Legal Requirements for Labels on Fruit & Vegetables

Guideline on legal requirements for consumer units and trade units in the European Union
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Introduction

Within the Fresh Food sector, companies are focused on improving their business processes in the areas of location identification, product identification and data transport by means of electronic data interchange (EDI) and E-commerce applications, as well as the utilisation of technologies like barcodes and Radio Frequency Identification (RFID) to realise efficiency benefits.

One key area is the right labelling of consumer units and trade units, as this can lead - together with the usage by GS1 Standards for automatic identification (e.g. barcodes) - to significant improvements in the supply chain and faster processes in retail stores.

Apart from the requirements between the business partners, it is necessary to provide on labels for consumer units and trade units the right information according to a number of relevant EU directives like EU 1169/2011 or EU 543/2011 and their national implementations.

Based on a business view, this brochure aims to help companies in the fruit & vegetable sector and their business partners to have the same understanding regarding the legal requirements and provides guidance about the needed information on a label from a legal point of view.
### Unprocessed Fruit & Vegetables – Label Requirements for Consumer Items

<table>
<thead>
<tr>
<th>Description</th>
<th>Open pack A</th>
<th>Closed pack B</th>
<th>Prepacked commodity</th>
<th>Prepacked variety pack (mixes of different species of fresh fruit &amp; vegetables)</th>
<th>Non prepacked, loose</th>
<th>Additional remarks</th>
<th>Relevant Regulation (Source)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A prepacked open pack is a pack for which the content can be altered without damaging the package.</td>
<td>A prepacked closed pack is a pack for which the content cannot be altered without damaging the package.</td>
<td>A prepacked variety pack consists of components of different species of fruit and vegetables. Mixes of打包 cannot be marketed as a single pack if their weight is a 5 kg &amp; they are properly labeled.</td>
<td>Protective films covering single produce are not considered as a pre-pack according to EU 2011/545.</td>
<td>When marketing information on a consumer item is not visible when packed in a case, then the same information must be displayed on the case as well.</td>
<td>EU 852/2004; EU 545/2011 Annex V contains the categories of pre-packed products.</td>
<td>EU 1169/2011.</td>
<td></td>
</tr>
<tr>
<td>General</td>
<td>There is no labelling requirement for consumer items in open packages. Labels are placed on the package and the trade package should be used as regulated product name.</td>
<td>There is no labelling requirement for consumer items in the trading phase. Labels should be placed on the trading package.</td>
<td>When a product is in a certain state, then that must be part of the product name to avoid misleading the end consumer.</td>
<td>EU 545/2011 art. 5 &amp; 6; EU 1169/2011 art. 9 par. 1, 2 &amp; 13.</td>
<td>EU 545/2011 art. 17.</td>
<td></td>
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</tr>
<tr>
<td>Nature of produce = Regulated product name</td>
<td>Not applicable for open packages. In case of date exchange the nature of the product as mentioned on the label should be used as regulated product name.</td>
<td>The nature of produce is mandatory. Depending on the nature of produce contains the variety or commercial type.</td>
<td>Not applicable for loose items. In case of date exchange the nature of the produce contains the variety or commercial type.</td>
<td>EU 545/2011 art. 17; EU 545/2011 (trading units).</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Language</td>
<td>Not applicable for open packages.</td>
<td>The EU requires that the text on the label must be in one of the official languages of an EU member state and be comprehensible for the consumer.</td>
<td>Not applicable for loose items.</td>
<td>EU 1169/2011 art. 13 par. 2–3.</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Minimum Fontsize</td>
<td>Not Applicable for open packages. 1.2mm (if label &lt;60cm) than 0.9mm.</td>
<td>Mandatory, declared either by the full name or by a common name of the country of origin. The declaration must be placed in close connection to the description ‘Packed for’ or an equivalent denomination.</td>
<td>Not applicable for loose items.</td>
<td>EU 545/2011 art. 7 and Annex 1, EU 1169/2011 eu 1169/2011 art 113/1.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Country of Origin</td>
<td>Not applicable for open packages. In the store the country of origin must be clearly visible from the shelf.</td>
<td>Mandatory, full name and address of Packer or Trader. Alternatively can be identified by name and address of a seller (retailer) established within the EU, indicated in close connection to the declaration ‘Packed for’ or an equivalent denomination.</td>
<td>Not applicable for loose items.</td>
<td>EU 545/2011 Annex I art. A: EU 1169/2011 art. 15.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Identity of packer or other relevant parties</td>
<td>Not applicable for open packages.</td>
<td>Mandatory, full name and address of Packer or Trader. Alternatively can be identified by name and address of a seller (retailer) established within the Union, indicated in close connection to the declaration ‘Packed for’ or an equivalent denomination.</td>
<td>Not applicable for loose items.</td>
<td>EU 545/2011 Annex I art. A; EU 1169/2011 art. 15.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quantity</td>
<td>Not applicable for open packages. Not comprehensive, to inform the consumer the quantity, expressed as net weight (e.g. grams or kilograms). Net weight is not compulsory for products which are not sold by number provided that the number of items is clearly visible from outside the store or the product is mentioned on the label.</td>
<td>The quantity in the prepacked package is expressed as net weight (in grams or kilograms). Net weight is not compulsory for products which are usually sold by number provided that the number of items is clearly visible from outside of the shelf or in the case if a mix has to be declared on the label.</td>
<td>Not applicable for loose items.</td>
<td>EU 545/2011 art. 23 + EU 545/2011 art. 6; EU 1169/2011 art. 9 par. 2–3.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Best Before Date/Expiry Date</td>
<td>Not applicable for fresh fruit &amp; vegetables.</td>
<td>Not mandatory for fresh fruit &amp; vegetables. Note that for sprouting vegetables (buds, sprouts and seedlings) declaration of the best before date is mandatory.</td>
<td>Not applicable for fresh fruit &amp; vegetables. Not applicable for fresh fruit &amp; vegetables.</td>
<td>EU 91/2011.</td>
<td></td>
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</tr>
<tr>
<td>Production Lot number</td>
<td>Not applicable for open packages.</td>
<td>A production party identification or lot number is mandatory on the consumer package.</td>
<td>Not applicable for loose items.</td>
<td>EU 1169/2011 art. 18– par. 1 and 21. EU 1169/2011 Annex VI art. 18–par. 1 and 6.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>List of all Ingredients</td>
<td>Not applicable for open packages.</td>
<td>Not applicable for fresh fruit &amp; vegetables.</td>
<td>Not applicable for loose items.</td>
<td>EU 1308/2013 par. 2–3.</td>
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</tr>
<tr>
<td>Allergen declaration</td>
<td>In F&amp;B only applicable for Celery (leaves, stems and roots). This is not compulsory when the name of the allergen is part of the regulated product name. As this always contains the nature of produce an allergen declaration will never be mandatory in this case.</td>
<td>In F&amp;B only applicable for Celery (leaves, stems and roots). This is not compulsory when the name of the allergen is part of the regulated product name. As this always contains the nature of produce an allergen declaration will never be mandatory in this case.</td>
<td>Not applicable for loose items.</td>
<td>EU 545/2011 art. 17 par. 4 and 21. EU 1169/2011 Annex VI par. 4 and 6.</td>
<td></td>
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</tr>
<tr>
<td>Declaration of nutritional value</td>
<td>Not applicable for fresh fruit &amp; vegetables.</td>
<td>Declaration of nutritional values is mandatory when the package contains different categories of foodstuffs (e.g. lettuce with dressing). See processed.</td>
<td>Not applicable for fresh fruit &amp; vegetables.</td>
<td>EU 1169/2011 defines information requirements for processed products. EU 852/2004 art. 2–1: definition of processed and prepared food.</td>
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</tr>
<tr>
<td>Post Harvest treatment</td>
<td>Not applicable for open packages.</td>
<td>Anti-molding agents added in a post-harvest treatment on citrus fruits must be mentioned on the packaging.</td>
<td>Not applicable for loose items.</td>
<td>EU 1169/2011 art. 11.</td>
<td></td>
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</tr>
<tr>
<td>Protective atmosphere</td>
<td>Not applicable for open packages.</td>
<td>A post-harvest gas-treating package to prolong the shelf-life should be clearly mentioned on the label.</td>
<td>Not applicable for loose items.</td>
<td>EU 545/2011 annex I and art. 5. EU 1245/2007 art. 115/2.</td>
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<td></td>
</tr>
</tbody>
</table>

For products for which the specific marketing standards apply, additional information about Quality Class, Size, Variety or Commercial Type and Post-harvest treatment has to be declared either on the product or in close proximity (on the shelf) in accordance with the specific EU/CEHEC product standard.
Unprocessed Fruit & Vegetables – Label requirements for Trade Packages

<table>
<thead>
<tr>
<th>Description</th>
<th>Open trading package (case) containing consumer items</th>
<th>Closed trading package (case) containing consumer items</th>
<th>Trading package (case) containing bulk commodities</th>
<th>Trading package (case) sold in consumer phase as a consumer unit, non-prepacked</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>E</td>
<td>F</td>
<td>G</td>
<td>H</td>
</tr>
</tbody>
</table>

**Note:** The label on the prepacked consumer items is visible from the outside of the packaging.

**Description:**
- The label contains information about the nature of the produce.
- Information about the marketing standards applies.
- The EU requires that the text on the label must be written in one of the official languages of an EU member state and be comprehensible for the consumer.
- The name and address of the packer must be declared on the package label.
- The EU requires that the text on the label must be written in one of the official languages of an EU member state and be comprehensible for the consumer.

**Nature of the product:**
- Not applicable for open trade packages.
- All mandatory information applying to consumer items must be declared.

**Content:**
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.

**Nature of post-harvest treatment:**
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.

**Nature of packer and/or dispatcher:**
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.

**Packaging:**
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.

**Country of origin:**
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.

**Language:**
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.

**Net weight:**
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.

**Minimum size (sorting):**
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.

**Best Before date/Expiry date:**
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.

**Production lot number:**
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.

**List of ingredients:**
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.

**Allergenic declaration:**
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.

**Declaration of nutritional value:**
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.

**Additives including sweeteners:**
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.

**Post harvest treatment:**
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.

**Protective atmosphere:**
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.

**Product description:**
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.
- Suitable for fresh fruit & vegetables.

**Addition of relevant regulation (source):**

**References:**
- EU 1169/2011 art. 15 & 16.
- EU 543/2011 art. 11.
- EU 543/2011 art. 11.
- EU 543/2011 art. 9.
- EU 543/2011 annex 1 part A.
- EU 543/2011 art. 9.
- EU 543/2011 art. 9.
- EU 543/2011 annex 1 part B.
- EU 543/2011 art. 9.
- EU 543/2011 art. 9.
- EU 1169/2011.
- EU 1169/2011.
- EU 1169/2011.
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- EU 1169/2011.
- EU 1169/2011.
- EU 1169/2011.
- EU 1169/2011.
- EU 1169/2011.
- EU 1169/2011.
- EU 1169/2011.
The EU requires that the text on the label must be written in one of the official languages of an EU member state and be comprehensible for the consumer. A common and general name must be used. The name describes the nature of the produce. A production party identification or lot number is mandatory on the consumer package.

When fresh products for which specific marketing standards apply are used, the size must be identified in accordance with the standard concerned.

When fresh products for which specific marketing standards apply are used, they must be declared in the list of ingredients – or elsewhere on the label – by their specific name or, if appropriate, E number.

A common and general name must be used. The list of ingredients must be declared in the list of ingredients – or elsewhere on the label – by their specific name or, if appropriate, E number. The list will start with the name of the category of ingredients to which the products belong.

Declarations of nutritional values are mandatory. Declaration of nutritional values is not applicable for trading packages.

The full name of the country of origin of the product must be declared on the package label. Abbreviations or ISO codes such as UK for Great Britain or DE for Germany are not allowed.

When a product on the market. When a product comes from a non EU country and the trading company is not established in the EU, the name and address of the importer.

Some products lose a considerable amount of their weight or volume. Prepacks can be marketed either fixed or variable weight. In the first case, the weight must reflect the shrinkage (water loss) throughout the supply chain.

EU 543/2011 art. 6.

EU 543/2011 art. 12 and Annex I.

EU 543/2011 art. 121.

EU 543/2011 art. 7 and Annex I.

EU 543/2011 art. 126.

EU 543/2011 art. 133.

EU 543/2011 art. 23 + appendix I.

EU 543/2011 art. 8.

EU 1243/2007 art. 113/1.

EU 543/2011 art. 24 + appendix I.

EU 543/2011 art. 113/1.

EU 543/2011 art. 18 – par. 1 and 21.
Additional Information

GS1 in Europe
http://www.gs1.eu/

GS1 Member Organisations in Europe
http://www.gs1.eu/gs1_mo_list

GS1 Global Office
www.gs1.org

UNECE Standards for Fresh Fruit and Vegetables (FFV)
www.unece.org/trade/agr/standard/fresh/FFV-StandardsE.html

UNECE Standards for Dry and Dried Produce (DDP)
www.unece.org/trade/agr/standard/dry/DDP-Standards.html

EU Regulation on Fruit & Vegetables EU 543/2011

EU Regulation on Fruit & Vegetables EU 1169/2011

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