

DECISION

No. 604, date 17.11.2000

Concerning the labelling of the alimentary products

Based on the article 100 of the Constitution and the articles 17, 18 and 41, of the law no.7941, date 31.5.1995, "On food", with the proposal of the minister of Food and Agriculture, the Council of Ministers

H A S D E C I D E D:

1. The approval of the regulation "Concerning the labelling of the alimentary products", which shall be attached to this decision.
2. The Directorate of Food Quality and Food Inspection, in the Ministry of Food and Agriculture, shall approve and control the label and the labelling form for the alimentary products which are produced and commercialised within the Albanian territory in accordance with the requirements of the regulation "Concerning the labelling of the alimentary products".
3. The Ministry of Food and Agriculture is in charge regarding the implementation of this decision.

This decision enters into power after the publication of the Official Bulletin.

PRIME MINISTER
Ilir Meta

REGULATION
CONCERNING THE LABELLING OF THE ALIMENTARY PRODUCTS

1. The field of operation

This regulation establishes the labelling rules for all the packaged alimentary products, which are offered to the consumers in this form for individual and collective use.

2. Definition

In the meaning of this regulation, the following terms have these meanings:

- As "Declaring" – shall be considered the presentation that introduces, suggests or lets to be understood the fact that an alimentary product has particular characteristics related to its origin, nutrition values, nature, processing, composition or other characteristics.
- As "Consumers" – shall be considered the persons and families that purchase and receive aliments to fulfil their personal needs.
- As "Packaging" – shall be considered every packaging material that will serve for wrapping the alimentary products and will cover these products completely or partially. It protects the alimentary products from the contamination, infections and from the influences that reduce its quality and nutrition value and makes it adequate for transportation, trade and usage. The packaging may contain one or some packaging types in the moment it is offered to the consumer.
- As "Production date" – shall be considered the date when the product is ready in accordance with its description.
- As "Packaging date" – shall be considered the date when the product has been placed on the packaging to be used when the product is sold.
- As "The last selling date" – shall be considered the last date when the product has been offered to the consumer. After this date, the alimentary product may stay in storage for a reasonable time, in the consumers' house.
- "The date of the minimal resistance" or "Best to be consumed before ..." – shall be understood as the last date of use for the alimentary product under the given storage conditions (if there are displayed in the label), during which the product reserves all the qualitative values and stays completely marketable. Sometimes, the product may be valid even after this date.
- "The last date of use" (the last date recommended for the consumption) – shall be understood as the expiration date, after which the product will not have the characteristics with which the consumer has the right to accept it. After this date, the product shall not be considered marketable.
- As "Alimentary products" or "Food stuff" – shall be considered all the processed, partially processed or unprocessed materials intended for human consumption. In this term shall be included the drinks, chewing gums and all the materials used for the production, preparation or processing of the food stuff, by excluding the cosmetics, the tobacco or the materials used only as medicaments.

· As "Alimentary additives" – shall be considered every material with or without alimentary values which is not normally used as an aliment in itself and generally, cannot be used as characteristic component of a product. Its inclusion in the alimentary product is done for technological or organic-sensitive purposes, during the process of production, processing, preparation, treating, filling, packaging, transportation or storage of this product. The additive participates directly or indirectly in the alimentary product or its sub-product by becoming its component and by influencing in the characteristics of the food stuff.

In this group, there are not included the contaminants or the substances added to the alimentary product in order to maintain or improve the nutrition values.

· As "Ingredient" (component) – shall be considered every substance including even the alimentary additives used for the production or the preparation of an alimentary product and that are present in the finished product, although sometimes in a modified (transformed) form.

· As "Label" – shall be considered every marking, indexing, picture or other material sketched, written, stamped, sampled, graven or placed in the packaging of aliments or attached to it.

· As "Labelling" - shall be considered every written or stamped text or every graphic presentation that appears in the label, accompanies the product or is placed near the product in order to stimulate the sales.

· As "Party of goods" or "Lot" – shall be considered a quantity of an alimentary product produced in the same conditions.

· As "Pre-packaging" – shall be considered the anticipatory placement of an alimentary product in a packaging in order to be offered to the consumer for personal or collective use.

· As "Technological auxiliary" – shall be considered a material or substance which is not used as alimentary ingredient during the processing of the raw materials, the alimentary products or their ingredients. This material fulfils a given technological function during the treatment or processing and may cause the unwanted and the unpreventable presence of the remains or their derivates in the finished product. On the above meaning shall be excluded all the work equipment and tools.

· As "Food intended for collective use" – shall be considered the alimentary products used in restaurants, cafeterias, schools, hospitals and other similar institutions where the food is offered for immediate consumption.

3. General Principles

3.1. The label placed on the packaged merchandise should not portray the merchandise in a wrong, untrue way and should not create wrong impression about its real nature.

3.2. The packaged merchandise should not be described or presented in the label with words, pictures or every other method that creates illusions directly or indirectly to another product with which it can be confounded or with a method that lets the buyer or the consumer believe that the product is similar to the other one.

3.3. The labelling and the methods used shall not present the alimentary product with particular features which attribute to the product preventing or curing characteristics for some diseases or when they refer to additional attributed not possessed by the product. This regulation excludes the mineral and natural waters.

4. The obligatory requirements concerning labelling of the alimentary products

The following data shall be reflected in the label of every alimentary product packaged, excluding the cases when a specific regulation is in force.

4.1. The name of the product

4.1.1. The name of the product shall demonstrate the real nature of the product, it shall be specific no general.

- a) When a standard or a technical regulation establishes one or some names for an aliment, at least one of them shall be used in the label.
- b) In all the other cases, the shortened name (given) from the legislation into power shall be used.
- c) If such a name does not exist, a usual name, a most used name or an appropriate descriptive term shall be used, in such a way that it can not be misunderstood from the consumers.
- d) No commercial name, production of fantasies shall be used if it is not accompanied with the label in accordance with the articles 4.1.1.1. to 4.1.1.3. of this regulation.

4.1.2. The label shall contain next to the name of the product or attached to it the word or the word group that informs the consumer correctly about the nature and the real status of the product, the ways of presentation, the type of the processing performed, for example dehydrated, concentrated, restructured, smoked, etc.

4.2. The list of the ingredients (components)

4.2.1. Excluding the alimentary products that contain only one ingredient, the label shall contain a complete list of them.

- a) The list of the contents shall be attached or shall follow the term “ingredients” (components).
- b) All the ingredients shall be listed based on the descending order of their initial weight (m/m) during the time of the product fabrication.
- c) When an ingredient (component) is a product of two or more ingredients, this last shall be declared in the list of the ingredients following the list, in brackets or quotation marks, in the descending order based on their weight.

For a composed ingredient which is included in the legislation into power and constitutes less than 25% of the product, it is not necessary to declare its composing ingredients if it is not used as alimentary additive.

d) The water used shall be declared in the list of ingredients, excluding the case when it participates in the ingredient in forms such as brine, syrup, broad, etc. which enters the composition of a food and shall be declared as such in the list of ingredients. The water or

other fluoride components that vaporise during the processing process are not necessary to be declared.

e) For the concentrated or dehydrated alimentary products intended to be reformed from the dissolution in water, the ingredients shall be listed in base of the proportion in the reformed product. In this case, the list of the ingredients shall be completed with such an expression "Ingredients of the reformed product" or "ingredients of the finished product".

4.2.2. For every ingredient presented in the list, it shall be used a specific name based on the dispositions of paragraph 4.1. (Name of the product) of this regulation, excluding the following cases:

a) The names of the categories presented in Annex 1 of this regulation shall be used for ingredients that belong to big groups.

b) In any case, the fat of the pigs, the lard and the fat of the bovines shall be declared with their specific name.

c) For some alimentary additives within the functional classes (given in annex 2 of this regulation), which are allowed to be used for food, by the respective laws and by-laws, the name of the below specified class shall be placed next to the specific name or number that identify the acknowledgement.

d) For the alimentary additives that participate in the list created (based on the annex 2 of this regulation), the titles of the functional classes below can be used, such as:

- Aroma and flavour
- Modified amidone(s).

The term "aroma" can be specified with an accompanying term "natural", "identical with the natural substance", "artificial" or a combination of these terms according to the situation.

4.2.3. The technological auxiliaries and the carriage of the alimentary additives:

a) Every alimentary additive carried in the food in substantial quantities or sufficient to perform a technological function, as a result of using raw material or other ingredients where the additives have been used, shall be declared in the list of the ingredients.

b) The alimentary additives carried in the food in levels less than the levels established for performing the technological function do not need to be declared in the list of ingredients.

4.3. The net content and the dry weight:

a) The net content shall be declared according to the metric system (the international unit system).

b) The net content shall be declared in the following methods:

- for the liquid food, in volume;
- for the solid food, in weight;
- for the food in the state of half solid or viscous, in weight or volume.

c) In addition to the pronouncement of the net weight, the alimentary products packaged in liquid background shall be declared expressed in measuring unit of the product without the liquid. As the liquid background shall be understood: the water, the dissolution of sugar and salt, fruit and vegetable juices only in the case of the conserved fruits and vegetables as well as the vinegar, separated or combined.

4.4. Name and address

The name and the address of the producer, the packer, distributor, importer, exporter or seller of the alimentary merchandise shall be declared.

4.5. The place of the origin of the product shall be declared in every case.

b) If the alimentary product passes through processing in a second place, which alters its nature, the processing place, for labelling purposes, shall be considered as the place of the origin.

4.6. Identification of the parties of the products

Every packaging shall contain the graven inscription or an ineffaceable mark with a code or evident, which allows the identification of the producing fabric and the job-lot of the merchandise.

4.7. Dating and storing instructions

4.7.1. Unless established differently in the particular cases by a standard or an individual technical regulation, for dating, the following criteria shall be used:

a) "The minimal resistance date".

b) This date shall contain at least"

- the date and the month, for the products with minimal resistance of no more than 3 months;

- the month and the year, for the products with minimal resistance over 3 months. If the month is the December, then the determination of the year is enough.

a) The date shall be declared with the words:

- "Best to be used before ..." If the date has been established.

- "Best to be used before the end of ..." for the other cases.

a) The note required in point (c) shall be completed:

- either from the date; or

- from a reference where the date is given.

a) The date, the month, the year shall be clearly demonstrated with an encoded numeric order.

b) Differently from the criteria of the paragraph 4.7.1. (a), the declaration of the minimal resistance date is not required for:

- fresh fruits and vegetables;

- wines, champagnes, aromatic wines, fruit wines and fruit champagnes;

- the drinks that contain alcohol for over 10% of the volume;
- bakery products and bakeries, which for their nature are usually consumed within 24 hours after the production;
- vinegar;
- cooking salt;
- solid sugars;
- sugar products composed of coloured or aromatised sugars;
- chewing gums.

4.7.2. In addition to the date of the minimal resistance, the label shall contain the particular conservation and storage conditions when these influence the storage terms.

4.8. The instructions for use

The instructions for use, including the product restructuring (returning to the normal state), when necessary, shall be declared in the label in order to ensure the correct use of the product.

5. Additional obliged requirements

5.1. Labelling based on the quantity of the ingredients

a) When the labelling of an alimentary product emphasises especially one or some important ingredients and/or characteristics of this alimentary product, the initial quantity of the ingredients during the production time shall be declared in percentage (m/m).

b) When the labelling of an alimentary product emphasises especially the law content of one or some of the ingredients, the percentage (m/m) of this ingredient in the final product shall be declared.

c) The reference to the name of an alimentary product for a specific ingredient shall not contain in itself the placement of a specific emphasis. While labelling an alimentary product, the use of an ingredient in small quantities and only as an aromatiser shall not contain in itself the placement of a specific emphasis.

5.2. The radiated alimentary products

a) The label for every alimentary product that has been treated with ionized radiations shall have written the note that shows it, immediately after the name of the product. In addition, the label shall contain the international symbol of the radiated foods, which shall be presented next to the name of the food.

b) When a radiated product has been used as an ingredient for another alimentary product, it shall be represented as such in the list of ingredients.

c) If a product is composed only from an ingredient and has been prepared from a raw material which has been treated with radiation, the label of the product shall have the note that shows the treatment used.

6. Exceptions from the labelling obligatory requirements

The spices and the plants in the small packaging units, whose biggest surface is less than 10 cm², may be excluded from the requirements established in the articles: 4.2; 4.6; 4.7 and 4.8 of this regulation.

7. The obligatory notes of labelling

Every text written or stamped (given), or every graphic presentation (view) may be represented on the label with the condition that it is not in contradiction with the obligatory dispositions discussed in the article 3 "General Principles " of this regulation.

7.2. Determination of quality

If the quality indicators are used, they shall be easily understandable and never misunderstood or not true.

8. The presentation of the obligatory information

8.1. General dispositions

a) The label for the packaged alimentary products shall be arranged in a way that it does not fall away (is not detachable) from the packaging.

b) The obligatory notes established by this regulation or by any individual standard shall be clear, well visible, imperishable, and easily readable from the consumer during the normal purchasing and usage conditions.

c) If the packaging is covered by covering material, all the obligatory information shall be visible from this covering material or the packaging label shall be easily readable and not masked (covered) by the packaging.

d) The name of the alimentary product and the net weight shall be noticeable in the first sight.

8.2. Language

a) If the language of the original label is not acceptable for the consumer it was designated for, instead of re-labelling, another additional label shall be used, which contains the obligatory information in the Albanian language or in another language (if required).

b) In the cases when the label has been replaced or completed with another label, the obligatory notes shall be used exactly as in the original label.

ANNEX 1

THE GROUP OF INGREDIENTS - NAME OF CATEGORY

The refined oils, except the olive oil – "Oil" specified as "vegetal" or "animal" and "hydrogenized" or "partially hydrogenized" accordingly.

Greasy refined material - "Greasy material" specified as "vegetal" or "animal" accordingly.

Mixture of flours that contains two or more types of cereals. "Flour", followed by a list of cereals in the descending ordered according to their weight.

Amidon, except the chemically modified amidons - "Amidons".

All the types of fish, when the fish contains an ingredient of another alimentary product and with the condition that the name and the presentation of such an alimentary product does not refer to a specific fish type – “Fish”.

All the types of poultry meats, when such a meat contains an ingredient of another alimentary product and with the condition that the name and the presentation of such an alimentary product does not refer to a specific poultry meat – “Poultry meat”.

All the types of cheeses when the cheeses or the cheese mixtures contain an ingredient of another alimentary product and with the condition that the name and the presentation of such an alimentary product does not refer to a specific type of cheese – “Cheese”.

All the spices and their extracts that do not exceed over 2% of the weight of the alimentary product, isolated or combined - "Spice", "Spices" or "mixture of spices " accordingly.

Every plant or plant mixture, when it does not exceed over 2% of the weight of the alimentary product, isolated or combined - "Herbs" or "herbs mixture" accordingly.

All the types of gums used for the fabrication of the gum used for the chewing gums - "Gum bases".

All the types of sugars - "Sugar".

Dextrose anhydride and dextrose monohydrate - "Dextrose or glucose".

All the types of caseinates - "caseinates".

Cacao butter pressed, compressed or refined - "Cacao butter"

All the fruits processed with sugar, when they do not exceed over 10% of the weight of the alimentary product - "Processed fruits"

ANNEX 2

Acids

The agents of maintaining (protecting) the colour

Stressing agents

Agents against creation of the foams

Voluminous agents

Gel-creator agents

Agents of humidity

Adopting agents

Agents of fermentation, stabilizers

Creative agents

Antioxidants

Anti agglomerates (anti adhesives)

Sweeteners

Emulsifications

Forcues aroma

Preservers
Salts that create emulsions
Coagulants
Colorants
Flour enhancers
Acid regulators
Stabilisers of the sweeteners
Increasesers of power of the aromas