

Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000

## CHAPTER IV

### CONSUMER INFORMATION

#### *Article 35*

#### **Mandatory information**

1 Without prejudice to Regulation (EU) No 1169/2011, fishery and aquaculture products referred to in points (a), (b), (c) and (e) of Annex I to this Regulation which are marketed within the Union, irrespective of their origin or of their marketing method, may be offered for sale to the final consumer or to a mass caterer only if appropriate marking or labelling indicates:

- a the commercial designation of the species and its scientific name;
- b the production method, in particular by the following words ‘... caught ...’ or ‘... caught in freshwater ...’ or ‘... farmed ...’;
- c the area where the product was caught or farmed, and the category of fishing gear used in capture of fisheries, as laid down in the first column of Annex III to this Regulation;
- d whether the product has been defrosted;
- e the date of minimum durability, where appropriate.

The requirement in point (d) shall not apply to:

- a ingredients present in the final product;
- b foods for which freezing is a technologically necessary step in the production process;
- c fishery and aquaculture products previously frozen for health safety purposes, in accordance with Annex III, Section VIII, of Regulation (EC) No 853/2004;
- d fishery and aquaculture products which have been defrosted before the process of smoking, salting, cooking, pickling, drying or a combination of any of those processes.

2 For non-prepacked fishery and aquaculture products, the mandatory information listed in paragraph 1 may be provided for retail sale by means of commercial information such as billboards or posters.

3 Where a mixed product is offered for sale to the final consumer or to a mass caterer that consists of the same species but which has been derived from different production methods, the method for each batch shall be stated. Where a mixed product is offered for sale to the final consumer or to a mass caterer that consists of the same species but which has been derived from a variety of catch areas or fish-farming countries, at least the area of the batch which is most representative in terms of quantity shall be stated, together with an indication that the products also come from different catch or fish-farming areas.

4 Member States may exempt from the requirements referred to in paragraph 1 small quantities of products sold directly from fishing vessels to consumers, provided that those do not exceed the value referred to in Article 58(8) of Regulation (EC) No 1224/2009.

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*Status: Point in time view as at 31/12/2020.*

*Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1379/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)*

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5 Fishery and aquaculture products and their packages which were labelled or marked prior to 13 December 2014 and which do not comply with this Article may be marketed until such stocks have been used up.

[<sup>F16</sup> Until 31 December 2021, paragraphs 1, 2 and 3 shall not apply to products offered for retail sale to the final consumer in Mayotte, as an outermost region within the meaning of Article 349 TFEU.]

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#### **Textual Amendments**

**F1** Inserted by Council Regulation (EU) No 1385/2013 of 17 December 2013 amending Council Regulations (EC) No 850/98 and (EC) No 1224/2009, and Regulations (EC) No 1069/2009, (EU) No 1379/2013 and (EU) No 1380/2013 of the European Parliament and of the Council, following the amendment of the status of Mayotte with regard to the European Union.

**Status:**

Point in time view as at 31/12/2020.

**Changes to legislation:**

There are outstanding changes not yet made to Regulation (EU) No 1379/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.