

Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (Text with EEA relevance)

### CHAPTER III

## **GENERAL FOOD INFORMATION REQUIREMENTS AND RESPONSIBILITIES OF FOOD BUSINESS OPERATORS**

### *Article 8*

#### **Responsibilities**

1 The food business operator responsible for the food information shall be the operator under whose name or business name the food is marketed or, if that operator is not established in the [<sup>F1</sup>British Islands], the importer into the [<sup>F2</sup>British Islands].

2 The food business operator responsible for the food information shall ensure the presence and accuracy of the food information in accordance with the applicable food information law and requirements of [<sup>F3</sup>any other relevant enactment].

3 Food business operators which do not affect food information shall not supply food which they know or presume, on the basis of the information in their possession as professionals, to be non-compliant with the applicable food information law and requirements of [<sup>F3</sup>any other relevant enactment].

4 Food business operators, within the businesses under their control, shall not modify the information accompanying a food if such modification would mislead the final consumer or otherwise reduce the level of consumer protection and the possibilities for the final consumer to make informed choices. Food business operators are responsible for any changes they make to food information accompanying a food.

5 Without prejudice to paragraphs 2 to 4, food business operators, within the businesses under their control, shall ensure compliance with the requirements of food information law and [<sup>F4</sup>any other relevant enactment] which are relevant to their activities and shall verify that such requirements are met.

6 Food business operators, within the businesses under their control, shall ensure that information relating to non-prepacked food intended for the final consumer or for supply to mass caterers shall be transmitted to the food business operator receiving the food in order to enable, when required, the provision of mandatory food information to the final consumer.

7 In the following cases, food business operators, within the businesses under their control, shall ensure that the mandatory particulars required under Articles 9 and 10 shall appear on the prepackaging or on a label attached thereto, or on the commercial documents referring to

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) No 1169/2011 of the European Parliament and of the Council, Article 8. (See end of Document for details)

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the foods where it can be guaranteed that such documents either accompany the food to which they refer or were sent before or at the same time as delivery:

- a where prepacked food is intended for the final consumer but marketed at a stage prior to sale to the final consumer and where sale to a mass caterer is not involved at that stage;
- b where prepacked food is intended for supply to mass caterers for preparation, processing, splitting or cutting up.

Notwithstanding the first subparagraph, food business operators shall ensure that the particulars referred to in points (a), (f), (g) and (h) of Article 9(1) also appear on the external packaging in which the prepacked foods are presented for marketing.

8 Food business operators that supply to other food business operators food not intended for the final consumer or to mass caterers shall ensure that those other food business operators are provided with sufficient information to enable them, where appropriate, to meet their obligations under paragraph 2.

#### Textual Amendments

- F1** Words in Art. 8(1) substituted (27.5.2021) by [The Food and Drink \(Miscellaneous Amendments Relating to Food and Wine Composition, Information and Labelling\) Regulations 2021 \(S.I. 2021/632\)](#), regs. 1, **6(a)**
- F2** Words in Art. 8(1) substituted (27.5.2021) by [The Food and Drink \(Miscellaneous Amendments Relating to Food and Wine Composition, Information and Labelling\) Regulations 2021 \(S.I. 2021/632\)](#), regs. 1, **6(b)**
- F3** Words in Art. 8(2)(3) substituted (31.12.2020) by [The Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/529\)](#), regs. 1, **5(7)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 8(5) substituted (31.12.2020) by [The Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/529\)](#), regs. 1, **5(7)**; 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EU) No 1169/2011 of the European Parliament and of the Council, Article 8.