



Global food law highlights

Agenda

- 1 Non-EU Europe
- 2 North Africa/Middle East
- 3 Asia Pacific
- 4 North America
- 5 Latin America

Non-EU Europe



Non-EU Europe – Switzerland

Swiss provisions aligned to EU

Aim:

- Avoiding technical barriers for trade between EU and CH
- Harmonising EU and CH legislation
- Ensuring the same level of protection for EU and Swiss citizens

Some previous Ordinances are still in force; others are grouped in one single Ordinance or amended

New provisions in some cases introduce specific provisions which are not present in EU legislation (i.e. allergen declaration for non prepacked food, etc.)

Regulatory Updates

Previous	New
Ordinance on foreign substances and components of foodstuffs	Phytosanitary Contaminant Veterinary
Ordinance on additives	Additives and flavouring
Ordinance on the labelling and advertising of foodstuffs	Amendments and new provision
Ordinance on foodstuffs and utility articles	New on food supplements New novel food
<ul style="list-style-type: none"> • Ordinance on cereals, legumes, vegetable proteins and their derivatives • Ordinance on oil and edible fat and products derived from them • Ordinance on fruits, vegetables, jams and similar products to jams • Ordinance on soups, spices and vinegar • Ordinance on edible fungi and yeast 	Group together in: <ul style="list-style-type: none"> • Ordinance for foodstuff of animal origin • Ordinance of foodstuff of vegetable origin

Swiss Labelling Ordinance

Structure of Ordinance No. 817.022.16 of 16 December 2016

- 46 Articles
- Chapters and sections
- 15 Annexes
 - Annex 13 Nutrition Claims
 - Annex 14 Health Claims

Transitional measures

- Entered in force: 1 May 2017
- Transitional measures: 4

Swiss Food Law provisions: differences still in place

- Country of origin
- Mandatory cross-contamination allergen 'May contain'
- GM ingredient approval, GM free claims
- Nutrition and health claims



Non-EU Europe – Russian Federation



1 July 2013: Customs Union Technical Regulation
TR CU 022/2011 “Food Product Labelling”

Amendment of 20.12.2017 relating to the labelling
requirement of food products containing GMO

The acronym GMO (ГМО in Russian) is required to be put
in proximity to the EAEU conformity mark, using the same
format and size of the letters.

EAC

Non-EU Europe – Russian Federation



1 July 2013 – Customs Union Technical Regulation

TR CU 022/2011 “Food Product Labelling”

Amendment of 14.09.2018 relating to the labelling requirement of food products name:

As of 28 April 2019, per decision of Eurasian Economic Union Committee, the invented name of the product (if any) must be included in the legal name of the product and located in close proximity to it.

Non-EU Europe – Russian Federation



August 2014

Russian president signed a decree “On the application of certain special economic measures to ensure the security of the Russian Federation”

One year ban

Russian government issued [Decision No. 778](#) defining the list of products banned and the countries concerned

Countries affected:

- USA
- EU
- Canada
- Australia
- Norway + others

Non-EU Europe – Russian Federation



August 2015

The Russian Government Decision No. 625 of 25 June 2015 – the embargo extended until 5 August 2016; modified list of banned products.

May 2016

The Decision No. 472 is modified to provide the possibility to import certain products under the embargo if destined for the production of baby food.

June 2016 /
July 2018

The Presidential Decree No. 305/402 – embargo extended

June 2020

The Presidential decree No. 293 – embargo extended until end of **2020 – no change in commodities.**

An aerial photograph of a modern city waterfront, likely Dubai. The image shows several prominent skyscrapers, including the Jumeirah Emirates Towers, which are golden-brown in color. The buildings are situated along a curved coastline with a marina containing several boats. In the foreground, there is a large, curved building with a glass facade and a swimming pool. The water is a vibrant turquoise color, and the sky is clear and blue. A white text box is overlaid on the right side of the image, containing the text "North Africa/ Middle East".

North Africa/ Middle East

North Africa – Morocco

Amendment to Decree No. 2-12-389 on food labelling.

- introduces **definition of “Use by” date and date of minimum durability.**
- formatting requirements
- Minimum shelf life requirements – $\frac{1}{4}$ when placed on the market

Publication of Joint order No. 293-19 microbiological criteria in primary products and food products:

- Setting of microbiological criteria to be met by primary products and food products;
- Determination of the measures to be taken in case of non-conformity of the test results

Publication of decree No. 2-19-13

- composition standard for soft drink and energy drink

Middle East – Saudi Arabia

SFDA.FD
2233/2018 on
requirements of
nutrition labelling

Published on the
31/05/2018

- Replaces and supersede the old version 2233/2012
- Mainly based on Codex Stan and FDA nutrition fact label
- Mandates the declaration of cholesterol and added sugar.
- Mandates the declaration of the nutrient values for all nutrients declared on the label
- May not be possible to cluster the labels of all the GCC MS into one

حقائق تغذوية	
حجم الحصص في العبوة 8 3/2 كوب (55 غرام)	
الكمية لكل حصة أو 100 مل أو 100 غرام	
السعرات الحرارية 230	
* نسبة الاحتياج اليومي %	
10%	الدهون الكلية 8 غرام
5%	دهون مشبعة 1 غرام
	دهون متحولة 0 غرام
0%	كوليسترول 0 ملغرام
7%	صوديوم 160 ملغرام
13%	الكربوهيدرات الكلية 37 غرام
	الألياف الغذائية 4 غرام
	سكريات كلية 12 غرام
20%	يتضمن 10 غرام سكر مضاف
	بروتين 3 غرام
* تدل نسبة الاحتياج اليومي على المعليات في الحصة الواحدة مبنية على نظام غذائي محتوي على 2000 سعرة حرارية .	

Obtained from the SFDA regulation
SFDA.FD 2233/2018

Middle East – Saudi Arabia

SFDA.FD
2333/2010 on
requirements for
health and nutrition
claims

Published on the
31st May 2018

- Based on Codex and EU regulations
- Lays down a list of permitted nutrition and health claims
- Prohibits nutrition and health claims on foods for infant and young children except where specifically provided in a relevant Saudi standard or GSO standard
- Only applicable in Saudi

Middle East – Saudi Arabia

SFDA.FD 707/ 2018 on flavourings permitted for use in foodstuffs

- Its own technical regulation on flavourings permitted for use in foodstuffs.
- Entered into force 30th Nov 18
- Refers to JECFA
- Not been adopted yet by the other member states
(provisions included under GSO 707/1997 still apply)



Middle East – Saudi Arabia

SFDA.FD 2500/2019 on Additives permitted for use in foodstuffs

- Published in June 2019
- Replaces and supersedes SFDA.FD/GSO 2500/2015
- Based on Codex and EU regulation 1333/2008
- Currently a draft for the other GCC MS (excluding UAE)



Middle East – Saudi Arabia

SFDA.FD 42/2018 on traffic light labelling

- Published on the 31st May 2018
- Applies to all food product excluding food product for special dietary uses such as infant formula and formula for special medical purposes.
- Will become mandatory in 2021



Middle East – Saudi Arabia

SFDA.FD 56/2018 on declaration of allergens on food establishment menu's selling away from home foods

- Published in 2018
- Starting from October 1st 2019. Food establishments are required to provide food allergy warnings in restaurant menus to consumers.



Middle East – Saudi Arabia

Saudi strategy of regulating healthy food

Aim:
Reduce added
sugar and salt
content in food
products

In relation to this:

- New standard [SFDA.FD 59/2018](#) on salt limits guidelines in food products
 - Sets maximum limits of salt in certain specific food products
 - Bread max 1g of salt per 100g
- Draft standard on added sugar upper limits in some food products
 - Prevents the use of added sugar in milk products (fresh, pasteurized and UHT) and in flavoured milk products (fresh, pasteurized and UHT).
- Starting from [1st January 2019](#) the SFDA will ban the use of added sugar or its sources (honey, glucose syrup), flavours, colours and energy drinks in fresh and mixed juices
- SUGAR TAX – 50% Carb Bev. /100% Energy Drinks



Asia Pacific

Asia Pacific - India

New Regulations enacted:

- Food Safety and Standards (Alcoholic Beverages) Regulations, 2018 + (Q&A)
- Food Safety and Standards (Fortification of Foods) Regulations, 2018 + (Q&A)
- Food Safety and Standards (Advertising and Claims) Regulations, 2018
- Food Safety and Standards (Packaging) Regulations, 2018

Asia Pacific – India

Upcoming changes:

- FSS (Foods for Infant Nutrition) Regulations, 2019 (Draft)
- FSS (Labelling and Display) Regulation, 2019 (Draft)
- For prepared foods:
 - Allergens
 - Vegetarian/ Non vegetarian logo
- New Vegetarian Logo



Asia Pacific – China

Draft new version
of GB 7718
General Standard
for the Labelling of
Pre-packaged
Foods -
Consultation ended
Dec 2018

Proposed key changes:

- **Font size:** Increase in font size (for labels ≥ 40 cm² ; minimum 2.0 mm in height)
- **Ingredients listing:** generic names – microorganisms for fermentation, mixed fruit/vegetable juices less than 2% of the food, flavouring declarations
- **QUID:** specify the circumstances where QUID is required
- **Allergen labelling:** mandate allergen labelling, introduce exemptions

Asia Pacific – China

Draft new version
of GB 28050
Standard for
Nutrition Labelling
of Pre-packaged
Foods -
Consultation ended
January 2019

Proposed key changes:

- New definitions for core nutrients and NRV
- Additional core nutrients: saturated fats, sugar, vitamin A and calcium
- Added guidance on the portion/serving size for certain commodities
- Amended the name, unit, rounding rules, the conditions for declaring nutrients as zero or NRVs for certain nutrients
- Amended the provisions on the exemption of mandatory nutrition labelling,
 - e.g. packages with less than 120 cm² total surface area or no more than 25 cm² largest surface area
- Amended the provisions on nutrition content and comparative claims and nutrient function claims

Asia Pacific – Indonesia

Head of National
Agency for Drug
and Food Control
(H-NADFC)
Regulation No. 11 /
2019 on food
additives

Comes into force on 1st July 2019

2 years transitional period for products that are currently on the market

Key changes:

- Consolidate 26 H-NADFC Regulations on food additives, except flavouring, into 1 Regulation
- Ministry of Health Regulation No. 33 / 2012 on food additives categorisation has not been revoked or replaced
- Updated the positive lists of food additives e.g. permits the use of rosemary extracts in certain foods

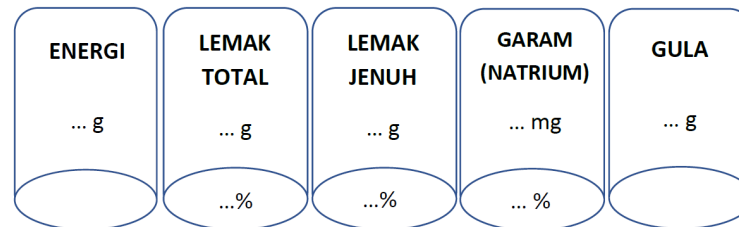
Asia Pacific – Indonesia

Head of National Agency for Drug and Food Control (H-NADFC) Regulation No. 22 / 2019 on nutrition labelling

- Consolidates, revokes and replaces 3 H-NADFC Regulations on nutrition labelling
- Comes into force on 22nd August 2019
- 30 months transitional period

Key changes:

- Format of voluntary front-of-pack labelling
- Voluntary healthier choices logo, firstly introduce to RTD beverages and Instant pasta and noodle



Obtained from H-NADFC
Regulation No. 22 / 2019



Obtained from H-NADFC
Regulation No. 22 / 2019

Asia Pacific – Australia and New Zealand

Upcoming changes

Sugar labelling on packaged foods and drinks

- Policy Paper: Labelling of sugars on packaged foods and drinks
- Based on the paper, the Food Standards Australia New Zealand has been requested to review nutrition labelling for added sugars
- The option to quantify added sugars in the NIP (Option 4) best met the desired outcome
- A pictorial approach applied to sugary beverages / sugar-sweetened beverages (Option 6) warrants further consideration, along with other options

Energy labelling of alcoholic beverages

- The Food Standards Australia New Zealand is working on energy labelling on alcoholic beverages to educate consumers' on energy contribution that alcohol makes to their diet.

Asia Pacific – Australia and New Zealand

Upcoming changes

Pregnancy warning labels for alcoholic beverages

- A proposal on the design of the mandatory pregnancy warning label has been submitted
- Public consultation on the design will be held early October to late October 2019
- Anticipated gazettal would be April 2020

Asia Pacific – Taiwan

Draft new version of the Standard for Scope, Application and Limitation of Food Additives - [Consultation ended May 2019](#)

Proposed key changes:

- Introducing a hierarchical food category system for assigning additive uses
- Amending the technological function classes for permitted additives
- Amending the conditions of use for certain additives, flavourings and substances for fortification

Further news on the new version of Additive Standard will be published on our Legal Highlight service

Asia Pacific – Taiwan

The new Sanitation Standard for Contaminants and Toxins in Food - **Horizontal Standard establishing maximum limits for heavy metals, mycotoxins and certain other contaminants in foods**

Came into force on 1st January 2019 and replaced the relevant provisions laid down in certain Sanitation Standards on individual foods.

As a result, the Taiwan FDA abolished 12 Sanitation Standards and amended 7 Sanitation Standards later this year.

A copy of the new Sanitation Standard for Contaminants and Toxins in Food in English.

A wide-angle photograph of the Chicago skyline, featuring a mix of classical and modern architecture. The Willis Tower is partially visible on the right. A white rectangular box is overlaid on the upper right portion of the image, containing the text "North America".

North America

North America – Canada

The [Cannabis Act](#) creates a strict legal framework for controlling the production, distribution, sale and possession of cannabis across Canada

What is legal as of October 17, 2018

Subject to provincial or territorial restrictions, adults who are 18 years of age or older are legally able to:

- possess up to 30 grams of legal cannabis, [dried or equivalent](#) in non-dried form in public
- share up to 30 grams of legal cannabis with other adults
- buy dried or fresh cannabis and cannabis oil from a provincially-licensed retailer
- grow, from licensed seed or seedlings, up to 4 cannabis plants per residence for personal use
- make cannabis products, such as food and drinks, at home as long as organic solvents are not used to create concentrated products

Cannabis edible products and concentrates will be legal for sale approximately one year after the [Cannabis Act](#) came into force on October 17th, 2018.

North America – Canada

Section 193.1 of the [Cannabis Act¹](#) will authorize the legal sale of “edibles containing cannabis” and “cannabis concentrates.”

- Not in force, but will be no later than October 17, 2019.

On December 22, 2018, Health Canada [published draft regulations](#) (22 Dec 2018) in the *Canada Gazette*, which will regulate the following new classes of cannabis:

- Edible Cannabis: Products containing cannabis that are intended to be consumed in the same manner as food (i.e., eaten or drunk);
- Cannabis Extracts: Products that are produced using extraction processing methods or by synthesizing phytocannabinoids; and
- Cannabis Topicals: Products that include cannabis as an ingredient and that are intended to be used on external body surfaces (i.e., skin, hair, and nails).

Health Canada launched a 60-day public consultation on the Draft Regulations ending in February – not yet published.

North America – Canada

June 2019 : Consultation for Proposed amendment on labelling

- **Date marking:** date marking and storage instructions for all labels of pre-packaged foods (with some exceptions)
- **Country of origin:** The proposed changes would require the country of origin to be declared on all “wholly imported foods”
- **QUID:** declaration of the percentage of the emphasised ingredient on the label of the product
- **Flavoured product:** labels to clearly indicate that the food is “flavoured” when an emphasised ingredient is referred to on the label but that ingredient is not added at all or is added in flavouring amounts. For example, “strawberry” ice cream that contains strawberry flavour rather than real strawberries would have to be called “strawberry flavoured ice cream.”

All those changes are to be more consistent with Codex Standard



Latin America

Latin America - Argentina

MERCOSUR implementations

MERCOSUR Resolution No. 40/15 on materials, containers and cellulosic equipment intended to be in contact with foodstuff.

Nutrition - Gluten & Lactose

Guideline on gluten free menus - provides recommendations and promotes safe practices for the manipulation of gluten-free menus.

Public consultation on lactose free and reduced lactose products.



Latin America - Chile

Nutrition claims

Decree No. 1 of 2018, amends Article 120 of the Food Sanitary Regulation.

Vitamins, minerals, dietary fibre, proteins, DHA/EPA/omega 3.

Gluten free labelling

Decree No. 10 of 2018, amends Article 518 of the Food Sanitary Regulation.

< 5mg of gluten/Kg



Latin America - Chile

Contaminants

Decree No. 7 of 2018, amends Article 160 of the Food Sanitary Regulation.

Arsenic and Mercury limits.

Pesticides and Veterinary drugs Drafts

The pesticides Draft includes new foods and substances and its maximum permitted limits.

The veterinary drugs Draft update established limits.



Latin America - Ecuador

Labelling

Draft Standard was published on May 2019 on general labelling requirements for pre-packaged food.

Contaminants

Draft Standard was published on April 2019 on contaminants and toxins in food and feed.



Latin America - Mercosur

Additives

Mercosur Resolution No. 63/2018 approves the Technical Regulation for the use of additives and maximum levels in meat and meat products, group category No. 8.

The Regulation revokes Mercosur Resolution No. 73/97.

Member states deadline: 5 June 2019.



Latin America - Mercosur

Food contact materials

Mercosur Resolution No. 39/2019 approves the Technical Regulation on a positive list of additives for plastic packaging and equipment in contact with foodstuffs.

The Regulation revokes Mercosur Resolution No. 32/07.

Member states deadline: 15 January 2020.



Latin America – Panama

Sugar tax

A Draft Law establishing a selective tax for sugar containing beverages both national and imported. The tax applies to soft drinks, other sugar beverages and syrups and concentrates used for the production of sugary beverages.

Product Registration

Resolution No. 550 of 29 May 2019 approving the registration process for vitamin, dietary and food supplements with therapeutic properties.



Summary

1. Plenty of regulatory changes being undertaken internationally.
2. Creation, update and harmonization.
3. Practical – additive regulations, definitions
4. Hot button – nutrition labelling, sugars, taxes
5. **Continued change expected**

Thanks for listening!

Simon Linsley - Regulatory Manager
Simon.Linsley@LeatherheadFood.com

Questions

leatherhead food research

innovate | access new markets | realise global opportunities