

THE STANDARDS ACT

REGULATIONS

(under section 11)

THE STANDARDS (LABELLING OF PROCESSED FOOD) REGULATIONS, 1974

(Made by the Minister on the 23rd day of September, 1974)

L.N. 417/74

[1st October, 1974.]

1. These Regulations may be cited as the Standards (Labelling of Processed Food) Regulations, 1974. Citation.

2. In these Regulations—

“container” includes any can or other receptacle containing or used for packing any food that is manufactured or processed for export or for sale but does not include—

Interpre-
tation.

(a) any receptacle into which food is placed by a retailer in the presence of the purchaser; or

(b) a shipping container or any other receptacle used solely for the transportation of food in bulk;

“food” includes any article used for food or drink by man and any ingredient intended for mixing with the food or drink of man for any purpose;

“information” includes illustrations;

“ingredient” means any substance used in, and present in the final product of, the manufacturing or processing of a food;

“label” includes any legend, word or mark attached to, included in, belonging to or accompanying any processed food or its container;

“letter” includes figures;

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“principal display panel” means the part of a package which is most likely to be displayed, presented, shown or examined under the customary conditions of display for retail sale;

“processed” means preheated, cooked, canned, preserved, condensed, evaporated, fermented, distilled, carbonated, dehydrated, milled, frozen, reconstituted or otherwise processed;

“reconstituted” means—

- (a) in relation to any dehydrated food, restored to its condition before dehydration by causing it to absorb water;
- (b) in relation to any food from which a natural ingredient was removed, restored to its original condition by restoring that ingredient.

Containers
to be
labelled.

3.—(1) Subject to the provisions of regulation 8 every container into which processed food is packed shall be labelled in accordance with these Regulations.

(2) The information on the label of every container referred to in paragraph (1) shall be in the English language.

(3) The label of any container referred to in paragraph (1) shall not contain any information which is false, misleading or deceptive or likely to create an erroneous impression regarding the nature, contents, value, quantity, weight, composition, grade, merit, purity, date of packing or other characteristics of the food in that container.

(4) The area of the principal display panel shall, except in the case referred to in sub-paragraph (c) of paragraph (5) exclude the neck, shoulder, top, bottom and flanges at the top and bottom, of the container and shall be sufficient to accommodate all the information required by these Regulations.

(5) The area of the principal display panel shall—

- (a) in the case of a rectangular container of which an entire side can be considered as the principal display panel, be the product of the height times the width of that side;
- (b) in the case of a cylindrical or near cylindrical container, be 40 per cent of the product of the height times the circumference of the container;

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- (c) in the case of a container with an obvious principal display panel such as the top of a triangular or circular package of cheese, consist of the whole of such obvious principal display panel;
- (d) in any other case, be 40 per cent of the total area of the container.

(6) The unqualified word "fresh" shall not appear on the label of any processed food.

(7) No false claim for tonic or other beneficial effects, or special dietary use, shall be stated on, or implied by the title or name which appears on, the label of any processed food; and nutrients shall not be declared on such label except in a manner approved in writing by the Bureau.

4.—(1) The label of every container into which processed food is packed shall—

Information
to be set
out on
labels.

- (a) state, on the principal display panel, the name of the food, which shall indicate the true nature of the food, any other name commonly or usually applied to that food, the brand name, and the registered trade mark, if any;
- (b) where the food is processed in Jamaica, contain the words "made in Jamaica", or "manufactured in Jamaica", or "processed in Jamaica", or "distilled in Jamaica", or "bottled in Jamaica", or "packed in Jamaica", or "grown in Jamaica", or "product of Jamaica", as the case may be;
- (c) where the food is processed in any country other than Jamaica, state the name of that country;
- (d) state the name and identifiable business address of the processor, manufacturer, packer, importer or distributor;
- (e) contain a declaration setting out clearly and accurately the net contents of the container;
- (f) contain a list of the ingredients in decreasing order of proportion to the net contents of the container by weight or volume, and any two or more ingredients which are

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of the same proportion to such net contents shall be listed in alphabetical order; if the proportions are shown as percentages the label shall state whether such percentages are by weight or by volume;

- (g) in the case of processed food for which grades have been prescribed under the Processed Food Act, contain a grade declaration in one of the following forms, that is to say—
- (i) CHOICE; or
 - (ii) CHOICE QUALITY; or
 - (iii) CHOICE
QUALITY; or
 - (iv) CHOICE GRADE; or
 - (v) CHOICE
GRADE,

so, however, that the word "Jamaica" may, at the option of the person making such declaration, precede the declaration;

- (h) where the food requires a special method of storage or handling or preparation, contain instructions for the storage, handling or preparation thereof.

(2) Where the consumer acceptance of any processed food containing more than one food ingredient is likely to be influenced by the proportion of the most expensive of such food ingredients, the label shall show the quantity, by weight or volume, of each of such food ingredients present in the container.

(3) If brine is used in quality separation of frozen vegetables the declaration of the ingredients of the container shall show that salt is included in such ingredients.

(4) In the list of the ingredients reference to spice, flavouring or colouring shall have the respective meanings of such terms as commonly understood by consumers, and an ingredient having the properties of both a spice and a colouring or of both a flavouring and a colouring shall be designated as both.

(5) On the principal display panel the word "reconstituted" shall precede or follow the name of any food which is reconstituted, and the size of the letters of the word "reconstituted" shall be at least

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the same as that of the letters in the declaration of the net contents of the container.

(6) Where the true name of any processed food consists of the names of two or more fruit or vegetables or other ingredients, such as mango and papaya nectar or peas and carrots, the name of the predominating fruit or vegetable or other ingredient shall appear first, but the letters of all such names shall be of the same size.

(7) Where the name of any processed food consists of two or more words all the letters of such words shall be of the same size.

(8) Ingredients prescribed under the Processed Food Act, or approved by the Bureau, and falling in the class of animal fats, or animal oils, or vegetable fats, or vegetable oils, or herbs, or spices, or starches (except modified starches), or anticaking agents, or antioxidants, or bleaching agents, or colouring, or emulsifiers, or flavouring, or maturing agents, or chemical preservatives, or stabilizers, or thickening agents (including modified starches), or vegetable gums, may be listed on the label by means of the respective class names when preceded by the word "approved" (for example "approved antioxidants", or "approved stabilizers").

(9) Where the brand name on the label of any container is likely to be misleading as to the true origin or identity of the food packed in such container, the word "brand" shall appear on the label immediately after or below the brand name.

(10) The information required by paragraph (1) to be set out on labels shall be in letters of not less than 1/16 inch in height, so, however, that—

(a) on the label of any container of processed food for which grades have been prescribed under the Processed Food Act, the height of the letters in the declaration of the grade and of the ingredients shall be not less than $\frac{1}{8}$ inch where the net contents of the container do not exceed 10 ounces or where the container, irrespective of the net contents thereof, is made of glass, and $\frac{1}{4}$ inch in any other case;

(b) the height of the letters in the declaration of the net contents of the container shall be not less than—

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- (i) $\frac{1}{16}$ inch (or $\frac{1}{8}$ inch if the declaration is blown, embossed or moulded on a glass or plastic surface) where the area of the principal display panel is not more than 5 square inches;
- (ii) $\frac{1}{8}$ inch where the area of the principal display panel is more than 5 but not more than 25 square inches;
- (iii) $\frac{3}{16}$ inch where the area of the principal display panel is more than 25 but not more than 100 square inches;
- (iv) $\frac{1}{4}$ inch where the area of the principal display panel is more than 100 but not more than 400 square inches;
- (v) $\frac{1}{2}$ inch where the area of the principal display panel is more than 400 square inches.

(11) The declaration of the net contents of the container shall be in easily legible boldface print or type (by typography, lithography, layout, colour embossing or moulding) in distinct contrast to the background and other information on the label, and shall be separated from other information on the label—

- (a) above and below the declaration by a space not less in height than the letters of the declaration;
- (b) to the left and right of the declaration by a space not less in width than twice the width of the letter "N" of the style or type used in the declaration.

The declaration may be blown, embossed or moulded on a glass or plastic surface when all the other information required to be shown on the label is so formed on the surface.

5.—(1) The declaration of the net contents of the container shall accurately state the net quantity (exclusive of the container or packaging material)—

- (a) of liquid foods by volume;
- (b) of solid foods by weight (or by count if such foods are usually sold by number);

Declara-
tion of
net con-
tents.

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(c) of semi-solid or viscous foods by either weight or volume, and terms (such as "jumbo quart" and "full gallon") which tend to exaggerate the quantity shall not be used.

(2) If the label of any container contains representations as to the number of servings in such container, it shall show also, in letters of the same height as those in which such representations are made, the quantity in volume, weight or count of each serving; and in any representation as to the number of cupfuls or tablespoonfuls, 1 cupful shall be equal to 10 fluid ounces and 1 tablespoonful shall be equal to 5/8 ounce.

(3) Where the Bureau is satisfied that in accordance with the general usage of consumers or the custom of traders the quantity of any liquid is usually stated by weight or the quantity of any solid is usually stated by fluid measure, the declaration of the net contents of the container may, with the approval in writing of the Bureau, state the quantity in accordance with such usage or custom.

(4) Wherever weight or volume is expressed in units different in name or size from units of the Imperial system, the equivalent in units of the Imperial system or another system approved in writing by the Bureau shall be stated in letters of at least the same height as those used to express the weight or volume, and where the weight or volume is expressed in units of the system of the United States of America, the letters "U.S." shall precede and be equal in height to those expressing such units.

(5) The declaration of the net contents of the container shall—

- (a) where such contents are offered for sale in a refrigerated or chilled condition and the quantity is stated by volume, state the volume at the temperature at which such contents are offered for sale;
- (b) where such contents are food packed in a liquid medium, state the drained weight of the food;
- (c) where such contents are food which is packed under pressure with a propellant, state the net quantity of the food (excluding the propellant) which at the time of retail sale will be expelled when the instructions for use are followed.

6.—(1) Every container into which processed food is packed shall bear a code showing the date on which the food was packed therein,

Code showing date, etc., of packing.

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the process batch, the name of the processor and the place at which such food was processed, and identifying the contents of the container.

(2) The code referred to in paragraph (1) shall—

(a) in the case of a metal container, be embossed on the container or be borne on the container or label if the Bureau, upon being satisfied that it cannot conveniently be embossed, grants permission in writing for its inclusion on the container or label;

(b) in any other case, be borne on the label or in such other manner as the Bureau may approve in writing.

(3) The manufacturer, processor, importer or distributor of any processed food in relation to which the code referred to in paragraph (1) is used shall, at the request of the Bureau, supply to the Bureau the key to such code.

7. Any package into which containers of processed food are placed by or on behalf of the manufacturer, processor, importer or distributor of such food shall—

(a) be marked on one panel with the information required by paragraph (1) of regulation 4 to be given on the labels of such containers;

(b) bear a declaration stating how many containers are placed therein and setting out the net contents of each container;

(c) bear a code setting out the information required by paragraph (1) of regulation 6 to be given in respect of each of such containers.

8.—(1) The Bureau may, at the request of any manufacturer, processor, importer or distributor of any processed food, grant him a permit in writing—

(a) to ship or sell such processed food in unlabelled containers where such shipment or sale is intended for manufacturing purposes;

(b) to use, in relation to any of such food which is intended for export only, containers and labels which do not comply with the requirements of these Regulations if such containers and labels comply with any law or

Information to be given on packages and containers.

Permits to use containers and labels which do not satisfy these Regulations.

regulations of the country to which the food is intended to be exported;

- (c) to use, in relation to such processed food, containers and labels which do not satisfy the requirements of these Regulations in such respect as shall be specified in the permit and in a notice of the grant of the permit which shall be published in the *Gazette* as soon as practicable after the grant of the permit.

(2) Subject to the provisions of paragraph (1) a permit may be granted under this regulation unconditionally or subject to such terms and conditions as may be specified in the permit.

9.—(1) Any manufacturer, processor, importer or distributor who exports or sells, or has in his possession for export or sale, or attempts to export or sell processed food in any container which does not comply with these Regulations and in respect of which no permit was granted under regulation 8 shall be guilty of an offence and be liable on summary conviction before a Resident Magistrate to a fine not exceeding two thousand dollars and in default of payment to imprisonment for a term not exceeding twelve months.

(2) If any person to whom a permit was granted under regulation 8 uses the containers or labels in respect of which the permit was granted for any purpose other than the purpose for which the permit was granted, or contrary to any condition specified in such permit, he shall be guilty of an offence and be liable on summary conviction before a Resident Magistrate to a fine not exceeding five hundred dollars and in default of payment to imprisonment for a term not exceeding four months.