

Defra/FSA Interim advice on the labelling of minced meat under Regulation (EU) 1169/2011

September 2014.

1. Introduction; Minced Meat composition/labelling rules

1.1. Under the conditions laid down in the **Food Information to Consumers Regulations 1169/2011 (FIC) Annex VI Part B**, designations of minced meat may only be used where the minced meat complies with certain compositional standards, checked on the basis of a daily average, as set out in the following table (**Annex VI Part B point 1**);

	Fat content	Collagen/Meat protein ratio
Lean minced meat	≤7%	≤12%
Minced pure beef	≤20%	≤15%
Minced meat containing pigmeat	≤30%	≤18%
Minced meat of other species	≤25%	≤15%

1.2. In addition, the following expression must appear on the labelling; *'percentage of fat content under ...' and 'collagen/meat protein ratio under ...'*. (Annex VI part B point 2).

1.3. Annex VI part B Point 3 states that 'The Member States may allow the placing on their national market of minced meat which does not comply with the criteria laid down in point 1 of [Part B] under a national mark...'

1.4. These provisions previously existed in EU hygiene and transitional regulations and became part of FIC , fully effective on 1 January 2014.

2. Pre-packed minced meat

2.1. If you market minced meat using a 'minced meat' designation then the provisions of FIC Annex VI Part B apply. The minced meat must either comply with the compositional criteria in the table in point 1 of Part B of Annex VI ('the point 1 table') or, if it does not comply with the criteria be sold with the 'national mark' referred to in Regulation 4 and Schedule 2, parts 1 and 2 of The Food Information Regulations 2014 (FIR).

2.2. If you want to market minced meat that does not comply with the compositional criteria in the point 1 table then you will be able to do so in the United Kingdom if the name of the product, as legally required by Article 17 of FIC (the '*Article 17 name*') includes the word 'minced', e.g. 'minced beef', and provided the national mark (□ , accompanied by the statement "For the UK market only") appears on the label. As Part B is currently worded , there is no doubt that a product labelled in this way (for example 'Minced Beef'), when marketed using the national mark and with the necessary point 2 statements, will be compliant with the Part B provisions.

2.3. In both cases, the statements on fat content and collagen/meat protein ratio in point 2 of FIC Annex VI Part B (the point 2 statements) must appear on the labelling.

2.4. This does not mean that you cannot use the word 'mince' (without the "d") elsewhere on the packaging. So, for example, the *Article 17 name* 'minced beef' may appear on the back of the pack but 'beef mince' could appear on the front of the pack. It will not be misleading to do this.

3. Designations other than 'minced' e.g. 'mince'

3.1. It can be argued that '[beef] mince', as a derivation of 'minced [beef]' and with an identical meaning, would be caught by the Part B provisions and that therefore identical rules apply.

3.2. On the other hand, it could be argued that, on a strict construction, 'mince' is not a 'minced meat' designation to which Part B applies (as stipulated in title of Part B). However so long as the 'Part B' requirements were upheld, this would not be misleading to consumers.

3.3. What is clear is that a product marketed using such a similar designation to 'minced [meat]' as '[meat] mince' as its *Article 17 name* does have to comply with the compositional criteria in the point 1 table to avoid the risk of the labelling being found to be misleading under EU FIC Article 7. This is because consumers buying that product may not see a distinction between such a product and 'Minced meat' and could therefore be misled into thinking that it is 'minced meat' that complies with the (point 1) compositional criteria.

4. Independent butchers and minced meat sold loose

4.1. Independent butchers should take steps to determine the fat and collagen content of the minced meat that they produce, or request such information from their suppliers if they buy it in, and label it for sale in an appropriate fashion.

Q1. Should the minced meat on sale meet the composition limits set in Part B?

Yes, unless it is sold with a 'national mark'

Q2. Should the 'Section 2 statements' be provided for minced meat sold loose?

No, for the moment, while this is being discussed at European level, this is not regarded as necessary.

Q3. How do we work out the composition of the minced meat we make/sell?

Set out what mix of cuts you use on the basis of a daily average for each type of mince sold, and then use the tables in the 'Labelling and Composition of Meat Products' FSA guide. A spreadsheet is available to work out the fat and collagen/meat protein ratio. You do also have the option of keeping a representative sample of your minced meat over a period of time and sending this for routine analysis, though this may be a more costly option.

Q4. Do we have to check the composition daily?

No. If you are using the same cuts regularly and in the same proportion each day, your minced meat should daily be of a consistent composition. There is no requirement that the minced meat is checked daily, only that the basis of the check is a daily average.

5. Minced Meat as an ingredient in another food, eg. Lasagne

5.1. Where the term 'minced [meat]' is used in an ingredients list, the provisions of Annex VI should be applied in that the fat/collagen limits should not be exceeded for the minced meat ingredient (unless the national mark is also included). However, it is not necessary, under Part B of Annex VI (Point 2) to FIC, to include statements as to the fat and collagen levels in minced meat used as an ingredient. The listing of the ingredient as, for example 'beef' or similar, omitting 'minced' will suffice so long as the provisions of **Annex VII(17)** are met.

6. Minced meat definition – EU hygiene rules/country of origin rules

- 6.1. When deciding whether a product is designated as minced meat, you should consider the definition set out in Regulation (EC) No 853/2004 ("Minced meat" means boned meat that has been minced into fragments and contains less than 1% salt) and the specific production requirements for minced meat production as set out in Section V of the Regulation (EC) No 853/2004.
- 6.2. EU Regulation 1337/2013 allows for an 'EU' origin for minced meat and trimmings to be given, by way of a derogation from requiring the specific name of the Member State or third country of rearing and slaughter.
- 6.3. If information provided by a business is thought to be misleading then Enforcement Officers may take enforcement action as appropriate.

As noted, some matters are being discussed in Europe in the context of the correct interpretation of FIC Annex VI Part B. This note is issued in September 2014 and is Defra's and FSA's current view on these Regulations. Only the courts can interpret the law in a legally binding way.