

## DATE OF MINIMUM DURABILITY AND THE EXPIRY DATE

The legislation currently in force in Italy concerning the labelling, presentation and advertising of foodstuffs (Legislative Decree 109/1992) provides that for foods intended for sale to the consumer in the domestic market, is provided, among other things, information on the durability of food.

This information is expressed through two different wordings:

- *“best before”*
- or *“use by”*

### The date of minimum durability

#### Definition

The date of minimum durability expressed by the words **“best before”** is the date within which the food retains its quality and specific properties, provided that, of course, it has been properly stored.

Coffee, for example, if drunk after the date of minimum durability could have lost (in whole or in part) its aroma, shortbread cookies might be less crumbly, a fizzy soft drink might be less sparkling.

Assuming a pre-packaged product has been properly stored, the more time will be spent from its best before date, the more likely that the food has lost features such as, for example, fragrance, softness, smell, flavour, savouries, colour, crispness, texture and so on without, however, having become dangerous for the consumer's health.

#### Date marking indication

The date of minimum durability is indicated by “best before” followed by the date expressed in terms of day, month and year, or with “best before end” in the other cases.

The indication “best before” might be followed either by the date itself or by a reference to where the date is given, e.g. “see cap”.

The date of minimum durability bears the indication of day, month and year, in that order, and can be expressed depending on the shelf life of the food, according to the draft in the Table 1:

**Table 1 Date marking indication of the minimum durability of the product**

Foodstuff minimum durability	Date marking indication	Example of indication
Foodstuff which will not keep for more than 3 months	Indication of the day and the month	“best before May 18”
Products which will keep for more than 3 months but not more than 18 months	indication of the month and the year	“best before end of May 2015”
Products which will keep for more than 18 months	indication of the year	“best before the end of 2015”

## **Any further indications**

If, in relation to the characteristics of the product, special care must be taken so that it can be properly stored until its term, or when particular storage conditions are defined by specific regulations, the indication of the date of minimum durability must be followed by storage instructions.

### **Foods that do not require the indication of a the date of minimum durability**

The legislation currently in force establishes that the indication of minimum durability for storage is not required for the following products:

- a) fresh fruit and vegetables, including potatoes, which have not been peeled, cut or which have not undergone similar treatments; this derogation shall not apply to sprouting seeds and similar products such as legume sprouts;
- b) wines, liqueur wines, sparkling wines, aromatized wines and similar products obtained from fruits other than grapes, as well as certain beverages obtained from grape or grape must;
- c) beverages containing 10% or more by volume of alcohol;
- d) soft drinks, fruit juices and nectars, alcoholic beverages placed in individual containers with a capacity exceeding 5 liters, intended for supply to mass caterers;
- e) bakers' or pastry cooks' wares which, given the nature of their content, are normally consumed within 24 hours of their manufacture;
- f) vinegar;
- g) cooking salt;
- h) solid sugar;
- i) confectionery products consisting almost solely of flavoured and/or coloured sugars,
- l) chewing gums and similar chewing products;
- m) individual portions of ice cream.

## **The expiry date**

### **Definition**

The **expiry date**, expressed by the words "use by" is used to indicate the durability of pre-packaged foods, which may become hazardous for human health if not used by the stated date, usually because of microbiological spoilage (i.e. fresh milk, eggs and yogurt).

## **Date marking indication**

It is indicated by the words "use-by" followed, in this case as well, by the date itself or by the reference to where the date is given (e.g. "see cap").

With regard to the "use-by" date, which is expressed in terms of date, month and possibly year, it comprises the description of the storage conditions which must be observed and, should it be established, storage temperature for the determination and extension of its shelf-life.

## **RELEVANT LEGISLATION**

Legislative Decree 109/1992, Article 10.

Legislative Decree 109/1992, Article 10 bis.