Legal Requirements for Labels on Fruit & Vegetables
Guideline on legal requirements for consumer units and trade units in the European Union
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 – Label requirements for consumer items

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### Description
- A prepacked open pack is a package for which the content cannot be altered without damaging the package.
- A prepacked closed pack is a package for which the content cannot be altered without damaging the package.
- A prepacked variety pack consists of components of different nature of produce which are intended for the sale of the product as a whole, or the topography of which is more than 80% of the total weight and volume of the package. If their weight is 5 kg or more, they are properly labeled according to EU 2012/19/EU.
- Protective films covering single products are not considered as a package according to EU 2012/19/EU.

### General
- There is no labeling requirement for consumer items in open packs in the trade or packaging. Labeling is done on the packaging.
- Regulations also apply for mixes with the same species (e.g. tomatoes, carrots, lettuce). Multi-commodity packs are treated as a separate product.
- For mix packages containing processed foodstuff, the regulations for processed and prepared food apply. But there is no labeling requirement for loose items in the trade or consumer phase. Labeling is done on the packaging when出击.
- There is no labeling requirement for loose items in the trade phase or in consumer phase. Labeling is done on the packaging (column 2 or 3).
- If the nature of the produce contains the variety or commercial type, the nature of the produce of each product in the pack has to be declared.
- Specifications of regulated product name are not applicable for open packages. In case of data exchange on the package, the name of the country of origin should be mentioned on the trading package should be used as regulated product name.

### Nature of produce
- Declaration of nutritional values is mandatory when a product is in a certain state, then that must be part of the product name to avoid misleading the consumer. E.g. Dried figs, Peeled and diced mango.

### Language
- In several countries such as Belgium, France, The Netherlands and Germany, there is a special requirement that the language on the label/must be one of the official languages of that country.

### Minimum Font size
- Not applicable for open packs. 1.2 mm high (label <10 cm² then 0.5 mm).

### Country of Origin
- Not applicable for open packs. In the case of the product, the country of origin must be displayed in close proximity to the label in the case of the product, the country of origin must be displayed in close proximity to the label.

### Identification of packer or other relevant parties
- Not applicable for open packs. Full name and address of packer or trader where applicable.

### Quantity
- Not applicable for open packs. 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 in groups or portions for consumption. The quantity in the prepacked package is clearly visible from outside the package is mentioned on the label.

### Best Before Date / Expiry Date
- Not applicable for fresh fruit & vegetables.

### Lot of Ingredients
- Not applicable for open packs.

### Allergen declaration
- IN F&V only applicable for Celery (leaves, stems and roots). This is not compulsory in F&V. The nature of the produce contains the variety or commercial type.
- IN F&V only applicable for Celery (leaves, stems, and roots). This is not compulsory in F&V. In F&V, only applicable for Celery (leaves, stems, and roots). This is not compulsory in F&V. The nature of the produce contains the variety or commercial type. The label shall contain either - an allergen declaration in the list of ingredients, or - a declaration of the content of the product to avoid misleading the end consumer.

### Declaration of nutritional value
- Not applicable for fresh fruit & vegetables.

### End harvest treatment
- Not applicable for open packs.

### Protective atmosphere
- Not applicable for open packs.

### Product dependent information requirements
- For products for which the specific marking standards apply, additional information about Quality Class, Size, Variety or Commercial Type and End harvest treatment has to be declared either on the product or in close proximity (on the shelf) in accordance with the specific UERECE product standard.

### Relevant Regulation (Source)
- The above definitions for processed and unprocessed fruits and vegetables are only applicable for the labeling process. There are other definitions for preprocessed or processed in other regulations. The definition for “processed” regulated in EU 852/2004, EU 1169/2011 defines information requirements for processed products.
- EU 852/2004 art 5.4.8 and 6, EU 1169/2011 art. 9 par. 1 a-A, 11.
- EU 1169/2011 art. 17.
- EU 1169/2011 art. 15, EU 2004/375 (endacha).
- EU 1169/2011 art. 15, EU 2004/375 (endacha).
- EU 1169/2011 art. 8.
- EU 1169/2011 art. 29; appendix II; EU 2004/375 art. 6.
- EU 1169/2011 – pan 24 + appendix X.
- EU 852/2004 and par. 1 definition of processed and unprocessed products EU 1169/2011.
- EU 1169/2011 art. 18 par 1 and 21, EU 1169/2011 Appendix VI art 10 par 1 a and 1.
- EU 1169/2011.
- EU 1169/2011.
- EU 1169/2011.
- EU 1169/2011.
- EU 1169/2011 Annex VI par. C.
- EU 543/2011 annex X.
- EU 543/2011 annex X.
- EU 1169/2011 Annex VII part. C.
- EU 1169/2011 Annex VII part D.
- EU 1243/2007 art. 113/1.
- EU 1169/2011 Annex VI art. 17.
- EU 1169/2011 art. 15.
- EU 1169/2011 art. 15.
- EU 2004/375 art. 111/3.
## Unprocessed - Label requirements for trading package

### Description
- The label on prepared consumer items is visible from the outside of the trading package.
- Trading packaging containing loose commodities may be covered by e.g., paper, cardboard, foil.
- All regulations for consumer items and trading packages apply.

### General
- Labeling of a trading package is not required when it contains labeled consumer units which are visible from the outside.
- Information on the trading package is obliged.
- The commercial name must be indicated in close connection with the reference "Packaged and/or Disposed of" (or equivalent abbreviations).

### Nature of produce - Regulated product name
- Not applicable for open trade packages with clearly visible consumer package labels.
- A common and general name must be used.
- The name describes the nature of the produce.

### Language
- Not applicable for open trade packages with clearly visible consumer package labels.
- 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.

### Minimum Font size
- Not applicable.
- There is no regulation for minimum font sizes on trading packages.

### Country of Origin
- Not applicable for open trade packages with clearly visible consumer package labels.
- The full name of the country of origin must be declared on the label.

### Identification of packer or other relevant parties
- Not applicable for open trade packages with clearly visible consumer package labels.
- The name and address of the packer must be declared.

### Quantity: Not content expressed as count or net weight
- Not applicable for open trade packages with clearly visible consumer package labels.
- The size (quantity) of products for which specific marketing standards apply must be identified in accordance to the standard concerned.

### Best Before Date / Expiry Date
- Not applicable for fresh fruit & vegetables.

### Treatment
- Not applicable for open trade packages with clearly visible consumer package labels.

### Allergenic declaration
- Not applicable for open trade packages with clearly visible consumer package labels.

### Declaration of nutritional value
- Not applicable for open trade packages with clearly visible consumer package labels.

### Additives including acids
- Not applicable for trade packages with unprepared fruit and vegetables.

### Post Harvest Treatment
- Not applicable for open trade packages with clearly visible consumer package labels.

### Protective Atmosphere
- Not applicable for trading packages.

### Product dependent information requirements
- For products for which the specific marketing standards apply, additional information about Quality Class, Country of Origin 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 UNECE product standard.

### Relevant Regulation (Source)
- EU 543/2011 of 17 June 2011 on protection against fraudulent practices and against misleading and comparative advertising practices (package);
- EU 1169/2011 art. 19 par 1 a and e.
- EU 1169/2011 art. 17.
- EU 1169/2011 art. 16.
- EU 1169/2011 (trading units).
- EU 543/2011 annex I and art. 1.
- EU 543/2011 art. 113/1.
- EU 543/2011 art. 6.
- EU 1169/2011 art. 25 + appendix X.
- EU 543/2011 art. 6.
- EU 91/1.
- EU 1169/2011 art. 16 par 1 and 21.
- EU 1169/2011 Appendix VI par 2.15 and 4.
- EU 1169/2011.
- EU 1243/2007  art. 113/1.
- EU 1243/2007 art. 114/1.
- EU 1234/2007 art. 113/1.
- EU 543/2011 (trading units).
- EU 1169/2011 art. 113 par 2-3.
- EU 1169/2011 art. 25 + appendix X.
- EU 543/2011 art. 6.

### Further information
- Legal Requirements for Labels on Fruit & Vegetables
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- EU 543/2011 annex I and art. 1 of UNECE standards.
Prepared or Processed – Consumer items

- Unprocessed fruit and vegetables
  - Entire fruit or €200-10-16 size
  - Peeled, cut and shredded fruit and vegetables
  - Frozen fruit and vegetables

- Processed fruit and vegetables
  - Dried fruit and vegetables
  - Fruit and vegetables in syrups or oils
  - Fruit and vegetable preparations

- Peeled, cut and shredded fruit and vegetables
- Processed potato products
- Products sprayed, coated or otherwise transformed
- Conveyed or bottled products

Prepared or Processed – Trading packages

- Prepared or Processed: Cooked, Dried, Smoked, Transformed incl. addition of additives and mixtures with other foods or substances
- Trading package (case) containing processed consumer item

Additional remarks

- These definitions for processed and unpackaged foods and vegetables are only applicable for the labeling process. There are other definitions of prepared or other purposes in some regulations. The distinction between prepared and processed product is defined in EU 2004/2004. See other Information requirements for processed products.


- EU 1169/2011 (Trading unit).

General

Each consumer item is clearly labelled with a description of the item, net weight and other text before date or expiry date on one line of sight.

- All mandatory information applying to the consumer item must be displayed on the trading unit.
- EU 543/2011 art.5.6.6. item 2.12.11.
- EU 1169/2011 art. 17.
- EU 1285/2013 art. 15., EU 543/2011 (Trading unit).

Nature of produce – General

A common and general name must be used.

- The name describes the nature of the produce.

Language

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 label must be displayed on the trading unit.

Quantitative Information

- Net content expressed as court or net weight.
  - The label has to contain a list of ingredients and quantities in descending order. This list will start with the 30% of the net weight. The list of ingredients includes additives.
  - Voluntary declaration or other allergens such as milk.
  - EU 1169/2011 (art. 26).

Country of Origin

- The full name of the country of origin of the produce must be declared to other otherwise be misleading of the product.
- EU 1169/2011 (art. 26).

Identification of packer or other relevant parties

- Full name and address of the producer or the trade-name and address of the packer or the person responsible for the product.
  - The full name and address of the producer or the trade-name and address of the packer or the person responsible for the product must be made in such a way that it cannot be confused with the name of the product.
  - EU 1169/2011.

Quantity: Not content expressed as court or net weight

- All the information on a consumer item is not visible on the label.
- EU 543/2011 art.5.6.

Best Before Date / Expiry Date

- A best before date is required on all processed products.
- EU 543/2011 art.5.6.6.

Lot number

- A production party identification or lot number is mandatory on the consumer package.
- EU 91/2011

List of Ingredients

- A list of all ingredients is mandatory on the consumer package.
- EU 1169/2011 art. 18 –par 1 and 21, EU 1169/2011 Appendix VI art. 1 par 4 and 6.

Additives including declaration

- Voluntary declaration or other allergens such as milk.
- EU 1169/2011 (art. 26).

Nutritional value

- Voluntary declaration or other allergens such as milk.
- EU 1169/2011 (art. 26).

Additives including declaration

- Voluntary declaration or other allergens such as milk.
- EU 1169/2011 (art. 26).

Pesticides and Natural Contaminants

- Voluntary declaration or other allergens such as milk.
- EU 1169/2011 (art. 26).

Pesticides and Natural Contaminants

- Voluntary declaration or other allergens such as milk.
- EU 1169/2011.

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Prepared or Processed - Label requirements - Trade Items and Packages
Additional Information

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

GS1 Member Organisations in Europe
http://www.gs1.eu/?europa/ian

GS1 Global Office
www.gs1.org

UNECE Standards for Fresh Fruits 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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