

BExG

Food Standards
&
Labelling

**Background and guidelines
for the use of ‘peel and read’
(peelable) labels
on foods, including food
supplements**

**Office for Product Safety and Standards
Business Expert (Food Standards & Labelling) Group
December 2018**

Background and guidelines for the use of ‘peel and read’ (peelable) labels on foods, including food supplements

1. Introduction

The following paper has been prepared owing to several queries arising over the use of ‘peel and read’ (peelable) labels on certain food packages, including small cheeses, food supplements etc. The use of peelable labels must always be considered on a case-by-case basis for the product or range of products, taking the product size, composition and extent of mandatory information into consideration.

Wherever possible, food business operators are encouraged to provide mandatory food information appearing directly on the package, thereby limiting peelable labels to instances where the amount of food information required for the product presents a challenge to the package size. Peelable labels should always be considered to be the ‘last resort’ option for labelling, i.e. for when standard labelling at the minimum font size for mandatory information has been shown to be practically impossible. Peelable labels should not be a regular ‘go to’ for small package sizes.

The aim of this paper is to provide some guidance to both enforcement and industry on the points to consider when determining whether the use of a peelable label is reasonable. In such cases where the use of a peelable label is reasonable, guidance is provided on the points to consider to ensure that consumer expectations and requirements are met.

The guidelines cannot be taken as prescriptive instructions, applicable to all products. As stated above, each case for the use of a peelable label must be considered on its own, looking at the guidelines, relevant consumer behaviour and allowing for future innovations in packaging and label designs.

The general guidelines are summarised in Section 6.

2. Legal background

Regulation (EU) No. 1169/2011 as amended on food information to consumers (FIC Regulation)ⁱ requires that any food intended for supply to the final consumer or to mass caterers shall be accompanied by food information in accordance with the FIC Regulation. The information provided to consumers must be accurate, clear and easy to understand for the consumer. In particular, certain mandatory food information must be available and easily accessible for all foods. According to the FIC Regulation, mandatory information comprises the followingⁱⁱ:

- a. the name of the food;
- b. the list of ingredients;
- c. any ingredient or processing aid listed in Annex II or derived from a substance or product listed in Annex II causing allergies or intolerances used in the manufacture or preparation of a food and still present in the finished product, even if in an altered form (such ingredients must be highlighted in the Ingredients list);

ⁱ UK: Food Information Regulations 2014 as amended

ⁱⁱ Article 9 of Regulation 1169/2011

- d. the quantity of certain ingredients or categories of ingredients;
- e. the net quantity of the food;
- f. the date of minimum durability or the 'use by' date;
- g. any special storage conditions and/or conditions of use;
- h. the name or business name and address of the food business operator in the EU;
- i. the country of origin or place of provenance, where failure to indicate this might mislead the consumer as to the true country of origin or place of provenance of the food;
- j. instructions for use where it would be difficult to make appropriate use of the food in the absence of such instructions;
- k. with respect to beverages containing more than 1,2 % by volume of alcohol, the actual alcoholic strength by volume;
- l. a nutrition declaration*.

* A nutrition declaration, as set out by the FIC Regulation, does not apply to food supplements. However, under Directive 2002/46/EC as amended on food supplementsⁱⁱⁱ, the labelling on such products must state the quantitative amount of the nutrients or substances with a nutritional or physiological effect present in the product per daily intake of the product.

Where relevant, mandatory information also includes the additional particulars set out in Annex III of the FIC Regulation^{iv}.

In the case of prepacked food, mandatory food information must appear directly on the package or on a label attached thereto. Mandatory food information must be marked in a conspicuous place in such a way as to be easily visible, clearly legible and, where appropriate, indelible. It must not in any way be hidden, obscured, detracted from or interrupted by any other written or pictorial matter or any other intervening material^v.

When appearing on the package or on the label attached thereto, the mandatory particulars listed above must be printed on the package or on the label in such a way as to ensure clear legibility, in characters using a font size where the x-height, as defined in Annex IV of the FIC Regulation, is equal to or greater than 1.2 mm. In the case of packaging or containers the largest surface of which has an area of less than 80 cm², the x-height of the font size must be equal to or greater than 0.9 mm^{iv}.

The FIC Regulation also requires that voluntary food information must not be displayed to the detriment of the space available for mandatory food information^{vi}.

3. Status of peelable labels under the FIC Regulation

The FIC Regulation appears clear in its requirements for the labelling of mandatory information, and these requirements can be readily applied to the packaging/labelling of the majority of foods. However, no allowance is made in the FIC Regulation for specific

ⁱⁱⁱ [UK: The Supplements \(England\) Regulations 2003 \(and equivalent for the other three nations\)](#)

^{iv} Article 10 of Regulation 1169/2011

^v Article 12 of Regulation 1169/2011

^{vi} Article 37 of Regulation 1169/2011

cases where, owing to the product type and composition, the mandatory information required is lengthy and cannot be incorporated on the outside of the package. An increase in package size in most cases is not an option, as the product would then be at risk of contravening other laws, such as Directive 94/62/EC as amended on packaging and packaging waste^{vii}. The UK Packaging (Essential Requirements) Regulations 2015 place packaging minimisation obligations on businesses.

In simple terms, the primary reasons why a food business operator may decide they have no option but to use a peelable label are as follows:

- Small container size;
- Legal obligations to minimise packaging;
- Requirement to comply with the minimum font size;
- Extent of mandatory information required on pack, particularly in cases where there are a large number of ingredients and lengthy nutritional information;
- The need to provide consumers with information in a logical and consistent manner across a range to allow ease of reading; and
- The consumer age group purchasing the product*.

* For example, data from Boots UK Ltd has shown that the majority of food supplements in the UK are purchased by consumers between the ages of 36 and 55. The Food and You Waves 1-4 Briefing Paper 3 of October 2017, prepared for the UK Food Standards Agency by NatCen, states that in Northern Ireland, 28% of people surveyed said that they find the size of the print on food labels hard to read, even when wearing glasses or contact lenses. 23% of 35-55 year olds and 47% of people aged over 55 found the labelling on food products either quite or very difficult to read, likely due to deterioration of eyesight with age.^{viii}

As this age group is likely to have gradually deteriorating eyesight, there is a preference by many food business operators to provide the key information sought by consumers (see Section 4) in a font size that is greater than the minimum laid down by the FIC Regulation.

Unlike food law, cosmetic law has given consideration to cases of need where the information required on the label is too extensive to fit on a standard 'single view' label, and the law specifically permits the use of peelable labels. Regulation (EC) No. 1223/2009 as amended^{ix} on cosmetic products states that:

“Where it is impossible for practical reasons to label the information mentioned in points (d) [precautions in use] and (g) [ingredients list] of paragraph 1 as provided, the following applies: the information shall be mentioned on an enclosed or attached leaflet, label, tape, tag or card”.

This is clearly stating that, in cases where the packaging is too small to include all the information, the use of peelable labels is acceptable for containing the ingredients list and precautions in use (a specific requirement for cosmetic products).

This same consideration has not been specifically included under food law. However, its exclusion should not be taken as a deliberate omission, but rather as a lack of

^{vii} UK: Producer Responsibility Obligations (Packaging Waste) Regulations 2007 as amended

^{viii} Engagement with labelling: informing the Calorie Wise scheme. Food and You Waves 1-4 Briefing paper 3 November 2017

^{ix} UK: Cosmetic Products Enforcement Regulations 2013 as amended

understanding of the wide range of product types and situations that occur within the food and beverage sectors. In fact, Article 12.2 of the FIC Regulation provides that in the case of pre-packed food, “mandatory food information shall appear directly on the package or on a label attached thereto”. Label is defined in Article 2.1.i as “any tag, brand, mark, pictorial or other descriptive matter, written, printed, stencilled, marked, embossed or impressed on, or attached to the packaging or container of food”. As a form of tag, peelable labels could be an acceptable form of label attached to the package. This view is reflected in point 2.2.1 in the European Commission’s Q&A of June 2018^x, which states the following:

“Labels must not be easily removable so as to jeopardise the availability or the accessibility of the mandatory food information to the consumer.

In the case of peel-off labels attached on the package, a case-by-case assessment must be carried out to assess whether the general requirements on the availability, accessibility and placement of the mandatory information are fulfilled.

Any types of labels that are considered to satisfy the abovementioned criteria may be used.”

Peelable labels are also used on some medicinal products. There may not be explicit legal consideration given to peelable labels on medicines, but the Medicines and Healthcare Products Regulatory Agency’s (MHRA) 2015 Best practice guidance on the labelling and packaging of medicines^{xi} makes many references to ‘innovative packaging’, especially for smaller products, and there are some MHRA approved packs that have peelable labels. Although some of these products are utilising the inner label to provide the mandatory Patient Information Leaflet, other products are providing information on the inner label that would generally be expected to be on the outer label. As the MHRA have approved these packs, there is a strong implication that it is an endorsed practice.

Owing to the use of peelable labels on both cosmetic and medicinal products, it is clear that this type of format is not unfamiliar to the consumer.

Another point to be considered is the use of directional labelling on peelable labels. There is precedent in the UK and rest of the EU for the use of directional labelling on products, as follows.

Before the FIC Regulation came into force, there was a legal requirement for the date of minimum durability to be in the same field of vision as the name of the food and the net quantity^{xii}. In order to satisfy that requirement, but also enable the physical stamping of labelled products with the date of minimum durability, it was accepted that the statement ‘For Best Before [End] see [*location on pack*]’, when placed in the same field of vision as the name of the food and the net quantity, met the legal requirements under the labelling law.

That acceptance of directional labelling can be extrapolated to the use of peelable labels, whereby a statement on the label instructs the consumer to look inside for further product information.

^x [Commission notice on questions and answers on the application of Regulation \(EU\) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers. 2018/C 196/01.](#)

^{xi} https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/474366/Best_practice_guidance_labelling_and_packaging_of_medicines.pdf

^{xii} Article 13(3) of Directive 2000/13/EC as amended / UK: Regulation 39 of The Food Labelling Regulations 1996

The consumer is entitled to make his/her purchase in an informed manner and therefore the peelable labels must be durable in the retail setting to being peeled and restored to their 'unpeeled' state by multiple consumers, until the product is sold.

4. Consumer needs

The key issue, from a consumer point of view, is whether the information they require can be easily found and read at point of purchase. This requires an understanding not only of the information required on the label, but also of consumer purchasing habits, the types of consumers purchasing the products, and what the consumers primarily look for on the label at point of purchase.

Consumers of food supplements are likely to prioritise different information to consumers of other foodstuffs.

Preliminary indications of consumer behaviour when purchasing food supplements are that consumers look for information in a certain order of priority^{xiii}, as follows:

- a. What is it?
- b. Does it do what I need it to do?
- c. How much of what I want is in it?
- d. How do I take it?
- e. How many days does it cover?
- f. How large is each tablet/capsule?

Research undertaken in Northern Ireland on behalf of the UK Food Standards Agency^{xiv} showed that, for other food types, the order of priority of viewing was:

- a. What is it?
- b. What is the expiry date?
- c. What is the nutrition information?*
- d. How do I prepare it?
- e. Does it contain an allergen / what are the ingredients?***

* This point may be lower down the priority list if the consumer is less health conscious.

** Allergen information was the top priority for those with an allergy or serious food intolerance, as this necessitated very careful scrutiny of ingredients. For those with mild intolerances or no allergies, this information was redundant unless cooking for a specific person with allergies.

Article 16.2 of the FIC Regulation, by stating "In the case of packaging or containers the largest surface of which has an area of less than 10 cm² only the particulars listed in points (a), (c), (e) and (f) of Article 9(1) shall be mandatory on the package or on the label. The particulars referred to in point (b) of Article 9(1) shall be provided through other means or shall be made available at the request of the consumer" appears to prioritise the following information where space is limited:

- a. the name of the food;

^{xiii} Work is being initiated to confirm these preliminary indications

^{xiv} Food Standards Agency - Understanding NI Consumer Needs Around Food Labelling. TNS BMRB Research, July 2016

- b. allergen declaration;
- c. the net quantity of the food;
- d. the date of minimum durability or the 'use by' date;

This is instructive, as the priorities appear to be: what is the food (in the case of food supplements, the characterising nutrient or other substance); in what quantity; and how can it be safely used (allergens and durability and, in the case of food supplements, any warnings).

From both the consumer and food business operator's point of view, there is also a need for brand identity and consistency of labelling across ranges of that brand. In other words, the consumer wants to be able to clearly view the brand they are seeking, be able to recognise that brand across the multiple shelves of food products and know where to look for information on those branded products.

Having a standard, recognisable front of pack enables the consumer to clearly see that brand they want and determine what is in it. This helps consumers navigate what can be a bewildering array of food on a retailer's shelf, which is particularly the case for food supplements.

This recognition of the need for consistency across a range to aid consumers in identifying and selecting products is highlighted in the MHRA's Best practice guidance on the labelling and packaging of medicines, where it is stated under point 4.4:

"In considering the acceptability of a particular pack design it will be necessary to consider the relative distinguishing features compared to other packs in a range (a range may mean all packs bearing a corporate livery or a group of packs carrying the same design theme). The primary aim of innovative design of packaging is to aid in the identification and selection of the medicine."

Although this guidance is applicable to medicines, the same concept applies to other sectors, including foods.

The need for clear, easy to view front of packs can be demonstrated in figure 1, where the orientation of food supplement containers can totally, or partially, obscure the brand and content.

5. Practical application of consumer needs and legal requirements

Taking a food supplement product as an example, the consumer indications mentioned in section (4) equate to the need for the following information to be clearly accessible for the consumer:

- a. The primary active ingredients in the food supplement, e.g. “Multivitamin food supplement”.
- b. A brief explanation of what it does, e.g. “A combination of vitamins to support general wellbeing, including vitamins B1, B2 and B6 for energy release from food”
- c. Nutritional information, e.g. the list of all the vitamins contained in the product, with the quantitative amount of each and the percentage Nutrient Reference Intake per daily dose.
- d. Directions for use, e.g. “Swallow one tablet a day with plenty of liquid”.
- e. Quantity marking, e.g. “60 tablets”
- f. An illustration of the tablet/capsule size, if the contents are not easily visible to the consumer.

In addition there is a legal requirement for the following information to be included on the label:

- a. The other mandatory information required under the FIC Regulation (see Section 2);
- b. Statements required under the food supplements Directive 2002/46/EC as amended^{xv};
- c. Warning and/or advisory statements, depending upon the food supplement composition;
- d. Any statements required under additional legislation, such as Regulation (EC) No. 1924/2006 on nutrition and health claims^{xvi};
- e. Lot number^{xvii}.

According to point 2.6.3 of the European Commission’s Q&A document dated January 2013, “‘mandatory food information’ covers all particulars that are required to be provided to the final consumer by Union provisions”. Therefore, points (b) to (e) above must also be presented on the label at the minimum font size.

A bar code is additionally required for logistical purposes.

Food supplement products often have an extensive nutritional information table and a lengthy ingredients list, particularly those with multiple active ingredients. If the product contains vitamin A^{xviii} or iron^{xix}, certain advisory statements are also required, in addition to

^{xv} UK: The Food Supplements (England) Regulations 2003 as amended (and equivalent Regulations in the other three nations).

^{xvi} UK: Nutrition and Health Claims (England) Regulations 2007 as amended (and equivalent Regulations in the other three nations).

^{xvii} Directive 2011/91/EU / UK: The Food (Lot Marking) Regulations 1996 as amended

^{xviii} For products containing > 800µg of preformed vitamin A (as retinol, not beta-carotene), the following statement must be included: ‘This product contains vitamin A. Do not take if you are pregnant or likely to become pregnant except on the advice of a doctor or antenatal clinic.’

^{xix} Products providing a cumulative total of more than 200mg iron per container include a label statement to the effect that ‘This product contains iron which, if taken to excess, may be harmful to very young children. Keep out of sight and reach of children’.

the standard mandatory information. Other advisory statements may be applicable based on the manufacturer's risk assessment.

All this data is difficult to fit in a legible manner, even at the minimum font size, on the outside of the label of the smaller containers. The smallest container that is generally used for food supplements can hold 30-120 tablets or capsules, depending upon the individual tablet/capsules size, but may be less than 8cm high and 15cm in diameter.

Although in some cases the smaller container size may theoretically be able to use the font size of 0.9mm permitted on packaging or containers the largest surface of which has an area of less than 80 cm² (section 2), this still does not always enable the full amount of mandatory information to be displayed on a single outer label. In addition, the smaller font size is not considered by many food business operators to be consumer friendly, particularly given the known age range of the majority of consumers who purchase food supplements (section 3).

In order to provide all the information to the consumer, with a font size and layout that is clear, logical, easy to read and consistent across the range, a peelable label often has to be considered.

6. General guidelines for use of a peelable label

The following guidelines have been developed based on the points considered above.

These guidelines must not be taken as prescriptive instructions, as every product has to be considered on a case-by-case basis, taking into consideration the ease and logical placement of mandatory and other helpful information for the consumer, plus any restrictions created by the shape and size of the peelable label (this is especially the case for certain foods other than food supplements).

- i. The labels used must be easy for the consumer to peel back when standing at a retail shelf, and must also be provided in a durable format so that the legibility and availability of the information is not compromised if the consumer decides not to purchase the product.
- ii. The outer label should clearly indicate where additional mandatory information can be found, and the directions to peel back to read the information inside should be clear and obvious to the consumer. Some current examples from a selection of food products are given in figure 2.
- iii. (a) If the peelable label is used on a food supplement small cylindrical container, the front of the container should contain the description of what the product contains and the information necessary for brand and product identity. It should ideally also contain the legal name (“food supplement”) and the net quantity, otherwise these should be clearly indicated elsewhere on the outer label, ensuring they meet the field of vision requirements.
(b) If the peelable label is used on the front or top surface of a small food package (e.g. a small cheese), the outer label should contain the legal name and net quantity in addition to the information necessary for brand and product identity.
(c) If the peelable label is used on a small alcohol-containing product, the outer label should contain the legal name, net quantity and ABV, in addition to the information necessary for brand and product identity.
- iv. Where relevant, the explanation of what the product does should be as brief as is feasibly possible. Any lengthy marketing text should be placed inside the label.
- v. (a) For most foods, the nutritional information and any warnings or advisory statements should be on the outside label. However, each food product must be considered on an individual basis, particularly where warning or advisory statements are concerned, and the food type could influence the acceptability of placement of these indications and the nutritional information on the inner label. If the nutritional information has to be placed inside the label, the recommendation is for the nutritional information and any warnings or advisory statements to be the first in view when the label is peeled back (e.g. figure 3).
(b) For food supplements, in cases where the nutrition information panel is too lengthy to feasibly fit on the outer label, the recommendation is for the nutrition information and any warnings or advisory statements to be the first in view when the label is peeled back.

- vi. (a) For most foods, the ingredients list should be on the outside label, as this is where the consumer is prompted to check for allergens (e.g. figure 3). Each food product must be considered on an individual basis and the product type could influence the acceptability of placement of an allergen-containing ingredients list on the inner label.
(b) For food supplements, the ingredients list is generally acceptable inside the label, if there is no possibility of it fitting on the outer label, unless the product contains one of the recognised 14 allergens for which there is a mandatory requirement for highlighting in the ingredients list.
(c) For both (a) and (b) above, if it is absolutely impossible to fit an allergen-containing ingredients list on the outer label, the food business operator must clearly indicate via the directional statement that allergen information can be found inside (e.g. image (b) in figure 2).
- vii. The directions for use should ideally be on the outer label.
- viii. The bar code, date of expiration and lot number must be on the outer label for logistical reasons.
- ix. Where possible, the contact details of the food business operator should be on the outer label.
- x. Where possible, the storage conditions should be on the outer label.
- xi. Voluntary statements such as those relating to the absence of certain ingredients (e.g. “no artificial colours”), claiming suitability for certain consumers (e.g. vegetarians, religious groups), recycling or other logos, should not be placed on the outer label if it is to the detriment of a mandatory statement. Placement of such statements on the outer label may be acceptable in situations where there is insufficient space to fit a large piece of mandatory information (e.g. ingredients list, nutritional information), but the space is just large enough to fit a voluntary statement.
- xii. In all cases, consideration has to be given to consistency on placement of text across a range, thus ensuring the consumer knows where to look for the relevant pieces of information.

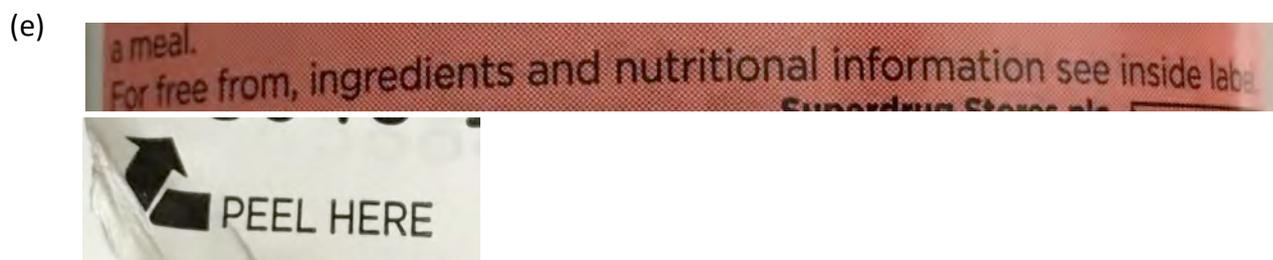
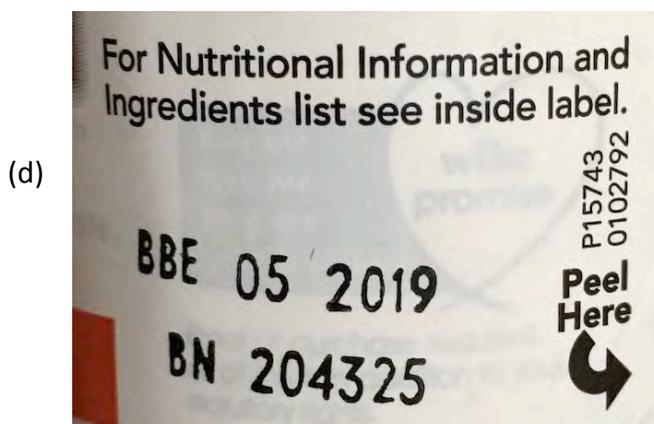
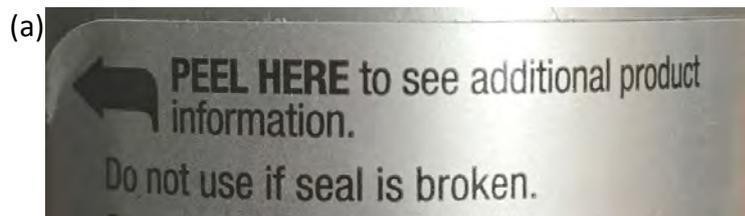
NOTE

The points above are not designed to be prescriptive, but simply to offer guidance on the recommended placement of certain information.

In all situations where a peelable label is selected, food business operators should be able to provide justification for their decisions behind the placement of each piece of mandatory information.

Excess voluntary text should not be placed on the outer label if the space could feasibly be used for mandatory text.

Figure 2: Examples of directional statements on existing peelable labels



58mm

24mm coding area

Face 1

2mm Radius
Corners

INGREDIENTS: Mature Cheddar Cheese (41%), Pickle Dip (33%) [Vegetables in variable proportions (Carrot, Onion, Swede, Cauliflower, Marrow, Gherkin), Sugar, Barley Malt Vinegar, Spirit Vinegar, Tomato Paste, Date Paste (Dates, Rice Flour), Apple Pulp (Apple, Preservative: Sodium Metabisulphite), Salt, Modified Maize Starch, Colour: Sulphite Ammonia Caramel, Spices, Lemon Juice from Concentrate, Onion Powder, Flavouring], Cream Crackers (26%) [Flour (Wheat Flour, Calcium, Iron, Niacin, Thiamin), Palm Oil, Salt, Raising Agent: Sodium Bicarbonate, Yeast].

PACKAGED IN A PROTECTIVE ATMOSPHERE. Consume within 24 hours of opening. KEEP REFRIGERATED **BELOW 5°C**.

NUTRITION SEE INSIDE.

BEST BEFORE:

Freepost **2D** 080530 **open here**

58mm

8mm coding area

5mm Hinge

Face 2
(Adhesive Print)

NUTRITION INFORMATION: Combined Cheddar, Crackers & Pickle

	Typical values per 100g	Per 122g serving
Energy	1405kJ / 336kcal	1714kJ / 410kcal
Fat	18.1g	22.1g
of which saturates	10.7g	13.1g
Carbohydrate	29.3g	35.7g
of which sugars	9.9g	12.1g
Protein	13.2g	16.1g
Salt	2.4g	2.9g
Calcium	303mg (38% RI)	370mg (46% RI)

RI = Reference Intake

Cheddar is made in Great Britain using British milk

 Careline
www. .co.uk

is a registered trademark of Mizkan Euro Limited and used under licence. and the logo are registered trademarks of The and are used under licence

Face 3

Try our other wholesome snacks for a delicious and nutritious boost.

