

Nestle resolves ice-cream flavour issue

NESTLE has responded to The Herald Fair and Square column criticism of its "chocolate" ice-cream ("It's sweet but it's deceit, says law", January 20) by flying two representatives down to Port Elizabeth to visit the customer who made the complaint.

Not only that, but they also visited The Herald offices to show new labels for Nestle Farmhouse "chocolate" ice-cream, saying that from March 1 the label will read "chocolate-flavoured".

The food giant received a roasting from The Herald reader Patrick Kenealy, who had complained that the ice-cream contained "not a trace of chocolate in it, nothing derived from the cocoa bean".

Kenealy was quite correct to complain as, in terms of the Consumer Protection Act, Nestle's labelling was indeed deceptive. However, corporate affairs director Ravi Pillay has sent through an explanation that he believes exonerates Nestle.

Pillay quoted the Department of Agriculture, Forestry and Fisheries' draft regulations which permitted the ice cream industry to use "chocolate ice cream" or "vanilla ice cream" on labels, where permitted chocolate or vanilla flavours were used. The relevant ex-



NEW LABEL: The updated label for Nestle Farmhouse ice-cream has the words 'chocolate flavoured ice-cream' instead of 'chocolate ice-cream'

cerpt from the regulations reads as follows:

"If a flavourant has been added to dairy ice-cream, ice-cream, frozen dessert or frozen yoghurt in order to render a distinctive flavour thereto, the applicable class designation for that dairy ice-cream, ice-cream, frozen dessert or frozen yoghurt shall be preceded by the descriptive name for the distinctive flavour concerned and the expression 'flavoured', or be followed by that descriptive name and the expression 'flavoured', with the exception of vanilla and chocolate and unless the flavourant concerned, in the case of

whereby ingredients or inclusions have been added to a dairy ice-cream, ice-cream, frozen dessert or frozen Yoghurt only enhances the flavour of the ingredient or inclusion."

Hmm, that doesn't sound clear at all. To be fair, despite its official reply rather skirting the issue, praise does go to Nestle at least for customer follow-up that other major corporations could learn from.

The fly in that ointment is that it took a call from The Herald for Nestle to contact Kenealy. Pillay said there was no record of his complaint, which Kenealy said he had laid several months ago.

Nonetheless, Pillay promised the new ice-cream packaging would be in place by March 1, when regulations on the labelling and advertising of foodstuffs laid down by the Health Department take effect.

"It is a complex piece of legislation and there was no intention to mislead but we most definitely will have new packaging by the first of March," Pillay said. However, customers may still find the older, misleading packaging on shelves if it has not been sold by that date.

While it may have been – strictly speaking – legal to call your product "chocolate ice-cream" it certainly was not ethical or consumer friendly. But well done Nestle for changing your labels!



NESTLE VISIT: Nestle compliance manager for the Southern African region Baboo Dajee (left), The Herald reader Patrick Kenealy (centre) and Nestle director for corporate communication and public affairs Ravi Pillay discussed the labelling of Nestle Country Fresh ice-cream. Country Fresh does contain cocoa (and is more expensive), but Farmhouse does not

Picture: JUDY DE VEGA