

MINISTRY OF AGRICULTURE, FORESTRY AND WATER MANAGEMENT

2188

Pursuant to paragraph 1 of Article 55 of the Food Act (“Official Gazette”, No. 117/03, 130/03 and 48/04), the Minister of Agriculture, Forestry and Water management hereby passes the

ORDINANCE

ON GENERAL LABELLING OR MARKING OF FOODSTUFFS

I GENERAL PROVISIONS

Article 1

This Ordinance sets forth the general requirements and manner of labelling or marking of pre-packaged foodstuffs or unpackaged foodstuffs, also including specific rules regarding the presentation and advertising of foodstuffs.

Provisions of this Ordinance shall apply to food intended for:

- delivery to the ultimate consumer;
- supply of catering facilities, canteens, hospitals, kindergartens, schools, social welfare institutes and other similar facilities involved in the handling of foodstuffs supplying ultimate consumers with prepared foodstuffs.

Provisions of this Ordinance shall not apply to foodstuffs produced and processed on family farms which shall be directly sold to the ultimate consumer labelled or marked in accordance with particular legislation.

Article 2

The terms in this Ordinance shall have the following meaning:

- *labelling or designating (hereinafter referred to as: labelling)* shall mean placing of written markings, trade marks, registered trade marks (seals), brand name of product, pictorial matter or symbols relating to a foodstuff and placed on any packaging, label, ring tag or collar, and in the case of unpackaged foodstuffs in a place visible to the consumer;
- *pre-packaged foodstuffs or packages* shall mean any individual product consisting of foodstuffs and packaging into which it was placed before being offered for sale, whether such packaging encloses the foodstuffs completely or only partially and is closed in such a manner that the labelled ingredients and quantities cannot be altered without opening or by visibly altering the packaging;
- *unpackaged foodstuffs* shall mean foodstuffs offered for sale without prior packaging or that shall be packaged at the place of sale in or without the presence of the ultimate consumer;
- *ultimate consumer (hereinafter referred to as: consumer)* shall mean natural persons, purchasing foodstuffs for their own personal consumption and shall not use in any stage of food handling;

– *subject handling foodstuffs* shall mean a natural or legal person registered for the carrying out of particular activities related to the handling of foodstuffs and responsible for ensuring the unfettered execution of legislative provisions on foodstuffs within establishments under their management.

Article 3

The manner of labelling of foodstuffs must be such that the data on the label shall not mislead the consumer, particularly:

- as to the characteristics of the foodstuff, its nature, identity, properties, composition, quantity, minimum validity, origin of provenance, method of manufacture or production;
- by attributing to the foodstuff effects and properties which it does not possess;
- by creating a misconception that the foodstuff possesses special characteristics when in fact all similar foodstuffs possess the same characteristics.

Labelling methods must not attribute to any foodstuffs the properties of preventing, treating or curing of illnesses or suggest such properties.

The provisions of paragraphs 1 and 2 of this Article also apply to:

- presentation of foodstuffs, in particular their shape, appearance or packaging, packaging materials the way in which they are arranged and settings in which they are displayed;
- advertising of food.

The provisions of paragraph 2 of this Article shall not apply to natural mineral water and foodstuffs for special nutritional needs (diet foodstuffs) which shall be labelled in accordance with special legislation.

Article 4

Foodstuffs placed on the market of the Republic of Croatia must be labelled in Croatian language, in Latin script.

The label presupposes indication of any words, particulars trade marks, registered trade marks, brand name, pictorial matter or symbols relating to the foodstuffs and placed on the packaging, label, ring or collar, documents and other notices accompanying or referring to the foodstuffs.

Labelling must be clearly visible, generally understood, unambiguous, legible, non-erasable and must not be covered by other text or pictorial matter.

Multilingual labelling shall be permitted.

In the case of paragraph 3 of this Article labelling particulars listed in one or more languages must not deny or be contradictory to the particulars indicated in the Croatian language.

Article 5

The subject handling the foodstuffs who first places the foodstuffs on the market (manufacturer or packager or importer or vendor) shall be responsible for the labelling of pre-packaged foodstuffs.

The subject handling foodstuffs and selling such foodstuffs to the ultimate consumer shall be responsible for the labelling of unpackaged foodstuffs.

II LABEL CONTENTS

Article 6

On the labelling of pre-packaged foodstuffs indication of the following particulars shall be compulsory:

1. food name under which the foodstuffs shall be sold (hereinafter referred to as: name of

foodstuffs);

2. list of ingredients;
3. the quantity of certain ingredients or category of ingredients;
4. in case of pre-packaged foodstuffs, the net quantity (fill quantity)
5. date of minimum validity (use by date);
6. any special storage conditions or conditions for use, where necessary or if these may effect the durability of the foodstuffs;
7. name and address of the manufacturer or the packager and/or the person placing it on the market;
8. for imported products, other than the name and address of the manufacturer and name and business address of the importer, the country of origin;
9. particulars of the place of origin in the cases where failure to give such particulars might mislead the consumer to the real origin or provenance of the foodstuffs,
10. instructions for use where this shall be necessary for the appropriate use of the foodstuffs,
11. the actual alcoholic strength per volume for beverages containing more than 1, 2 % alcohol.

The labelling of the foodstuffs must contain additional data and particulars relating to the foodstuffs other than those stipulated by this Ordinance if such shall be stipulated by other specific legislation.

Article 7

The addresses from subparagraphs 7 and 8 of Article 6 of this Ordinance presuppose the name of the place, street and number and the name of the country.

By way of derogation from the provisions laid down in paragraph 1 of this Article the address may be abbreviated, which presupposes the name of the place and number of the post office box, if the company has such, under the condition that the abbreviated name enables identification of the company and is adequate for postal purposes.

The country of origin shall be considered the country in which the product has been manufactured or country in which the foodstuff was subjected to technological processing which last significantly changed its properties.

By way of derogation from the provisions of subparagraph 8, paragraph 1 of Article 6 of this Ordinance, the country of origin need not be listed in instances where the food is of origin and manufactured in the country holding the manufacturers' seat of business.

The country of origin shall also be listed in a different manner in the case of foodstuffs for which special legislative provisions regarding this foodstuff apply and under conditions of full knowledge of the consumer.

Article 8

By way of derogation of paragraph 1 of Article 6 of this Ordinance, deviations from the listing of ingredients and date of minimum validity shall be permitted in the case of certain foodstuffs, if this shall be stipulated by legislation regarding this foodstuff and under conditions of full knowledge of the consumer.

Article 9

The labelling of pre-packaged foodstuffs stipulated by Article 6 of this Ordinance must be placed on the packaging of pre-packaged foodstuffs or must be affixed to the packaging in a manner that shall not allow easy separation from the packaging.

Exceptions of the provisions of paragraph 1 of this Article shall apply to:

– pre-packaged foodstuffs intended for the ultimate consumer which are placed on the market before sale to the ultimate consumer (e.g. pre-packaged cakes, small chocolates and similar foodstuffs offered on airplanes, hotels, etc.), and

– pre-packaged foodstuffs intended for the supply of catering facilities and the supply of institutions (hospitals, kindergartens, schools, social welfare institutions and other similar institutions) for the purpose of preparation, processing, distribution or slicing,

the labelling of the packaging in which foodstuffs are placed on the market must contain at least the name of the product, date of minimum validity, name and address of the manufacturer packager and/or the person placing the foodstuffs on the market and, where necessary, also other particulars stipulated by special legislation.

Exceptions to the provisions of paragraph 1 of this Article shall apply to:

– foodstuffs packaged in bottles intended for reuse with non-erasable markings which therefore have no label, ring or collar, and

– foodstuffs pre-packaged in packaging or containers, the largest surface of which has an area of less than 10 cm², containing a description at least indicating the name of the product, net weight (fill quantity), date of minimum validity (use by date) and, where applicable, percentage (%) of alcohol for the beverages containing more than 1,2 % of alcohol by volume

In instances laid down by paragraphs 2 and 3 of this Article, all particulars stipulated by Article 6 of this Ordinance must be listed in an accompanying document which must be dispatched before the delivery of foodstuffs or immediately at the delivery and must be available for inspection by the consumer upon request.

Article 10

The following particulars on the labelling of pre-packaged foodstuffs must be simultaneously visible, that is, must be placed in such a way that they are in same field of vision.

- name of the foodstuff,
- net weight (fill quantity),
- date of minimum validity (use by date) or an indication of its whereabouts, and
- alcohol content.

Other particulars, if such shall be stipulated by special legislative provisions referring to certain foodstuff group must be presented in an equally visible manner. .

Particulars on the labelling of foodstuffs stipulated in paragraph 3 of Article 9 of this Ordinance do not have to be placed in the same field of vision.

Article 11

The labelling on unpackaged foodstuffs must be presented clearly, visibly and legibly at the point of sale or on special containers provided the foodstuff is kept in them at the point of sale.

By way of derogation of the provisions of Article 6 of this Ordinance, the label on unpackaged foodstuff must at least contain the name of the foodstuff and the name of the manufacturer, except in the case of:

1. beverages that can be obtained from a machine or by a similar manner of preparation, unpackaged ice-cream, bakery and pastry products whose date of minimum validity is longer than 24 hours, confectionary products and snack products packaged in the presence of the consumer, in which case a list of ingredients must be indicated;

2. meat derived from livestock, poultry, game, rabbits and other animals which are not intended for sale in one piece, in which case basic parts of the animal body and the country of

origin must be indicated.

3. fresh fruits and vegetables, (in one piece or sliced) and/or processed, fish, cephalopods, crustaceans, shellfish and other marine animals, offered for sale with or without packaging and/or packaged at the point of sale in transparent packaging, in which case country of origin must be indicated..

In the case of unpackaged foodstuffs which are highly perishable from a microbiological point of view it is also necessary to indicate the date of minimum validity or “use by date notice, followed by a particular date.

On the accompanying document referring to the unpackaged foodstuffs which must be dispatched before the delivery of the foodstuffs or immediately at delivery, if stipulated by additional legislative provisions, where applicable, the other particulars from Article 6 of this Ordinance must be listed as well.

Particulars from paragraph 3 of this Article must be accessible to the consumer upon his request.

Unpackaged foodstuffs, where applicable, must be visibly marked in accordance with the provisions of Article 12, 14 and 15 of this Ordinance.

Article 12

Foodstuffs treated with ionising radiation must be marked with the expression “treated with ionising radiation” or “preserved using radiation” which must be indicated near the name of the foodstuff.

In the event that foodstuffs treated with ionising radiation shall be used as an ingredient of another foodstuff, such ingredient must be listed in the list of ingredients and bear a marking “treated with ionising radiation” or “preserved using radiation”.

Article 13

Foodstuffs packaged by using the packaging gases permitted for this purpose, with the aim of preserving their properties and extending the date of minimum validity must be adequately labelled, and marked with the expression “packaged in a controlled atmosphere”.

Article 14

Foodstuffs containing one or more permitted sweetening substances (sweeteners), on the labelling must be marked with the expression “containing sweetener/sweeteners” which must be listed alongside the name of the foodstuff.

Foodstuffs also containing additional sugar(s) and permitted substance(s), must be marked with the expression “containing sugar/sugars and sweetener/sweeteners”, which must be listed alongside the name of the foodstuffs.

Foodstuffs containing aspartame must be clearly labelled with the expression “containing phenylalanine source”.

For the foodstuffs containing more than 10 % of added polyol must be labelled with the warning “excessive consumption may have laxative effects”

Article 15

Foodstuffs flavoured by adding of quinine and/or caffeine, must following the word “flavour”, contain the name of the added ingredient specified in the ingredients list.

Beverages intended for consumption without prior preparation or after preparation of a concentrated or dry product, containing caffeine from any source in a quantity greater than 150 mg/L, must contain the expression “high caffeine content” in the same field of vision as the name of the foodstuffs,” whereas particulars referring to the amount of caffeine contained expressed in mg/100 ml must be indicated in brackets.

In the cases mentioned in paragraph 2 of this Article, the warning “do not mix with alcohol, not recommended for pregnant women, children, the elderly and ill persons” must be stated.

The provisions of this Article do not pertain to beverages whose primary ingredient is coffee, tea or coffee extract, if the foodstuffs contain the word “coffee” and “tea”.

III. SPECIAL PROVISIONS

Name of foodstuffs

Article 16

The name of the foodstuffs shall be determined by special legislation relating to the foodstuff in question

If the name of the foodstuffs shall not be determined by the provisions from paragraph 1 of this Article or if there is no such legislative provision, the foodstuff may be marked with:

- a name customary to the Republic of Croatia or
- a descriptive name and if necessary a description regarding its use that is sufficiently precise to inform the purchaser of its true nature and to enable him/her to distinguish it from the products with which it could be confused.

The name of the foodstuffs must include or be accompanied with particulars as to the physical condition of the foodstuff or the specific processing treatment which it has undergone (e.g. powdered, concentrated, smoked, dried, pasteurised, deep-frozen or similar) in all cases where omission of such information could create confusion in the mind of the purchaser.

The name of a foodstuff may not be substituted with a registered trade mark (seal), brand name (name of the product) or fancy name.

Ingredients of foodstuffs

Article 17

An ingredient of a foodstuff shall be any substance, including additives used in the manufacture or preparation of a foodstuff and still present in the finished product, even in an altered form.

Where an ingredient of the foodstuff is itself a product of several ingredients, the latter shall be regarded as ingredients of the foodstuff in question.

The following shall not be regarded as ingredients from paragraph 1 of this Article:

1. the constituents of an ingredient which have been temporarily separated during the manufacturing process and later reintroduced in their earlier proportions;
2. additives in the foodstuff which have not been directly added, but have been introduced into the foodstuffs due to the fact that they were contained in one or more ingredients containing these additives, provided that they serve no technological function;
3. additives which were processing aids in the production process;
4. substances used in quantities strictly necessary as solvents, dilutants or media for additives and flavouring.

Article 18

The list of ingredients shall include all the ingredients of the foodstuff, in descending order of weight, as recorded at the time of their use in the manufacture of the foodstuff.

The word “ingredients” must appear preceding the list of ingredients.

Article 19

By way of derogation from the provisions of paragraph 1 of Article 18 in the list of ingredients:

1. added water and volatile products must be listed in order of their weight in the finished product; the amount of water added as an ingredient in a foodstuff shall be calculated by deducting from the total amount of the finished product the total amount of other ingredients used.

2. ingredients used in concentrated or dehydrated form and restored to their primary state (hereinafter referred to as reconstituted ingredients) at the time of manufacture may be listed in order of weight as recorded before their concentration or dehydration;

3. in the case of concentrated or dehydrated foods which are intended to be reconstituted by the addition of water, the ingredients may be listed in order of proportion in the reconstituted product provided that the list of ingredients is accompanied by an expression such as “ingredients of the ready-to-use product” or “ingredients of the reconstituted product”;

4. in the case of mixtures of fruit or vegetables where no particular fruit or vegetable significantly predominates in proportion by weight, those ingredients may be listed in another order provided that the list of ingredients is accompanied by an expression such as “in variable proportion”;

5. in the case of mixtures of spices and herbs, where none significantly predominates in proportion by weight, those ingredients may be listed in another order provided that the list of ingredients is accompanied by an expression such as “in variable proportion”.

Listing of water from subparagraph 1, paragraph 1 of this Article shall not be compulsory:

– where the amount of added water does not exceed 5% of the total weight of the finished product;

– where water used for preparing foodstuffs is only used for reconstituting concentrated or dehydrated ingredients;

– where water is used during the manufacture of foodstuffs but does not become part of its composition.

Article 20

Ingredients must be designated by their specific name in accordance with the provisions of Article 16 of this Ordinance, except in the case of:

1. ingredients belonging to one of the categories listed in Annex 1 which is printed along with this Ordinance and which is its constituent part, and are constituents of another foodstuff need only be designated by the general name of that category;

2. ingredients belonging to one of the categories listed in Annex 2 which is printed along with this Ordinance which is its constituent part, must be designated by the name of that category, followed by their specific name or EC number; if an ingredient belongs to more than one of the categories, the category appropriate to the principal function in the case of the foodstuff in question shall be indicated.

By way of derogation from the provisions laid down in subparagraph 1, paragraph 1 of this Article the category name “starch” from Annex 1 must always be supplemented by indicating its specific vegetable origin, when that ingredient may contain gluten.

By way of derogation from the provisions of subparagraph 2, paragraph 1 of this Article the category name “modified starch” from Annex 2 must always be supplemented by indicating its specific vegetable origin, when that ingredient may contain gluten.

Article 21

Flavourings must be designated with the expression “flavour/s” or name or description of

the flavouring in accordance with the definitions of the types of flavourings determined by special legislation.

Article 22

A foodstuff ingredient consisting of two or more ingredients shall be considered a compound ingredient.

An ingredient from paragraph 1 of this Article can be listed under its own name on the list of ingredients in its appropriate place in terms of its overall weight, provided that it shall be immediately followed by a list of its ingredients by descending order.

Such a list of compound ingredients laid down in paragraph 1 of this Article shall however not be compulsory:

- where the compound ingredient constitutes less than 25 % of the foodstuff (finished product), however, this exemption shall not apply in the case of additives which must be indicated in the event that they have a technological function in the foodstuff;

- where the compound ingredient is a foodstuff for which a list of ingredients is not required by special legislation.

Article 23

Listing of ingredients shall not be compulsory for:

1. fresh fruit and vegetables, including potatoes, which have not been peeled, cut or similarly treated;

2. vinegar manufactured exclusively from a single basic product indicated in the name of the product, provided that no other ingredient has been added;

3. cheese, butter, fermented milk and cream, provided that only lactic ingredients, enzymes and micro-organism cultures essential to their manufacture or the salt needed for the manufacture of cheese other than processed and fresh cheese have been added;

4. foodstuffs containing only one ingredient provided that the name of the foodstuff is identical to the name of the ingredient or if the name of the foodstuff enables the nature of the ingredient to be clearly identified;

5. carbonated water, the description of which indicates that it has been carbonated.

Designating the quantity of certain ingredients or category of ingredients

Article 24

Designating the quantity of ingredients or category of ingredients used in the manufacture or preparation of foodstuffs shall be compulsory in 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;

- where the ingredient or category of ingredient concerned is emphasised on the labelling in words, pictures or graphics;

- 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 25

The quantity of the ingredient or category of ingredient mentioned in Article 24 of this Ordinance must be expressed as a percentage (%) and must correspond to the quantity of the ingredient or category of ingredient at the time of its/their use in the manufacture of foodstuffs.

The percentage (%) from paragraph 1 of this Article must be specified in the name of the foodstuff or next to the name or in the list of ingredients together with the corresponding name of the ingredient or category of the ingredient in question.

Article 26

By way of derogation from the provisions laid down in paragraph 1 of Article 25 of this Ordinance:

1. the quantity of the ingredient or the category of ingredient for foodstuffs which lose moisture upon heating or other kinds of processing, must correspond to the quantity of the ingredient or category of the ingredient in the finished product and must be expressed as a percentage (%). In cases where the amount of ingredient or category of ingredient expressed as a percentage exceeds 100 %, the quantity must be expressed as the weight of the ingredient or category of ingredient in 100 grams of finished product;

2. the quantity of a volatile ingredient or category of ingredient must correspond to the quantity of the ingredient or category of ingredient in the finished product or must be expressed as a percentage (%);

3. the quantity of the ingredient or category of ingredients used in concentrated or dehydrated form, and reconstituted at the time of the manufacture, may be listed in order of weight as recorded before their concentration or dehydration and expressed as a percentage (%);

4. the quantity of ingredient or category of the ingredient in foodstuff which is sold in concentrated or dehydrated form and which is intended to be reconstituted by the addition of water, may be listed in order of weight in the reconstituted product and expressed as a percentage (%).

Article 27

The listing of quantities of ingredients or category of ingredients shall not be compulsory for:

1. an ingredient or category of ingredient whose drained net mass is designated in accordance with the provisions of special legislation laid down in Article 28 of this Ordinance;

2. an ingredient or category of ingredient whose quantity must be listed already on the labelling in accordance with the provisions of special legislation;

3. an ingredient or category of ingredient for which their exact quantity in certain foodstuffs has already been stipulated by means of special legislation, and is not necessarily specified on the labelling;

4. an ingredient or category of ingredient which is used in minimal quantities for the purpose of flavouring;

5. an ingredient or category of ingredient whose listing in the name of the foodstuff shall not influence the consumer in the choice of foodstuffs as varying quantities of the same ingredients do not change the characteristics of the foodstuff, that is, from the consumers' point of view, the foodstuff does not differ from similar foodstuffs;

6. mixtures of fruits and vegetables where no particular fruit or vegetable significantly predominates in proportion by its weight, provided that the list of ingredients is supplemented by the expression "in variable proportion";

7. mixtures of spices and herbs, where no particular spice or herb significantly predominates in proportion by its weight, provided that the list of ingredients is supplemented by the expression "in variable proportion"; and

8. cases where next to the name under which the foodstuff is sold the expression

“containing sweetener/sweeteners” or “containing sugar/sugars and sweetener/sweeteners” is added.

Net quantity or fill quantity

Article 28

Designation of the net quantity or fill quantity of pre-packaged foodstuffs is stipulated by special legislation relating to the material requirements for packages or legislation implemented only in certain foodstuffs

Date of minimum validity or use by date

Article 29

The date of minimum validity or “use by” date shall be the date of minimal durability of the foodstuff.

The date of minimum durability of foodstuffs shall be the date until which the foodstuff retains its specific properties when properly stored.

Article 30

The date of minimum durability shall be indicated by the words:

- “Best before...”, when the date includes an indication of the day;
- “Best before end...”, in other cases.

Accompanying the words mentioned in paragraph 1 of this Article shall be either the date itself or a reference to where the date is located on the packaging.

If need be, the particulars other than those mentioned in paragraphs 1 and 2 of this Article shall be listed regarding the storage conditions of the foodstuffs and “use by” date after opening, which must be observed if the product is to keep for the specified period.

Article 31

The date shall consist of the day, month and year in uncoded chronological form (xx day, xx month, xx or xxxx year).

By way of derogation of provisions listed in paragraph 1 of this Article, for foodstuffs which shall be useable for:

- 3 months at the most, an indication of day and the month will suffice;
- more than 3 months but not more than 18 months, an indication of the month and year will suffice;
- more than 18 months, an indication of the year will suffice.

Article 32

An indication of the date of minimum durability shall not be compulsory for:

- fresh fruit and vegetables, including potatoes, which have not been peeled, cut or similarly treated, except for sprouting seeds and similar natural products such as legume sprouts;
- beverages containing 10 % or more by volume of alcohol;
- wines, liquer wines, sparkling wines, aromatised wines and similar products obtained from fruit other than grapes;
- products obtained from grapes and wine defined by the Wines Act and beverages manufactured from grapes or grape which must determined within tariff numbers 22060091, 22060096 and 22060099;
- non-alcoholic refreshing beverages, fruit juices and nectars and alcoholic beverages in containers of more than 5 litres intended for supply to mass caterers;

- bakery products and cakes which, given the nature of their content and purpose are normally consumed within 24 hours of their manufacture;
- cooking salt which is not iodised;
- vinegar;
- sugar;
- products consisting almost solely of flavoured and/or coloured sugars;
- chewing gum and similar chewing products;
- individual portions of ice-cream.

Article 33

In the case of foodstuffs which, from the microbiological point of view, are highly perishable and are therefore likely, to present an immediate danger to human health, the date of minimum durability shall be indicated by the “use by” date.

Accompanying the words stated in paragraph 1 of this Article shall be either the date itself or a reference to where the date is located on the packaging.

Particulars other than those mentioned in paragraphs 1 and 2 of this Article must be listed providing data regarding the storage conditions of the foodstuffs which should be observed.

Alcohol content

Article 34

The alcohol content or actual alcoholic strength by volume must be indicated on the label for all the beverages containing more than 1, 2 % of alcohol by volume

The numerical marking shall be followed by the expression “%”, which may be preceded by the word “alcohol” or “alc.”.

Deviations regarding marking the alcohol content in certain beverages shall be permitted if such shall be stipulated by special legislation.

Series or lot

Article 35

Foodstuffs placed on the market must contain the marking of the series or lot (hereinafter referred to as: series).

A series presupposes a unit of foodstuffs placed on the market which has been processed, manufactured or packaged under almost identical conditions.

Article 36

The marking of a series consists of the number of the series preceded by the letter “L”.

In cases where the marking of a series can be clearly differentiated from other markings on the label, only the number of the series may be indicated.

Article 37

By way of derogation of provisions from paragraph 1 of Article 35 of this Ordinance, foodstuffs placed on the market do not need to have the series indicated in the case:

- of agricultural products which are sold or dispatched for temporary storage, preparation or packaging and which are intended for further processing;
- where foodstuffs are offered for sale to the ultimate consumer unpackaged, or packaged
- where foodstuffs are pre-packaged in packaging or containers whose largest surface is less than 10 cm²;
- of individually packaged foodstuffs where the series must be designated on the bulk packaging.

Similarly, the marking of a series need not be indicated in the case of foodstuffs which are labelled with the date of minimum validity consisting of the day, month and year in the stated order.

IV TRANSITIONAL AND FINAL PROVISIONS

Article 38

On the day this Ordinance enters into force the provisions stipulating the content of foodstuff labelling relating to the particulars from Article 6 of this Ordinance, the following Ordinances cease to be valid:

- Ordinance on the basic requirements for cocoa products, products similar to chocolate, cream-products and candy products (“Official Gazette” 90/96, 12/97)
- Ordinance on the basic requirements for edible oils and fats, margarine and similar products, mayonnaise, sauces, toppings, salads and other products on the basis of edible oils and fats
- Ordinance on the quality of coffee and coffee surrogates, teas, spices, baker’s yeast, baking powder, pudding powder, diet products and additives
- Ordinance on the meat quality of livestock intended for slaughter, poultry and game (“Official Gazette” 53/91, 158/03)
- Ordinance on the quality of slaughtered swine and categorisation of pork meat (“Official Gazette” 119/99, 158/03)
- Ordinance on the quality of meat products (“Official Gazette” 53/91, 96/97, 158/03)
- Ordinance on the basic requirements for natural mineral, spring and table water (“Official Gazette” 58/98, 17/99)
- Ordinance on the quality of biscuits and products similar to biscuits (“Official Gazette” 53/91,158/03)
- Ordinance on the quality of fruit and vegetable products, mushroom and pectine preparations (“Official Gazette” 53/91, 158/03)
- Ordinance on the quality of fruits, vegetables and mushrooms (“Official Gazette” 53/91,158/03)
- Ordinance on the quality of edible mushrooms and products derived from edible mushrooms (“Official Gazette” 53/91, 158/03)
- Ordinance on the quality of fish, crustaceans, shells, sea urchins, frogs, turtles, snails and their products (“Official Gazette” 53/91, 96/97, 158/03)
- Ordinance on the quality of milk, milk products, rennet and pure cultures (“Official Gazette” 53/91, 158/03)
- Ordinance on the quality of soups, soup concentrates, sauce concentrates and seasoning products (“Official Gazette” 53/91,158/03)
- Ordinance on basic requirements regarding non-alcoholic beverages and soda-water (“Official Gazette” 23/97, 40/97, 112/97)
- Ordinance on the quality of wheat, miller’s and baker’s products, pasta and deep-frozen dough (“Official Gazette” 53/91,158/03)
- Ordinance on the quality of spices, spice extracts and mixed spices (“Official Gazette” 53/91,158/03)
- Ordinance on the quality of baker’s yeast (“Official Gazette” 53/91,158/03)
- Ordinance on the quality of alcoholic beverages (“Official Gazette” 53/91, 102/03 158/03)

- Ordinance on the quality of coffee, coffee products and surrogates (“Official Gazette” 53/91,158/03)
- Ordinance on the quality of eggs and egg products (“Official Gazette” 53/91, 96/97, 128/97, 158/03)
- Ordinance on the basic requirements for snack-products (“Official Gazette” 52/97)
- Ordinance on the quality of acetic and diluted acetic acid (“Official Gazette” 53/91,158/03)
- Ordinance on the basic requirements regarding salt for human consumption (“Official Gazette” 15/97)
- Ordinance on the basic requirements for beer and similar products (“Official Gazette” 6/98)
- Ordinance on basic requirements for oils from the fruit and pomace of olives (“Official Gazette” 35/99, 44/00, 109/00, 158/03)
- Ordinance on the quality of poultry meat (“Official Gazette” 53/91,158/03)
- Ordinance on the quality of alcoholic and non-alcoholic beverages, ice and vinegar (“Official Gazette” 53/91, 102/03)
- Ordinance on the quality of fats and vegetable fats, margarine, mayonnaise, sugar and other sacharides, pastry products, honey, cocoa-products, products similar to chocolate (“Official Gazette” 53/91,158/03)
- Ordinance on the quality of honey and other bee products
- Ordinance on the additives which may be present in foodstuffs (“Official Gazette” 130/98, 122/00 129/03)
- Ordinance on the quality of protein products and mixtures of protein products intended for the food industry (“Official Gazette” 53/91, 158/03)

Article 39

Foodstuffs may be placed on the market in packaging labelled in accordance with provisions of Article 38 of this Ordinance and other special legislation by the time the packaging stocks will have been depleted or by the 31.12.2006 at the latest.

Article 40

The subjects handling foodstuffs who have changed their status in accordance with companies Act, or when a takeover has been carried out and in accordance with legislation on takeovers, may use packaging they have used before the status change or takeover, by the time packaging stores will have been depleted or for a period up to two years after the status change or takeover.

Article 41

This Ordinance shall enter into force on the eighth day following its publication in the “Official gazette” and shall be implemented from the 1 January 2005.

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Zagreb, 4 August 2004

Minister

Petar Čobanković, manu propria

ANNEX 1

INGREDIENTS WHICH MAY BE DESIGNATED BY THE NAME OF THE CATEGORY

Ingredients	Marking
Refined oils other than olive oil	<p>“Oil” together with</p> <ul style="list-style-type: none"> – “vegetable” or “animal”, or – indicating either their vegetable or animal origin <p>The adjective “hydrogenated” shall accompany the indication of a hydrogenated oil</p>
Refined fats	<p>“Fat” together with</p> <ul style="list-style-type: none"> – “vegetable” or “animal” or – – indicating either their vegetable or animal origin <p>The adjective “hydrogenated” shall accompany the indication of a hydrogenated fat</p>
Mixture of flour obtained from two or more cereal species	Flour followed by a list of the cereals from which it has been obtained, in descending order by weight
Starches, and starches modified by physical or enzyme methods	“Starch”
All species of fish where the fish constitutes an ingredient of another foodstuff and provided that the name and presentation of such foodstuff does not refer to a specific species of fish	“Fish”
All types of cheese where the cheese or mixture of cheeses constitutes an ingredient of another foodstuff and provided that the name and presentation of such foodstuff does not refer to a specific type of cheese	“Cheese”
All spices not exceeding 2 % of the weight of the product	“Spice(s)” or “mixed spices”
All the herbs or parts of herbs not exceeding 2 % of the weight of the product	“Herbs” or “mixed herbs”
All types of gum preparations used in the manufacture of gum base for chewing gum	“Gum base”
All types of crumbed baked cereal products	“Crumbs” or “rusks” as appropriated
All types of sugars	“Sugar”
Anhydrous glucose or glucose monohydrate	“Glucose” or “Dextrose”
Glucose syrup and anhydrous glucose syrup	“Glucose syrup”
All types of milk proteins (caseins, caseinates)	“Milk proteins”

and whey proteins) and their mixtures thereof			
Pressed expeller or refined cocoa butter			“Cocoa butter”
All crystallised fruit not exceeding 10 % of the weight of the product			“Crystallised fruit”
Mixtures of vegetables not exceeding 10 % of the weight of the foodstuff			“Vegetables”
All types of wine			“Wine”
<p>“<i>Skeletal muscles</i> (**) of animal species, mammals and birds suitable for human consumption, together with naturally connected or cleaved tissue, where the total fat and connective tissue content shall not exceed the amount indicated in the following and where the meat shall be an ingredient of another product. Excluded from this definition are products which shall be defined by the expression mechanically de-boned meat (***)).</p> <p>Maximum content of fat and connective tissue for ingredients named using the expression “... meat”</p>			<p>“...meat” and name(s) (*) of the animal species from which it originates</p>
Species	Fat	Connective tissue ⁽¹⁾	
	percentage (%)	percentage (%)	
Mammal meat (except rabbit meat and pork) and mixed meats in which mammal meat dominates	25	25	
Pork	30	25	
Bird and rabbit meat	15	10	
<p>(1) The content of the connective tissue is calculated on the basis of the proportion of collagen and protein content. For the collagen content the hydroxyproline content is taken and multiplied by a factor of 8.</p> <p>If the individual percentage (%) of fats and connective tissue in the muscle is exceeded but still correspond to other criteria for the definition of the meat, the “...meat” content must be proportionally decreased and in the list</p>			

of ingredients must be listed (other than the expression "...meat") with an additional designation of fats and/or connective tissue present.

If these maximum limits are exceeded but all other criteria for the definition "...meat" are satisfied, in accordance with this the "... meat" content must be changed and in the list of ingredients presence of fats and/or connective tissue must be mentioned.

(*) This name may be substituted by the generic name of the ingredient for animal species in question.

(**) The diaphragm and masticatory (chewing) muscles are part of the skeletal muscle structure but excluded are the heart, tongue, cranial muscles (other than the masticatory muscle), carpus, tarsus and tail muscles.

(***) Mechanically de-boned meat is meat which is obtained by mechanical separation from the bone on which there are meat parts, other than the cranial bones, extremity bones, lower carpal or tarsal joints and spine in swine.

ANNEX 2

INGREDIENTS WHICH MUST BE DESIGNATED BY THE NAME OF THEIR CATEGORY FOLLOWED BY THEIR SPECIFIC NAME OR EC NUMBER

1. Colour
2. Preservative
3. Antioxidant
4. Emulsifier
5. Thickener
6. Gelling agents
7. Stabiliser
8. Flavour enhancer
9. Acid
10. Acid regulator
11. Anticaking agent
12. Modified starch⁽¹⁾
13. Sweetening agent (artificial sweetener)
14. Raising agent
15. Antifoaming agent
16. Glazing agent
17. Emulsifying salts⁽²⁾
18. Flour treatment agent
19. Firming agent
20. Humectant
21. Bulking agent
22. Propellant gases

(1) The specific name or EC number need not be indicated.

(2) Only for processed cheeses and processed cheese products.

