

IMPORTED CONFECTIONERY LABELLING PROJECT

The issue

The Australia New Zealand Food Standards Code (the Code), contains labelling requirements and permissions for food additives that can be added to certain foods or categories of food.

The labelling standards under the Code apply to foods that are domestically produced as well as imported foods. Complaint data, food recalls and intelligence from industry indicated some concern about the labelling and compositional compliance of imported confectionery with the requirements of the Code.

Importers selling food that does not meet the Code may be seen to benefit by competitive advantage where costs associated with labelling are not incurred by the importer compared with domestic manufacturers. There was also concern that imported food without allergen declarations presented a risk to public safety.

What we did

Between July and November 2015, the Food Authority conducted a project that identified NSW based importers of confectionery products for inspection.

In order to maximise the effectiveness of the project, the Food Authority was able to refine the list of businesses and confectionery products for inclusion in the project by liaising with industry to understand their concern.

This intelligence was then used in conjunction with the Food Authority's complaint records and compliance history of food businesses importing confectionery.

The focus of the project was to ensure that each importer had in place a system to adequately label their imported confectionery products to comply with the labelling and compositional requirements of the Code.

What we found

In total, 26 inspections were conducted. Each inspection:

- assessed the product for labelling requirements
- ensured that business systems were in place to correctly label imported food, and
- considered any system or procedure employed by the business.

While overall compliance levels sat at 94%, a range of breaches were identified. The main areas of concern being:

- a lack of name and address of the business
- nutrition information panels (NIP's) being provided in an



incorrect format, and

- food additives not being declared in the required format.

At the completion of the project:

- 50% had sufficient compliance and business systems in place to warrant no further action
- 35% had received written warnings, and
- 15% had some form of enforcement action pending.

The project identified that 45% of businesses employed a third party or dedicated employee to ensure the labelling of products and when this was the case, compliance at these businesses was generally high.

Some businesses relied on the Commonwealth Department of Agriculture and Water Resources (DoAWR), at quarantine inspection, to inform them of labelling breaches and some businesses made enquiries on the labelling for new products only.

The outcome

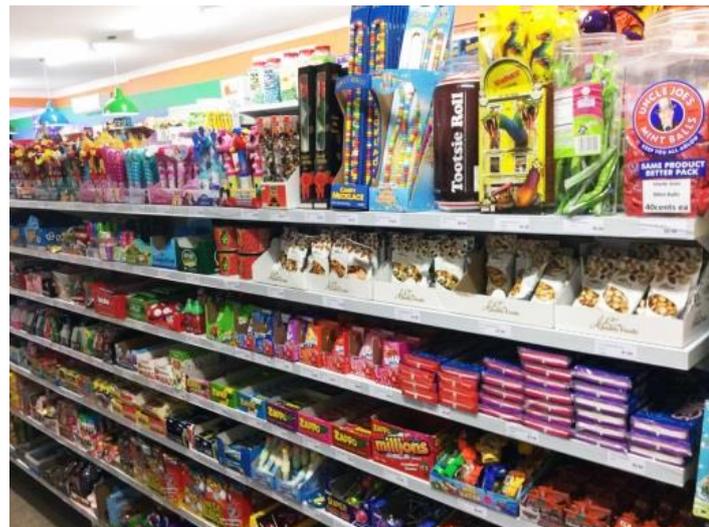
This survey identified that the majority of business importing confectionery were compliant and where noncompliance was identified, it was minor in nature.

Systematic noncompliance was limited to a small number of individuals and this survey has enabled the Food Authority to better understand where they need to focus their inspection efforts.

All food businesses who received a written warning were re-inspected to verify breaches had been adequately addressed for compliance.

Next steps

The Food Authority recognises that effective compliance monitoring involves strong partnership with the DoAWR to address noncompliance of imported foods. As such, the Food Authority has established a process for information exchange with DoAWR to better address labelling compliance at the border and will continue to work closely with them to manage compliance of all imported foods.



Department of
Primary Industries

6 Avenue of the Americas, Newington NSW 2127
PO Box 6682, Silverwater NSW 1811
T 1300 552 406
contact@foodauthority.nsw.gov.au
ABN 47 080 404 416

More resources at foodauthority.nsw.gov.au



nswfoodauthority



nswfoodauth