

STANDARD 1.2.5
DATE MARKING OF FOOD

Purpose

This Standard prescribes a date marking system for food and the form in which those foods must be date marked. The Standard requires food, with some exceptions, to be date marked, and prohibits the sale of food after the expiration of the use-by date, where such a date mark is required. In particular, clause 2 of this Standard sets out the circumstances in which a use-by date must be used instead of a best-before date.

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Clauses

1 Interpretation

In this Standard –

baked-for date, in relation to bread, means a date not later than 12 hours after the time the bread was baked.

Editorial note:

For example, bread that is baked after midday on one day may have a ‘baked-for’ date for the following day.

baked-on date, in relation to bread, means the date on which the bread was baked.

best-before date, in relation to a package of food, means the date which signifies the end of the period during which the intact package of food, if stored in accordance with any stated storage conditions, will remain fully marketable and will retain any specific qualities for which express or implied claims have been made.

use-by date, in relation to a package of food, means the date which signifies the end of the estimated period if stored in accordance with any stated storage conditions, after which the intact package of food should not be consumed because of health and safety reasons.

2 Food must be date marked

(1) Unless otherwise expressly prescribed in this Code, the label on a package of food must include –

- (a) its use-by date, where the food should be consumed before a certain date because of health or safety reasons; or
- (b) where paragraph 2(1)(a) does not apply, its best-before date;

unless –

- (c) the best-before date of the food is two years or more; or
- (d) the food is –
 - (i) an individual portion of ice cream or ice confection; or
 - (ii) in a small package, except where the food should be consumed before a certain date because of health or safety reasons.

(2) Reserved.

Editorial note:

FSANZ's *Guide to the Use of 'Use-by' and 'Best-Before' Dates for Food Manufacturers* provides guidance on paragraphs 2(1)(a) and (b).

Standard 1.2.1 sets out the exemptions to the general labelling requirements in this Code, and provides a definition of 'small package'.

(3) The label on a package of bread with a shelf life less than 7 days, may include instead of a best-before date –

- (a) its baked-on date; or
- (b) its baked-for date.

3 Prohibition on sale of food after the use-by date

Food must not be sold past its use-by date.

4 Prescribed form of date mark

(1) A best-before date must use the words –

'Best Before'

accompanied by the date or a reference to where the date is located in the label.

(2) A use-by date must use the words –

'Use By'

accompanied by the date or a reference to where the date is located in the label.

- (3) A baked-for date must use either the words –
‘Baked For’; or
‘Bkd For’

accompanied by the date or a reference to where the date is located in the label.

- (4) A baked-on date must use either the words –
‘Baked On’; or
‘Bkd On’

accompanied by the date or a reference to where the date is located in the label.

5 Prescribed form of date

- (1) The best-before date and use-by date must consist at least of –
- (a) the day and the month for products with a best-before date or use-by date of not more than 3 months; or
 - (b) the month and the year for products with a best-before date or use-by date of more than 3 months.
- (2) The best-before date and use-by date must be expressed in uncoded numerical and chronological form, other than the month, which may be expressed in letters.
- (3) The day, month and year so expressed within the best-before or used-by date must be distinguishable.

Examples:

For paragraph 5(1)(a) -

3 Dec or 3 12
3 12 99 or 3 Dec 99

For paragraph 5(1)(b) -

Dec 99 or 12 99
3 12 99 or 3 Dec 99

6. Statement of storage conditions

- (1) The label on a package of food must include a statement of any specific storage conditions required to ensure that the food will keep for the specified period indicated in the

–

- (a) use-by date; or
- (b) best-before date.

(2) Subclause 6(1) does not apply to liquid milk and milk products and cream and cream products sold in glass bottles with no label other than that on the foil cap.

7 Exclusive date marking system to be used

(1) Subject to subclause (2), the label on a package of food must not include a date marking system other than that prescribed by this Standard.

(2) Subclause (1) does not preclude the addition of a manufacturer's or packer's code on the label on a package of food.