

**To:** DC Chief Environmental Health Officers  
Group Chiefs  
NIFLG  
Gary McFarlane, CIEH  
LACORS

26<sup>th</sup> July 2007

Reference: ENF/NI/032

Dear Colleague

**Food Standards Agency advice on the status and labelling of 1%-fat milk as a food ingredient**

The following advice has been issued in consultation with the Department for Environment Food and Rural Affairs (Defra).

The Food Standards Agency is developing a programme on saturated fat and energy intake to address the public health concerns relating to the high intakes of saturated fat and intakes of calories in excess of need. As part of the developing programme and in response to stakeholder enquiries, the Agency has clarified the status and labelling of 1%-fat milk as a food ingredient.

The Drinking Milk Regulations (Northern Ireland) 1998 (which implement Council Regulation (EC) No 2597/97) prescribe the fat-content bands to which drinking milks (whole, semi-skimmed and skimmed) must conform. Defra has advised that these Regulations apply to drinking milk intended for delivery or sale without processing to the final consumer. Milk intended for use as a food ingredient in food products is therefore not subject to these provisions. There is therefore no prohibition on the use of milk containing 1% fat as an ingredient in food products.

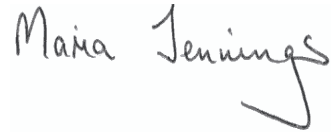
Under the Food Labelling Regulations (Northern Ireland) 1996 (as amended), the name used for a food should be sufficiently precise to inform consumers of the true nature of that food and to enable the food to be distinguished from products with which it could be confused and should if necessary, include a description of its use. Further, where the food is being used as an ingredient, the name used for it in the list of ingredients shall be a name which, if the ingredient in question were itself being sold as a food, could be used as the name of the food. It is the Food Standards Agency's opinion that the term '1%-fat milk' is sufficiently precise to ensure that consumers are not misled into believing that this milk ingredient is whole milk, semi-skimmed milk or skimmed milk.

Similarly, the name used for this ingredient where it appears in the product name must be sufficiently precise as to ensure that consumers are not misled into believing that the milk ingredient is whole milk, semi-skimmed milk or skimmed milk.



If you have any further questions, please contact my colleague Mervyn Briggs at [Mervyn.Briggs@foodstandards.gsi.gov.uk](mailto:Mervyn.Briggs@foodstandards.gsi.gov.uk) or call on 028 9041 7742.

Yours Sincerely

A handwritten signature in black ink that reads "Maria Jennings". The signature is written in a cursive style with a large, sweeping flourish at the end of the name.

**Maria Jennings**  
**Head of Consumer Choice & Food Standards Unit**