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General guidelines for implementing the principle of
Quantitative Ingredients Declaration (QUID) – Article 7 of Directive 79/112/EEC
as amended by Directive 97/4/EC

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Opening remarks

1. This document has been drawn up by mutual agreement between the Commission departments and the representatives of the Member States with the aim of providing informal guidelines for implementing the principles set out in Article 7 of Directive 79/112/EEC as amended by Directive 97/4/EC, relating to the quantitative ingredients declaration (QUID).
2. The examples it contains are given for illustration only.
3. The guidelines and examples given in this document cannot be regarded as official interpretation of the legislation, this being the exclusive reserve of the judicial powers, i.e. the national courts and the Court of Justice of the European Communities.

SCOPE OF QUID

General application

1. The QUID requirement will in principle apply to all food, including beverages, with more than one ingredient. Some exceptions are made.
2. QUID will also apply to products currently exempt from ingredient listing; for these food products, the ingredient quantity will have to be indicated in or immediately next to the name under which the product is sold unless a list of ingredients is voluntarily indicated on the labelling, in which case the quantity may appear in the list. On the other hand, QUID does not apply to food products which are regulated at Community level and to which Directive 79/112/EEC does not (yet) apply, such as the products covered by Directive 73/241/EEC (cocoa and chocolate products).
3. Article 12 of Directive 79/112/EEC allows Member States to decide which of the labelling rules, if any, should apply to food which is not pre-packed or which is pre-packed for direct sale. This includes the QUID obligation for such foods.
4. The QUID requirement does not apply to constituents naturally present in foods and which have not been added as ingredients, e.g. caffeine (in coffee) and vitamins and minerals (in fruit juices).

QUID DECLARATIONS ARE REQUIRED IN THE FOLLOWING CASES:

“... where the ingredient or category of ingredients concerned appears in the name under which the foodstuff is sold or is usually associated with that name by the consumer.”

Article 7(2)(a)

Directive 97/4/EC

5. The first part of this provision would require a QUID declaration where:

a) the ingredient is included in the name of the food (e.g. ham and mushroom pizza, strawberry yoghurt, salmon mousse, «chocolate ice cream»)*

or

* in these cases, it is the underlined ingredients which must be quantified

b) the category of ingredient is included in the name of the food (e.g. vegetable pasty, fish fingers, nut loaf, fruit-flavoured water ice or fruit pie*)

* in these cases, the QUID declaration need only relate to the total vegetable, fish, nut or fruit content of the product

Category of ingredients is the generic term which Annex I to Directive 79/112/EEC allows to be used as names for ingredients and any similar generic terms which, though not permitted as names for ingredients in ingredients lists, are legitimately or customarily used in the name of a food.

The Member States have food products whose names refer to ingredients they do not in fact contain. In this case, the QUID requirement does not apply. In addition to some of the names appearing in the amended Commission Decision of 28 October 1988, taken pursuant to Regulation (EEC) No 1898/87 on the protection of designations used in the marketing of milk and milk products, there is also «water biscuit», «Teegebäck», «Schinkenbrot» and «caviar d’aubergines». In any event, the number of foodstuffs liable to fall into this category is very limited.

When a compound ingredient appears in the name (e.g. biscuits with a cream filling), it is the percentage of the compound ingredient which should be indicated. If an ingredient of the compound ingredient is mentioned, its percentage must also be given (e.g. biscuits with a cream filling containing eggs).

6. The second part of this provision requires a QUID declaration on products where the consumer generally associates the ingredient or category of ingredients with the name of the food. This is most likely to apply where products are described using customary names without additional descriptive names. As a guide for deciding which ingredients might usually be associated with a product identified solely by a customary name, it might help to consider what an appropriate descriptive name for the product might be, were this to be required. QUID would then apply to the main or value ingredients identified provided they did not qualify for QUID exemption.

This provision must not be interpreted in such a way that each name under which a foodstuff is sold is ultimately linked to a specific ingredient, with the result that the QUID for this ingredient has to be declared. For example, it is not necessary to indicate the quantity of apples used in the preparation of cider. Similarly, this provision does not impose an automatic obligation to indicate the quantity of meat for products such as ham.

Examples:

Product:	Example of descriptive name:	QUID for:
<i>“Lancashire hot pot”</i>	Mutton and potatoes with onions, carrots and gravy	<i>Mutton</i>
<i>“Chilli con carne”</i>	Minced beef with kidney beans, tomatoes, peppers, onions and chilli	<i>Minced beef</i>
« <i>Forloren skildpadde</i> »	Veal, minced-meatballs and fishballs with onions, carrots and sherry sauce	<i>Veal</i>
« <i>Boudoir</i> »	Biscuit with eggs	<i>Eggs</i>
« <i>Brandade</i> »	Dish based on potatoes and cod	<i>Cod</i>
« <i>Cassoulet</i> »	Dish based on haricot beans, sausages and pieces of meat	<i>Meat</i>
« <i>Königinpastete</i> »	Veal stew with asparagus and mushrooms in crust	<i>Veal</i>
« <i>Königsberger Klopse</i> »	Minced-meatballs with white sauce with capers	<i>Meat</i>
« <i>Gulaschsuppe</i> »	Soup with beef, onions and paprika	<i>Beef</i>
« <i>Hutspot</i> »	Dish based mainly on carrots and onions	<i>Carrots and onions</i>
« <i>Kåldolmar</i> »	Folded cabbage leaf filled with minced meat and rice	<i>Meat</i>
« <i>Kroppkakor</i> »	Pastry balls made from potato and wheat flour and filled with fried and smoked	<i>Pork</i>

minced pork

«*Janssonin kiusaus*» or Dish made of potatoes and anchovies *Anchovies*
«*Janssons frestelse*»

“...where the ingredient or category of ingredients concerned is emphasised on the labelling in words, pictures or graphics.”

Article 7(2)(b)

Directive 97/4/EC

7. This requirement will apply in particular:

(i) where a particular ingredient is emphasised on the label other than in the name under which the food is sold, e.g. by such information as

- “with chicken”
- “made with butter”
- “with cream”

or by the use of a different size, colour and/or style of lettering to refer to particular ingredients elsewhere on the label than in the product name.

(ii) where pictorial representation is used to emphasise selectively one or more ingredients, for example:

- fish casserole with a prominent picture or illustration of only a selection of the fish ingredients.

(iii) where an ingredient is emphasised by an image evoking its origin, e.g.:

- image or drawing of a cow to emphasise dairy ingredients: milk, butter.

This provision on emphasised ingredients should not be applied for instance:

- where an image of a food as offered for sale is given; where a pictorial representation takes the form of a “serving suggestion”*, provided the nature of the pictorial representation is made clear and does not otherwise emphasise the food being sold and/or any of its ingredients;

* (e.g. a picture of the food shown with other foods which could accompany it)

- where the image represents all the food ingredients without emphasising any particular one (e.g. image representing all the vegetables used in a soup)
- where, in the case of a food mix, a pictorial representation shows how to prepare the product in accordance with the instructions.

“...where the ingredient or category of ingredients concerned is essential to characterise a foodstuff and to distinguish it from products with which it might be confused because of its name or appearance.”

Article 7(2)(c)

Directive 97/4/EC

8. This provision is designed to meet the requirements of consumers in Member States where the composition of certain foodstuffs is regulated and/or where consumers associate certain names with specific composition.
9. The range of foods likely to be affected is very narrow, as the provision is intended to cover products whose composition can differ markedly from one Member State to another but which are usually marketed under the same name. The cases thus far identified during discussions on the Directive and its implementation are:
 - mayonnaise
 - marzipan
10. Two conditions must be met for the QUID requirement to apply here: the ingredient or category of ingredient must be essential both
 - to characterise the food, and
 - to distinguish it from products with which it might be confused because of its name or appearance.

QUID DECLARATIONS ARE NOT REQUIRED IN THE FOLLOWING CASES:

*“...an ingredient or category of ingredients
the drained net weight of which is indicated
in accordance with Article 8(4)”*

Article 7(3)(a) (first indent)

Directive 97/4/EC

11. Article 8(4) of Directive 79/112/EEC requires that, where a solid food is presented in a liquid medium, the drained net weight as well as the net weight be indicated on the label.
12. Under Article 8(4), “liquid medium” means the following, including in mixtures and also frozen or quick-frozen:
 - water
 - brine
 - vinegar
 - fruit or vegetable juices, in the case of preserved fruit or vegetables
 - aqueous solutions of salts, food acids, sugars or other sweetening substances.
13. Any product which declares the drained net weight and the net weight on its label in accordance with Article 8(4) is exempt from the need to give a separate QUID declaration since the quantity of the ingredient or category of ingredient can be calculated from the weight indications already given.

Examples: tuna in brine, pineapple in syrup.

Where the labelling of a product presented in a liquid medium not appearing in Article 8(4) includes, on a voluntary basis, indication of the drained net weight, a QUID declaration is not required.

Example: tuna/sardines in oil.

14. The exemption does not apply where, in the case of mixed ingredient products, one of more of these ingredients is quoted in the name or emphasised in some way; the amount of each ingredient cannot be calculated from the weight indications already given. However, the QUID does not apply in the case of fruit or vegetables where no ingredient predominates by weight (see derogation, paragraph 23).

*“...an ingredient or category of ingredients
the quantities of which are already required
to be given on the labelling under
Community provisions”*

Article 7(3)(a) (second indent)

Directive 97/4/EC

15. The EC legislation referred to here is listed in Annex A. The QUID is not required if the legislation already requires the quantity of the ingredient or category of ingredients in question to be indicated on the label. However, where, in the case of nectars and jams, the name under which the product is sold includes two or more fruits, the percentage of these ingredients must also be indicated.

*“...an ingredient or category of ingredients
which is used in small quantities for the
purposes of flavouring.”*

Article 7(3)(a) (third indent)

Directive 97/4/EC

16. This exemption applies whether or not pictorial representations are included on the label. Labels must of course comply with the legislation concerning the use of the term «flavouring» (Directive 88/388/EEC).
17. The exemption is not limited to flavourings as defined in Directive 88/388/EEC: it applies to any ingredient (or category of ingredients) used in small quantities to flavour a food (e.g. garlic, herbs, spices).
18. The definition of «small quantities» is left to the discretion of Member States.

Examples: garlic bread, prawn cocktail flavour chips.

“...an ingredient or category of ingredients which, while appearing in the name under which the food is sold, is not such as to govern the choice of the consumer in the country of marketing because the variation of quantity is not essential to characterise the foodstuff or does not distinguish it from similar foods.”

Article 7(3)(a) (fourth indent)

Directive 97/4/EC

19. This provision provides for exemption from the QUID requirement where the quantity of an ingredient mentioned in the name of a food does not affect the consumer’s purchasing decision.
20. The exemption applies only in the circumstances described where the name of the ingredient appears in the name of the food. It also applies where identical repetitions of the wording used for the name of the product appear on different faces of the packaging. It will not apply if the name of the ingredient is emphasised, and particularly where that name appears outside the name under which the product is sold and within information drawing the purchaser’s attention to the presence of the ingredient.
21. The Commission and the Member States discussed the types of food covered by this exemption during negotiations on the Directive. A joint statement from the Commission and the Member States includes a non-exhaustive list of products covered by this exemption:
 - malt whiskey/whisky
 - liqueurs and fruit-based spirits
 - rye bread (prepared exclusively with rye flour).

Other products may of course be covered by this exemption.

“...where specific Community provisions stipulate precisely the quantity of an ingredient or of a category of ingredients without providing for the indication thereof on the labelling.”

Article 7(3)(b)

Directive 97/4/EC

22. We are not aware of any Community provisions which stipulate precise quantities of ingredients without providing for indication on the labelling. Imposition of a minimum amount of an ingredient is not a ground for exemption since Article 7 specifies precise stipulation.

“...in the cases referred to in the fourth and fifth indents of Article 6(5)(a) of Directive 79/112/EEC.”

Article 7(3)(c)

Directive 97/4/EC

23. The QUID is not required in the case of foods which are:

- mixtures of fruit or vegetables, or
- mixtures of spices or herbs

where no ingredient in the mixture significantly predominates by weight.

EXPRESSION OF QUANTITY

“The quantity indicated, expressed as a percentage, shall correspond to the quantity of the ingredient or ingredients at the time of its/their use. However, Community provisions may allow for derogations from this principle for certain foodstuffs. Such provisions shall be adopted in accordance with the procedure laid down in Article 17.”

Article 7(4)

Directive 97/4/EC

24. The declared quantity of an ingredient is calculated on the basis of the recipe at the moment the ingredients are added, i.e. the same method as is used to determine the order in the list of ingredients (Article 6(5)(a)). Article 6(5) makes a number of exemptions from this principle, notably for concentrated and dehydrated foods and ingredients. Similar exemptions need to be made for the expression of QUID.
25. QUID declarations should relate to ingredients as identified in the list of ingredients. Ingredients identified, for example, as “chicken”, “milk”, “egg”, “banana” should be quantified as raw/whole, as the names used give no indication of processing and thus imply use of the basic food. Ingredients identified by names which indicate they have been used other than in their raw/whole form, e.g. “roast chicken”, “powdered milk”, “crystallised fruit”, should be quantified as used. Declarations of processed ingredients may be supplemented with “raw equivalent” declarations, since this would help consumers compare similar products which have used ingredients in different forms.
26. Article 6(5)(a) requires added water or volatile ingredients to be listed in order of weight in the finished product. The amount of added water need not be listed as an ingredient if it does not exceed 5% by weight of the finished product. However, for the sake of consistency, this rule should be taken into account for calculating the quantity of ingredients in a foodstuff to which water has been added.
27. The quantities indicated on labelling designate the average quantity of the ingredient or category of ingredients to be mentioned. Average quantity means the quantity of ingredient or category of ingredients obtained by complying with the recipe and good manufacturing practice, allowing for the producer’s normal manufacturing variations.

POSITION OF QUID DECLARATION

“The indication referred to in paragraph 1 shall appear either in or immediately next to the name under which the foodstuff is sold or in the list of ingredients in connection with the ingredient or category of ingredients in question.”

Article 7(5)

Directive 97/4/EC

28. The required indication must accompany the name of the food or appear in the list of ingredients. However, in the case of categories of ingredients not included in Annex I to Directive 79/112/EEC and which therefore cannot appear alone in the list of ingredients, the quantity of these categories has to accompany the name under which the product is sold.
29. There is no requirement that, where this indication must accompany the name, it must be on the front of the packaging or on the main label, or that the lettering should be of a particular size. It is therefore sufficient for the information to be given with the legal name once only, where this is most convenient, provided the information is prominent and clearly legible.

NUTRITION LABELLING

“This Article shall apply without prejudice to Community rules on nutrition labelling for foodstuffs.”

Article 7(6)

Directive 97/4/EC

30. A QUID declaration cannot replace nutrition labelling.

ANNEX A (see point 15 of the guidelines)

COMMUNITY MEASURES

Council Directive 93/77/EEC	Fruit juices and certain similar products (Article 10. 4. d) : fruit content of nectar)
Council Directive 79/693/EEC	Fruit jams, jellies and marmalades and chestnut puree
Council Regulation (EC) No 2991/94	Standards for spreadable fats (Article 3)