AOA webinar steps out labelling requirements

With the new season's oils now racked and ready, most producers are in the midst of packaging. And along with the decisions around bottle, tin or bag-in-box, pourers - or not - and caps, many are struggling with what information to include on their labels.

AOA CEO and *OliveCare®* Administrator Michael Southan said it's imperative that producers get their labels right but for many, the process can be confusing.

"The AOA regularly receives enquiries about what must be included on a label, both from new producers who are not sure of the requirements, and also from long-standing producers trying to keep up with the evolving regulations," he said.

"So we ran a free webinar as an industry refresher on the topic, to provide the information needed to ensure that Australian olive product labels are compliant with all of the regulations and laws that must to be adhered to. And importantly, we covered not just the mandatory inclusions but also what you can't put on a label."

Topics covered

Here's an overview of the requirements Southan covered in the webinar, with extended detail on the crucial topics of ***best before date*** and ***health and nutrition claims***.

Australian Consumer Law – 'truth in labelling'

All representations made about food are subject to fair trading laws and food laws operating in Australia and New Zealand, which prohibit false, misleading or deceptive representations.

These 'truth in labelling' regulations cover:

- accuracy of name and/or description;
- accuracy of weight and measure information;
- legibility – type size, prominence and language.

Food Standards Australia New Zealand (FSANZ) - mandatory information

ANZ Food Standards Code 1.2 covers the requirements to have labels or otherwise provide information. In short, if a food for retail sale is in a package it must have a label (*unless covered by a set of specific exemptions).

The information required on the label is comprehensive and includes both production and producer/supplier details, along with advisory statements (warnings and declarations), storage information, ingredients and nutrition information. Particularly important for olive oil producers are the requirements around nutrition and health claims.

Where food for sale is not required to bear a label, the information must accompany the food or be displayed in connection with the display of the food, or provided to the purchaser on request.

"But if you're selling olive oil or olives to a caterer, for example, it's in a package so it's no different to a bottle for retail. It needs a label," Southan pointed out.

Nutrition Information Panel

The Food Standards Code mandates that a Nutrition Information Panel (NIP) be provided on the label of any packaged food. The panel must be in a specific format and contain a set of mandatory elements.

"Relevant to us, there's also a voluntary declaration of fatty acids in edible oils and edible oil spreads, and a requirement to include the fatty acid breakdown where a claim in relation to the poly- or monounsaturated fat content," Southan said.

"So you could include, for our oils, the proportion of polyunsaturated, monounsaturated, and saturated fat - because there's really nothing else in the bottle."

NUTRITION INFORMATION

SERVINGS PER PACKAGE: 50 SERVING SIZE: 15mL

AVG QTY.	PER 15mL	PER 100mL
ENERGY	517 kJ	3446 kJ
FAT, TOTAL	13.7g	91.5g
SATURATED	2.1g	13.9g
MONOUNSATURATED	10.2g	68.3g
POLYUNSATURATED	1.4g	9.3g
TRANS	0g	0g
PROTEIN	0g	0g
CARBOHYDRATE	0g	0g
SUGAR	0g	0g
SODIUM	0mg	0mg
CHOLESTEROL	0mg	0mg
ANTIOXIDANTS		
VITAMIN E (30% RDI)	3mg	23mg
TOTAL BIOPHENOLS	5mg	33mg
SQUALENE	71mg	473mg

INGREDIENTS: 100% Australian Extra Virgin Olive Oil.

Fatty acid breakdown is a voluntary addition to the Nutrition Information Panel for edible oil products.

Best before date

ANZ Food Standards Code 1.2.5 - *Date marking of food for sale* – really ramps up the relevance for olive oil products with the all-important requirement of a **best before date (BBD).**

Under the Code, the 'best-before date, for a food for sale, means the date up to which the food for sale will remain fully marketable and will retain any specific qualities for which express or implied claims have been made, if the food for sale remains in its intact package during its storage'.

"For good practice, you should always have a best before date. And you can't have a best before date on extra virgin olive oil which is longer than two years," Southan said.

"The big question for our industry is: if the product is claiming to be extra virgin olive oil, how do we know what the best before date is? How do we substantiate it?"

Australian Standard for Olive Oil

Southan answered that question later in the webinar, discussing the chemical parameters for olive oil under the *Australian Standard for Olive Oils and Olive Pomace Oils, AS 5264-2011.*

"For BBDs, Pyropheophytins a (PPPs) and 1,2 Diacylglycerides (DAGs) are particularly important, yet very few people currently have their oil tested for those two components," Southan said.

"But everyone should be doing it. The only way you're going to get a true indication of the BBD is to have PPPs, DAGs and an induction time test done, then use that data to accurately calculate the potential shelf life of your product. That gives you hard evidence to substantiate your BBD."

The proof is in the data

Southan described a scenario where the hard data could protect a brand's reputation.

"To just put two years on your label could cause you some problems," he said.

"For example, if someone has bought your product and 18 months later finds it's not the quality it says on the label - say it's gone rancid - yet they say they've kept it as it's supposed to be kept. It's going to be very hard to substantiate that your BBD is correct if you don't have that information.

"But if you've had those tests done, the data proves your BBD is correct and there is some other factor involved. Most likely that's going to be storage-related, but there can be no question that you've stated a false best before date.

Certification logo

"OliveCare® members can also use PPPs, DAGs and induction time testing to have their product Certified and use the Certification logo on that label, their website and promotional material. It provides consumers with easy identification of outstanding product quality and is another reason why everyone should become *OliveCare®* signatories."

The webinar was presented by AOA CEO and *OliveCare®* Administrator Michael Southan.

Nutrition and health claims

Another 'hot topic' covered was ANZ Food Standards Code 1.2.7 - *Nutrition, health and related claims.*

"This part of the Food Standards Code is very prescriptive, it's complex and you need to take a lot of care before you make any claims at all. That said, when you read it carefully, it's pretty clear what you can and can't say.

"The latter is especially crucial: you actually can't make any claims unless you can find the exact claim already listed in the Code. That's very important.

"Basically, claims can't be therapeutic in nature and nutrition content claims can only be made about properties of food in Schedule 4 of the Code. And there's really not a lot there that we can put on our labels for EVOO. Health claims must comply with very strict criteria too.

"So while we know EVOO is a really healthy product, if you want to go down that road on your labels you really need to look very carefully at those claims and seek independent professional advice."

Australian Consumer Law – 'Substantiation of product claims'

Compliance with Australian Consumer Law also includes the substantiation of product claims including product quality, provenance and certification, and requirements around food safety.

"So if you're saying you're organic, for example, you have to be able to substantiate that with all of the paperwork around your inputs and production specifications," Southan said.

"Best before dates come into that as well, and for us, there are requirements around food safety.

"That includes table olives, where there are additional requirements in terms of the need for biological testing to ensure your food is safe. In the case of a food contamination issue, you've got to be able to show that you have all the checks and balances in place, and have met the legal requirements as a food producer."

Fair Trading Provisions

All food producers are required to observe good production and marketing activities, and not engage in misleading or deceptive practices.

"The most relevant example here is that you can't call an olive oil 'EVOO' and label it as one if you don't know it is EVOO quality and can't substantiate that quality," Southan said.

"And even if you've got a major trophy winner, and you may want to say that it's 'the best oil on

the market', you can't say that. Technically you'd have to have every competing oil tested alongside it to substantiate a claim like that.

"In the past, several Australian olive producers and importers have been involved in high profile ACCC actions involving false and misleading conduct, that's why it's really important to get your labels right," Southan said.

"If you make a mistake, there's no protection."

AOA guides and resources

Southan pointed attendees to a number of resources created by the AOA to assist olive producers in meeting labelling regulations.

"Our previous *OliveCare®* Administrator, Peter MacFarlane, put a set of industry labelling guidelines together for EVOO, Flavoured Oils and Table Olives," he said.

"He made it really easy: the things in red are mandatory, the things with red Xs you can't have, the things in green are optional. It's a really good starting point to make sure you cover everything.

"And for *OliveCare®* members, there's also the *OliveCare® Product Packaging, Labelling and Distribution Best Practice checklist.* It's a comprehensive work-through process to check that you've done everything you need to do to meet your obligations around labelling."

Q&A session

The session finished with an enthusiastic Q&A session, with topics covered including:

- use of 'Cold pressed' on labels;
- labelling specifications for retail bulk EVOO (IBC);
- processing declarations for table olives;
- allergen information and advisory warnings;
- 'bold' listings;
- sourcing Nutrition Information Panel information;
- 'seasonal variations' on EVOO labels;

The AOA product labelling guides for EVOO, Flavoured Olive Oil and Table Olive products are available for download from the AOA website.

- calculation method of BEST BEFORE DATE for table olives;
- providence/production location;
- QR codes;
- Country of Origin logo;
- EVOO classification under Australian Standards;
- information regulations and websites/social media.

Southan said the range and complexity of the questions asked reflects the strong commitment by Australian producers to 'get their labels right'.

"It shows that people want to ensure they comply with the law when it comes to labelling - that they know what to do and then do it correctly," he said.

"There were some very sophisticated questions asked which were beyond my ability to answer but other attendees had experience with those elements which they shared. We also had a labelling expert on hand, so between us were able to provide answers to all of the questions asked."

Active response

Southan said feedback on the webinar had been very positive but its true value has been proven by the action it has generated.

"The biggest risk I see with labelling is the requirement for a best before date," he said.

"I wanted to highlight that you have to be able to substantiate that date and since the webinar I've seen more people having the tests to do that done. That's the best feedback we could get."

Webinar recording and more information

There's additional detail on the relevant labelling requirements for olive products - and the answers to all of the questions above - in the recording of the *Getting Your Labels Right* webinar, accessible here.

A PDF copy of the presentation slides is available here.

There's also more labelling information available in the Resources Library of the AOA website here.

Note: the recording can also be found in the Resources Library, or in the general resources section under 'Webinars'.

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