

Labeling of Foods Containing Vegetable Protein

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The provision of information about a product on the container is used largely by a manufacturer to influence the consumer's choice. This is understandable. It is the legislator's task to ensure that it also informs the consumer. A label can mislead both by means of what is there and by what is missing, and it can - with a purely factual statement or by implication - suggest that a food has a special value or quality which need not necessarily be present.

Labeling must therefore contain all the essential information adequately and correctly and any other information in a manner which would not mislead the purchaser. This must be the objective of legislation on labeling. Many of the rules are general and apply to all products. Others are clearly specific to particular foods, and to select those appropriate to vegetable protein foods, and to products containing them as ingredients is a task which many countries are finding requires a great deal of careful consideration.

In the United Kingdom we have the benefit of the reports of the Food Standards' Committee, which advises Ministers on questions concerning legislation on the composition and labeling of food. In their Report on Food Labeling published in 1964, the Committee stressed that labeling was an important aspect of consumer protection and put forward the following guiding principles as the basis for their deliberations on food labeling: (a) regulations for labeling must be designed to protect consumers and honest traders; (b) if consumer and trade interests conflict, then the interests of consumers must take precedence; (c) all labeling should be as clear and informative as possible.

The Committee is at present looking again at food labeling and claims in the United Kingdom, but its up to date Report on these matters is not likely to be available for some time. Nevertheless, I would think that few people would argue with the principles enunciated by the Committee in its earlier Report, although most would recognize that the path of the legislator is not an easy one to tread. Being too lenient, on the one hand, would allow too much scope for the consumer to be confused or misled, and being too rigid, on the other hand, could lead to the strangulation of the development of new products.

The problems are not made any easier when they have to be related to those foods which are the subject of present discussions. The use of vegetable protein ingredients in foods presents particular problems in relation to labeling. This is so because vegetable protein is an ingredient which can be used in a way which either simulates the normal ingredient, e.g., meat, in a meat product, or enhances in one way or another the general meatiness of the meat used. It can be used to improve the general texture of the product and to act as an aid to the emulsification of fat and moisture. It can be used to make a meat product containing the appropriate amount of meat seem to have more meat or perhaps just better meat, or have less liquid or fat surrounding the meat. It therefore seems to be the very epitome of an ingredient, the use of which would give rise to some misunderstanding as far as the consumer is concerned on some of these points since a number of the characteristics of vegetable protein as an ingredient are not necessarily unique. Vegetable protein is not the only product capable of achieving many of the effects referred to, and it could be argued that since the consumer may well reach the opinion that a product containing vegetable protein has a satisfactory eating quality and has not necessarily suffered in any way because of this ingredient, it is not

necessary to be too worried about informing him or her of it use.

The food industry in the United Kingdom has been free to use any ingredient in food as long as the general rules laid down in the Food and Drugs Act and any specific legislation made under the Acts are complied with. The Acts, - there are separate Acts covering England and Wales, Scotland and Northern Ireland - compel manufacturers to ensure that any food product marketed contains no ingredient that would render it injurious to health. They must also market their products in such a way as not to mislead the potential purchaser as to their nature, substance, and quality. Under the Acts there are regulations on labeling which require that products are given a description which either complies with specific legislation covering the labeling and composition of the food or generally provides the potential purchaser with a clear indication of the true nature of the product. It is only where it is felt that some special requirements are called for that particular rules governing the labeling of specific products are prescribed. In many respects it could perhaps be argued that the existing general rules are adequate to safeguard the interests of the consumer, and that at least as far as the United Kingdom is concerned no extra labeling regulations are essential.

However, the legislator is forced to consider questions of this sort in the light of the pressures which emanate from the consumers' representatives for them to be given more information about food products, and from enforcement authorities who are concerned at the possibility of vegetable protein foods being used in place of meat without any indication to the consumer. Taking these points into account there are various aspects of labeling to which consideration needs to be given. These are (a) names and descriptions, (b) supplementary statements allied to descriptions, and (c) items in lists of ingredients. In looking at the labeling aspects of particular commodities, it is necessary to keep in mind both the different aspects of labeling and their likely impact on the consumer.

For example, if a meat pie contained a certain amount of vegetable protein food ingredient, the label might carry one of the following descriptions: (a) "Meat Pie" - vegetable protein only referred to in the ingredient list; (b) "Meat Pie with (or contains) vegetable protein;" (c) "Meat and vegetable protein pie;" (d) "Meat and vegetable protein pie - X% meat, Y% vegetable protein." The term "meat pie" without qualification would generally be regarded as appropriate if the normal meat content were present. "Meat pie with (or containing) vegetable protein," might suggest that enough vegetable protein has been used to change the characteristics of a meat pie but still with the expected amount of meat content. "Meat and vegetable protein pie" might be considered appropriate if part of the meat content were substituted by vegetable protein food, and finally, the same description, but with specified percentages, becomes fully informative to the discerning consumer.

But consideration needs to be given to how far legislators would be justified in trying to cater to such a comprehensive set of descriptions, and how far such rules, if instituted, would really help the consumer. Is it reasonable to expect that the consumer will see and appreciate the reasons for the difference between a description like "meat pie with vegetable protein" and "meat and vegetable protein pie?" Under what circumstances would reference to vegetable protein only in a list of ingredients be inadequate? Should the source of the protein be specified?

Is the term "vegetable protein" satisfactory or should it be "vegetable protein product" or "textured soy protein product?" Does the consumer really need to be informed about the process?

The United Kingdom Food Standards' Committee in its Report On Novel Protein Foods recommended that in meat products "where part of the required minimum meat content is replaced by novel protein foods, a reference to the novel protein food should be included in the name of the product." They further recommended that the "presence of textured novel protein food in addition to and not in substitution for meat should be made clear to the consumer, for foods with or without a controlled minimum meat content, by declaration in the description of the product." These recommendations were related to the use of vegetable protein foods in meat products, and they are being given further consideration by the Committee, in the light of representation made on the Report, during the general review of United Kingdom regulations concerning meat products which is now being undertaken. For the same reason, the recommendations have not yet been the subject of any special legislation in the United Kingdom. Nevertheless, they propound certain principles

in relation to the labeling of foods containing vegetable protein ingredients, and taken in conjunction with the Committee's guiding principle on the basis of deliberation for food labeling, they are appropriate for consideration during the present discussions.

There clearly must be a case for considering special descriptions for products which, although basically meat products, are prepared from a mixture of meat and vegetable protein food. In any instance where the consumer could be lead to believe that all the apparent meat was actually meat, when some was not, or that discrete pieces of a substance were meat when in fact they were not, there seems to be a case for special labeling rules. The legislator's problem will be to discharge this commitment without confusing the consumer and without placing any unnecessary financial burden or other restraint on the manufacturer. The development of techniques for converting vegetable protein to a form suitable for use as an ingredient in food should not, as far as can be seen, be discouraged. Indeed it may well be that they will need to be encouraged. However, the need to ensure that the consumer can be adequately informed about what he is eating is one that the legislator cannot afford to overlook.