

## LABELS NEED TO TELL THE TRUTH

For manufacturers and retailers, labelling laws are an important part of your business as they specify the type of information that must be included on the label of a product. The requirements vary depending upon the type of product such as a food product or clothing item.

### Food products

The Food Standards Code is the main guide to be considered in regards to labelling and requirements for food. In general, the label on a food product for retail sale must include the following:

- It must describe the food product, be in English and any warning statements must be no less than 3mm high;
- It must contain a name and business address either in Australia or New Zealand of the producer, manufacturer or importer;
- It must list the ingredients and any additives from largest to smallest weight and the label must contain a nutritional information panel;
- If the food product has a life of less than 2 years, it must have a best before date;
- It must contain a statement which indicates where the food was made or produced using gene technology;

Declarations advising consumers of certain substances present in food that can cause reactions are mandatory.

There are some exemptions to displaying label information but the exemptions do not negate the necessity to include a mandatory warning, advisory statement and other declarations which must always be included.

### Clothing and other packaged (non-food) items

Most of the labelling requirements in respect of clothing and other non-food items are provided for in the Trades Practices Act.

Some examples are care labels which informs consumers of how to best care for the clothing item and how to prevent damage from improper care.

Other products such as cosmetics and toiletries require very specific ingredient labelling particularly with respect to ingredients which may cause allergic or adverse reactions. The names of the ingredients need to be listed in English and if there are any colouring, flavours or fragrances added, these must also be itemised.

### Summary

Penalties for non compliance by corporations to properly adhere to the labelling laws may result of fines of up to \$200,000.

Corporations will need to work through the labelling requirements taking into account the size of their products and the labelling requirements or each product, so that the product is still considered marketable and attractive to consumers when displayed.

*If you would like any further information on this topic, please contact Ilona Teremi, Partner on 9230 6503 or [ilona.teremi@kreissonlegal.com.au](mailto:ilona.teremi@kreissonlegal.com.au)*

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