and “*steak* and *kidney* pie”. An example of a category of ingredients that appears in the name of the food that should be declared as a percentage is ‘vegetables’ in a “*vegetable* pastie” and ‘meat’ in a “*meat* pie”. Examples of ingredients that are usually associated with the name of a food by the consumer are ‘meat’ (a category of ingredients that may be declared using a generic name) with salami, or unpackaged pastry encased products such as meat pies and sausage rolls.

Examples of ingredients that are emphasised on the label of a food in words, pictures or graphics would include ‘fruit and nuts’ in fruit and nut chocolate, or ‘cheese’ if it is emphasised by words on the label such as ‘extra cheese’.

Under Standard 1.2.4, ingredients include compound ingredients. An example of a compound ingredient that would require percentage labelling is ‘spaghetti’ in a tin of spaghetti and tomato sauce that is either pictured on the tin of spaghetti and tomato sauce or that is part of the name of such a food.

2 Declaration of characterising ingredients and characterising components

(1) Subject to subclause (3), the label on a package of food must include a declaration of the proportion of characterising ingredients and characterising components of the food, calculated and expressed in accordance with this Standard.

(2) Subject to subclause (3), a declaration of the percentage of the characterising ingredients and characterising components of a food, calculated and expressed in accordance with this Standard, where the -

- (a) food is unpackaged; or
 - (b) food is made and packaged on the premises from which it is sold;
- must be -
- (c) displayed on or in connection with the display of the food; or
 - (d) provided to the purchaser upon request.

(3) Subclause (1) and subclause (2) do not apply to –

- (a) food assembled in the presence of the purchaser; or
- (b) food for catering purposes; or
- (c) food delivered packaged and ready for immediate consumption at the express order of the purchaser; or
- (d) prepared filled rolls, sandwiches, bagels and similar products; or
- (e) food sold at fund raising events; or
- (f) food in a small package; or
- (g) food standardised in Standard 2.9.1; or
- (h) cured and/or dried meat flesh in whole cuts or pieces.

Editorial note:

Where the proportion of a characterising component of a food is declared in accordance with this Standard, the ingredients, category of ingredients or parts thereof, comprising that characterising component are not required to be declared as a characterising ingredient or category of ingredients of the food.

These declarations must be considered in the light of the prohibitions on false, misleading or deceptive representations in the Food or Health Acts and fair trading laws of New Zealand and the States, Territories and the Commonwealth. In so doing it is necessary to consider whether a false or misleading impression is conveyed to a purchaser of a particular food product.

In order to determine whether the characterising components or characterising ingredients of a food should be declared, a manufacturer of food should consider which declaration best reflects the nature of the food as sold or imported. For example, milkfat is not typically an ingredient in ice cream, but would be considered to be a characterising component in ice cream, and should be so declared.

3 Method of calculating the proportion of characterising ingredients by ingoing weight

- (1) Subject to clause 4, the proportion of an ingredient or category of ingredients must be calculated in accordance with this clause, by dividing the ingoing weight of the ingredient or total weight of the ingredients within the category of ingredients by the total weight of all the ingoing ingredients of the food and multiplying this amount by 100.
- (2) The weight of added water or volatile ingredients removed in the course of manufacture of the food must not be included in the weight of the ingoing ingredients for the purposes of the calculation set out in subclause (1).
- (3) Where a concentrated or dehydrated ingredient or category of ingredients is reconstituted during the manufacture of the food, the weight of the reconstituted ingredient or category of ingredients may be used in the calculation set out in subclause (1).
- (4) The proportion of a characterising ingredient or category of ingredients of a food that requires reconstitution prior to consumption may be calculated as a proportion of the food as reconstituted.

4 Method of calculating the proportion of characterising ingredients where moisture loss occurs

Where moisture loss occurs in the processing of a food, the proportion of the characterising ingredient or category of ingredients in the final food, may be calculated taking into account any such moisture loss, on the basis of the weight of the characterising ingredient or category of ingredients in the final food.

5 Method of declaration of characterising ingredients

- (1) The proportion of an ingredient or category of ingredients must be declared as a percentage, and where declared in a statement of ingredients, immediately after the common, descriptive or generic name of the ingredient.
- (2) The declared percentage must be rounded to the nearest whole number or to the nearest 0.5 decimal place in those cases where it is below 5%.
- (3) The percentage of an ingredient or category of ingredients must be declared as either -
 - (a) the actual percentage; or
 - (b) a minimum percentage.
- (4) Where a minimum percentage is declared it must be clearly indicated that it is a minimum percentage.
- (5) The proportion of a characterising ingredient or category of ingredients of a food that requires reconstitution prior to consumption as calculated in accordance with subclause 3(4) may be declared as a percentage of the food as reconstituted, provided that the basis of this declaration is clearly indicated.

Editorial note:

Clause 5 may be complied with, for example, by asterisking all declared minimum percentages and including an asterisked note at the end of the ingredient list stating “minimum percentage”.

6 Method of calculating the proportion of characterising components

- (1) The characterising component of a food must be calculated by dividing the weight of the characterising component of the food by the total weight of the food and multiplying this amount by 100.
- (2) The proportion of a characterising component of a food that requires reconstitution prior to consumption may be calculated as a proportion of the food as reconstituted.

7 Method of declaration of characterising components

- (1) The proportion of a characterising component of a food must be declared as a percentage.
- (2) The percentage declared must be rounded to the nearest whole number or to the nearest 0.5 decimal place in those cases where it is below 5%.
- (3) The percentage of a characterising component of a food must be declared as either -
 - (a) the actual percentage; or
 - (b) a minimum percentage.
- (4) Where a minimum percentage is declared it must be clearly indicated that it is a minimum percentage.
- (5) The proportion of a characterising component of a food that requires reconstitution prior to consumption may be declared as a percentage of the food as reconstituted, provided that the basis of this declaration is clearly indicated.