

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 IV

### MANDATORY FOOD INFORMATION

#### SECTION 1

##### *Content and presentation*

##### *Article 9*

##### **List of mandatory particulars**

1 In accordance with Articles 10 to 35 and subject to the exceptions contained in this Chapter, indication of the following particulars shall be mandatory:

- a the name of the food;
- b the list of ingredients;
- c any ingredient or processing aid listed in Annex II or derived from a substance or product listed in Annex II causing allergies or intolerances used in the manufacture or preparation of a food and still present in the finished product, even if in an altered form;
- d the quantity of certain ingredients or categories of ingredients;
- e the net quantity of the food;
- f the date of minimum durability or the 'use by' date;
- g any special storage conditions and/or conditions of use;
- h the name or business name and address of the food business operator referred to in Article 8(1);
- i the country of origin or place of provenance where provided for in Article 26;
- j instructions for use where it would be difficult to make appropriate use of the food in the absence of such instructions;
- k with respect to beverages containing more than 1,2 % by volume of alcohol, the actual alcoholic strength by volume;
- l a nutrition declaration.

2 The particulars referred to in paragraph 1 shall be indicated with words and numbers. Without prejudice to Article 35, they may additionally be expressed by means of pictograms or symbols.

*Status: Point in time view as at 27/05/2021.*

*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, CHAPTER IV. (See end of Document for details)*

3 Where [<sup>F1</sup>regulations are made under] this Article, the particulars referred to in paragraph 1 may alternatively be expressed by means of pictograms or symbols instead of words or numbers.

In order to ensure that consumers benefit from other means of expression of mandatory food information than words and numbers, and provided that the same level of information as with words and numbers is ensured [<sup>F2</sup>and] evidence of uniform consumer understanding [<sup>F3</sup>is taken into account, regulations may be made to establish] the criteria subject to which one or more particulars referred to in paragraph 1 may be expressed by pictograms or symbols instead of words or numbers.

4 For the purpose of ensuring the uniform implementation of paragraph 3 of this Article, [<sup>F4</sup>regulations may be made] on the modalities of application of the criteria defined in accordance with paragraph 3 to express one or more particulars by means of pictograms or symbols instead of words or numbers. <sup>F5</sup>...

#### Textual Amendments

- F1** Words in Art. 9(3) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(4)(a)(i)** (as amended by S.I. 2020/1501, regs. 1(a), **5(3)(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F2** Word in Art. 9(3) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(4)(a)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 9(3) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(4)(a)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 9(4) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(4)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Art. 9(4) omitted (31.12.2020) by virtue of [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(4)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 10

#### Additional mandatory particulars for specific types or categories of foods

1 In addition to the particulars listed in Article 9(1), additional mandatory particulars for specific types or categories of foods are laid down in Annex III.

2 In order to ensure consumer information with respect to specific types or categories of foods and to take account of technical progress, scientific developments, the protection of consumers' health or the safe use of a food, [<sup>F6</sup>regulations may amend Annex 3.]

<sup>F7</sup>...

#### Textual Amendments

- F6** Words in Art. 10(2) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(5)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in Art. 10(2) omitted (31.12.2020) by virtue of [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(5)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

*Status: Point in time view as at 27/05/2021.*

*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, CHAPTER IV. (See end of Document for details)*

## Article 11

### Weights and measures

Article 9 shall be without prejudice to more specific [<sup>F8</sup>provisions in EU-derived domestic legislation or retained direct EU legislation] regarding weights and measures.

#### Textual Amendments

- F8** Words in Art. 11 substituted (31.12.2020) by [The Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/529\)](#), regs. 1, **5(8)**; 2020 c. 1, Sch. 5 para. 1(1)

## Article 12

### Availability and placement of mandatory food information

1 Mandatory food information shall be available and shall be easily accessible, in accordance with this Regulation, for all foods.

2 In the case of prepacked food, mandatory food information shall appear directly on the package or on a label attached thereto.

3 In order to ensure that consumers benefit from other means of provision of mandatory food information better adapted for certain mandatory particulars, and provided that the same level of information as by means of the package or the label is ensured [<sup>F9</sup>and] evidence of uniform consumer understanding and of the wide use of these means by consumers [<sup>F10</sup>is taken into account, regulations may establish], by means of delegated acts in accordance with Article 51, criteria subject to which certain mandatory particulars may be expressed by means other than on the package or on the label.

4 For the purposes of ensuring the uniform implementation of paragraph 3 of this Article, [<sup>F11</sup>regulations may be made] on the modalities of application of the criteria referred to in paragraph 3 in order to express certain mandatory particulars by means other than on the package or on the label. <sup>F12</sup>...

5 In the case of non-prepacked food, the provisions of Article 44 shall apply.

#### Textual Amendments

- F9** Word in Art. 12(3) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(6)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in Art. 12(3) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(6)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in Art. 12(4) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(6)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

*Status: Point in time view as at 27/05/2021.*

*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, CHAPTER IV. (See end of Document for details)*

**F12** Words in Art. 12(4) omitted (31.12.2020) by virtue of [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(6)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 13

#### Presentation of mandatory particulars

1 Without prejudice to [<sup>F13</sup>enactments referred to in Article 44(2) relating to the presentation of mandatory particulars for food to which that Article applies], mandatory food information shall be marked in a conspicuous place in such a way as to be easily visible, clearly legible and, where appropriate, indelible. It shall not in any way be hidden, obscured, detracted from or interrupted by any other written or pictorial matter or any other intervening material.

2 Without prejudice to specific [<sup>F14</sup>provisions in EU-derived domestic legislation or retained direct EU legislation] applicable to particular foods, when appearing on the package or on the label attached thereto, the mandatory particulars listed in Article 9(1) shall be printed on the package or on the label in such a way as to ensure clear legibility, in characters using a font size where the x-height, as defined in Annex IV, is equal to or greater than 1,2 mm.

3 In case of packaging or containers the largest surface of which has an area of less than 80 cm<sup>2</sup>, the x-height of the font size referred to in paragraph 2 shall be equal to or greater than 0,9 mm.

4 For the purpose of achieving the objectives of this Regulation, [<sup>F15</sup>regulations may be made to] establish rules for legibility.

For the same purpose as referred to in the first subparagraph, [<sup>F16</sup>regulations may be made to] extend the requirements under paragraph 5 of this Article to additional mandatory particulars for specific types or categories of foods.

5 The particulars listed in points (a), (e) and (k) of Article 9(1) shall appear in the same field of vision.

6 Paragraph 5 of this Article shall not apply in the cases specified in Article 16(1) and (2).

#### Textual Amendments

**F13** Words in Art. 13(1) substituted (31.12.2020) by [The Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/529\)](#), regs. 1, **5(9)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

**F14** Words in Art. 13(2) substituted (31.12.2020) by [The Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/529\)](#), regs. 1, **5(9)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

**F15** Words in Art. 13(4) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(7)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

**F16** Words in Art. 13(4) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(7)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

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## Article 14

### Distance selling

1 Without prejudice to the information requirements laid down in Article 9, in the case of prepacked foods offered for sale by means of distance communication:

- a mandatory food information, except the particulars provided in point (f) of Article 9(1), shall be available before the purchase is concluded and shall appear on the material supporting the distance selling or be provided through other appropriate means clearly identified by the food business operator. When other appropriate means are used, the mandatory food information shall be provided without the food business operator charging consumers supplementary costs;
- b all mandatory particulars shall be available at the moment of delivery.

2 In the case of non-prepacked foods offered for sale by means of distance communication, the particulars required under Article 44 shall be made available in accordance with paragraph 1 of this Article.

3 Point (a) of paragraph 1 shall not apply to foods offered for sale by means of automatic vending machines or automated commercial premises.

## Article 15

### Language requirements

1 Without prejudice to Article 9(3), mandatory food information shall appear in [<sup>F17</sup>English].

<sup>F18</sup>2 .....

3 [<sup>F19</sup>Paragraph 1] shall not preclude the particulars from being indicated in several languages.

#### Textual Amendments

**F17** Word in Art. 15(1) substituted (31.12.2020) by [The Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/529\)](#), regs. 1, **5(10)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

**F18** Art. 15(2) omitted (31.12.2020) by virtue of [The Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/529\)](#), regs. 1, **5(10)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

**F19** Words in Art. 15(3) substituted (31.12.2020) by [The Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/529\)](#), regs. 1, **5(10)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

## Article 16

### Omission of certain mandatory particulars

1 In the case of glass bottles intended for reuse which are indelibly marked and which therefore bear no label, ring or collar only the particulars listed in points (a), (c), (e), (f) and (l) of Article 9(1) shall be mandatory.

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2 In the case of packaging or containers the largest surface of which has an area of less than 10 cm<sup>2</sup> only the particulars listed in points (a), (c), (e) and (f) of Article 9(1) shall be mandatory on the package or on the label. The particulars referred to in point (b) of Article 9(1) shall be provided through other means or shall be made available at the request of the consumer.

3 Without prejudice to other [<sup>F20</sup>provisions in EU-derived domestic legislation or retained direct EU legislation] requiring a mandatory nutrition declaration, the declaration referred to in point (l) of Article 9(1) shall not be mandatory for the foods listed in Annex V.

4 Without prejudice to other [<sup>F21</sup>provisions in EU-derived domestic legislation or retained direct EU legislation] requiring a list of ingredients or a mandatory nutrition declaration, the particulars referred to in points (b) and (l) of Article 9(1) shall not be mandatory for beverages containing more than 1,2 % by volume of alcohol.

F22 ...

**Textual Amendments**

**F20** Words in Art. 16(3) substituted (31.12.2020) by The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(11)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

**F21** Words in Art. 16(4) substituted (31.12.2020) by The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(11)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

**F22** Words in Art. 16(4) omitted (31.12.2020) by virtue of The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(11)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

SECTION 2

*Detailed provisions on mandatory particulars*

Article 17

**Name of the food**

1 The name of the food shall be its legal name. In the absence of such a name, the name of the food shall be its customary name, or, if there is no customary name or the customary name is not used, a descriptive name of the food shall be provided.

F23<sub>2</sub> .....

F24<sub>3</sub> .....

4 The name of the food shall not be replaced with a name protected as intellectual property, brand name or fancy name.

5 Specific provisions on the name of the food and particulars that shall accompany it are laid down in Annex VI.

**Textual Amendments**

**F23** Art. 17(2) omitted (31.12.2020) by virtue of The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(12)**; 2020 c. 1, Sch. 5 para. 1(1)

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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, CHAPTER IV. (See end of Document for details)*

**F24** Art. 17(3) omitted (31.12.2020) by virtue of [The Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/529\)](#), regs. 1, **5(12)**; 2020 c. 1, Sch. 5 para. 1(1)

## Article 18

### List of ingredients

1 The list of ingredients shall be headed or preceded by a suitable heading which consists of or includes the word ‘ingredients’. It shall include all the ingredients of the food, in descending order of weight, as recorded at the time of their use in the manufacture of the food.

2 Ingredients shall be designated by their specific name, where applicable, in accordance with the rules laid down in Article 17 and in Annex VI.

3 All ingredients present in the form of engineered nanomaterials shall be clearly indicated in the list of ingredients. The names of such ingredients shall be followed by the word ‘nano’ in brackets.

4 Technical rules for applying paragraphs 1 and 2 of this Article are laid down in Annex VII.

<sup>F25</sup> .....

#### Textual Amendments

**F25** Deleted by [Regulation \(EU\) 2015/2283 of the European Parliament and of the Council of 25 November 2015 on novel foods, amending Regulation \(EU\) No 1169/2011 of the European Parliament and of the Council and repealing Regulation \(EC\) No 258/97 of the European Parliament and of the Council and Commission Regulation \(EC\) No 1852/2001 \(Text with EEA relevance\).](#)

## Article 19

### Omission of the list of ingredients

1 The following foods shall not be required to bear a list of ingredients:

- a fresh fruit and vegetables, including potatoes, which have not been peeled, cut or similarly treated;
- b carbonated water, the description of which indicates that it has been carbonated;
- c fermentation vinegars derived exclusively from a single basic product, provided that no other ingredient has been added;
- d cheese, butter, fermented milk and cream, to which no ingredient has been added other than lactic products, food enzymes and micro-organism cultures essential to manufacture, or in the case of cheese other than fresh cheese and processed cheese the salt needed for its manufacture;
- e foods consisting of a single ingredient, where:
  - (i) the name of the food is identical to the ingredient name; or
  - (ii) the name of the food enables the nature of the ingredient to be clearly identified.

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2 In order to take into account the relevance for the consumer of a list of ingredients for specific types or categories of foods, [F26]regulations may be made, in exceptional cases, to] supplement paragraph 1 of this Article, provided that omissions do not result in the final consumer or mass caterers being inadequately informed.

#### Textual Amendments

**F26** Words in Art. 19(2) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(8)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 20

#### Omission of constituents of food from the list of ingredients

Without prejudice to Article 21, the following constituents of a food shall not be required to be included in the list of ingredients:

- (a) the constituents of an ingredient which have been temporarily separated during the manufacturing process and later reintroduced but not in excess of their original proportions;
- (b) food additives and food enzymes:
  - (i) whose presence in a given food is solely due to the fact that they were contained in one or more ingredients of that food, in accordance with the carry-over principle referred to in points (a) and (b) of Article 18(1) of Regulation (EC) No 1333/2008, provided that they serve no technological function in the finished product; or
  - (ii) which are used as processing aids;
- (c) carriers and substances which are not food additives but are used in the same way and with the same purpose as carriers, and which are used in the quantities strictly necessary;
- (d) substances which are not food additives but are used in the same way and with the same purpose as processing aids and are still present in the finished product, even if in an altered form;
- (e) water:
  - (i) where the water is used during the manufacturing process solely for the reconstitution of an ingredient used in concentrated or dehydrated form; or
  - (ii) in the case of a liquid medium which is not normally consumed.

### Article 21

#### Labelling of certain substances or products causing allergies or intolerances

1 Without prejudice to [F27]enactments referred to in Article 44(2) relating to the presentation of mandatory particulars for food to which Article 44 applies], the particulars referred to in point (c) of Article 9(1) shall meet the following requirements:



*Status: Point in time view as at 27/05/2021.*

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- a they shall be indicated in the list of ingredients in accordance with the rules laid down in Article 18(1), with a clear reference to the name of the substance or product as listed in Annex II; and
- b the name of the substance or product as listed in Annex II shall be emphasised through a typeset that clearly distinguishes it from the rest of the list of ingredients, for example by means of the font, style or background colour.

In the absence of a list of ingredients, the indication of the particulars referred to in point (c) of Article 9(1) shall comprise the word ‘contains’ followed by the name of the substance or product as listed in Annex II.

Where several ingredients or processing aids of a food originate from a single substance or product listed in Annex II, the labelling shall make it clear for each ingredient or processing aid concerned.

The indication of the particulars referred to in point (c) of Article 9(1) shall not be required in cases where the name of the food clearly refers to the substance or product concerned.

2 In order to ensure better information for consumers and to take account of the most recent scientific progress and technical knowledge, the [<sup>F28</sup>appropriate authority must systematically re-examine the list in Annex 2. Where considered necessary by the appropriate authority, that list must be updated by regulations].

F29  
...

#### Textual Amendments

- F27** Words in Art. 21(1) substituted (31.12.2020) by [The Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/529\)](#), regs. 1, **5(13)**; 2020 c. 1, Sch. 5 para. 1(1)
- F28** Words in Art. 21(2) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(9)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F29** Words in Art. 21(2) omitted (31.12.2020) by virtue of [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(9)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

## Article 22

### Quantitative indication of ingredients

1 The indication of the quantity of an ingredient or category of ingredients used in the manufacture or preparation of a food shall be required where the ingredient or category of ingredients concerned:

- a appears in the name of the food or is usually associated with that name by the consumer;
- b is emphasised on the labelling in words, pictures or graphics; or
- c is essential to characterise a food and to distinguish it from products with which it might be confused because of its name or appearance.

2 Technical rules for applying paragraph 1, including specific cases where the quantitative indication shall not be required in respect of certain ingredients, are laid down in Annex VIII.

*Status: Point in time view as at 27/05/2021.*

*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, CHAPTER IV. (See end of Document for details)*

## Article 23

### Net quantity

1 The net quantity of a food shall be expressed using litres, centilitres, millilitres, kilograms or grams, as appropriate:

- a in units of volume in the case of liquid products;
- b in units of mass in the case of other products.

2 In order to ensure a better understanding by the consumer of the food information on the labelling, [<sup>F30</sup>regulations may be made to] establish for certain specified foods <sup>F31</sup>... a manner for the expression of the net quantity other than the one laid down in paragraph 1 of this Article.

3 Technical rules for applying paragraph 1, including specific cases where the indication of the net quantity shall not be required, are laid down in Annex IX.

#### Textual Amendments

- F30** Words in Art. 23(2) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(10)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F31** Words in Art. 23(2) omitted (31.12.2020) by virtue of [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(10)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

## Article 24

### Minimum durability date, 'use by' date and date of freezing

1 In the case of foods which, from a microbiological point of view, are highly perishable and are therefore likely after a short period to constitute an immediate danger to human health, the date of minimum durability shall be replaced by the 'use by' date. After the 'use by' date a food shall be deemed to be unsafe in accordance with Article 14(2) to (5) of Regulation (EC) No 178/2002.

2 The appropriate date shall be expressed in accordance with Annex X.

3 In order to ensure a uniform application of the manner of indicating the date of minimum durability referred to in point 1(c) of Annex X, [<sup>F32</sup>regulations may be made] setting out rules in this regard. <sup>F33</sup>...

#### Textual Amendments

- F32** Words in Art. 24(3) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(11)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F33** Words in Art. 24(3) omitted (31.12.2020) by virtue of [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(11)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

*Status: Point in time view as at 27/05/2021.*

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## Article 25

### Storage conditions or conditions of use

1 In cases where foods require special storage conditions and/or conditions of use, those conditions shall be indicated.

2 To enable appropriate storage or use of the food after opening the package, the storage conditions and/or time limit for consumption shall be indicated, where appropriate.

## Article 26

### Country of origin or place of provenance

1 This Article shall apply without prejudice to labelling requirements provided for in specific [F34] provisions in EU-derived domestic legislation or retained direct EU legislation, in particular Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs].

2 Indication of the country of origin or place of provenance shall be mandatory:

- a where failure to indicate this might mislead the consumer as to the true country of origin or place of provenance of the food, in particular if the information accompanying the food or the label as a whole would otherwise imply that the food has a different country of origin or place of provenance;
- b for meat falling within the Combined Nomenclature ('CN') codes listed in Annex XI. The application of this point [F35] is subject to Commission Implementing Regulation (EU) No 1337/2013 laying down rules for the application of Regulation (EU) No 1169/2011 of the European Parliament and of the Council as regards the indication of the country of origin or place of provenance for fresh, chilled and frozen meat of swine, sheep, goats and poultry and any regulations made under paragraph 8].

3 Where the country of origin or the place of provenance of a food is given and where it is not the same as that of its primary ingredient:

- a the country of origin or place of provenance of the primary ingredient in question shall also be given; or
- b the country of origin or place of provenance of the primary ingredient shall be indicated as being different to that of the food.

[F36] The application of the first subparagraph is subject to [Commission Implementing Regulation \(EU\) No 2018/775](#) laying down rules for the application of Article 26(3) of [Regulation \(EU\) No 1169/2011](#) of the European Parliament and of the Council on the provision of food information to consumers, as regards the rules for indicating the country of origin or place of provenance of the primary ingredient of a food and any regulations made under paragraph 8 concerning the application of that subparagraph.]

- F374 .....
- F375 .....
- F376 .....
- F377 .....

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- [<sup>F38</sup> Regulations may be made:
- a concerning the application of paragraphs 2(b) and 3;
  - b to revoke Regulation (EU) No 1337/2013 or [Regulation \(EU\) No 2018/775.](#)]
- <sup>F39</sup> .....

#### Textual Amendments

- F34** Words in Art. 26(1) substituted (31.12.2020) by [The Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/529\)](#), regs. 1, **5(14)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F35** Words in Art. 26(2)(b) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(12)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F36** Words in Art. 26(3) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(12)(b)** (as amended by S.I. 2020/1501, regs. 1(a), **5(3)(c)(i)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F37** Art. 26(4)-(7) omitted (31.12.2020) by virtue of [The Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/529\)](#), regs. 1, **5(14)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F38** Art. 26(8) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(12)(c)** (as amended by S.I. 2020/1501, regs. 1(a), **5(3)(c)(ii)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F39** Art. 26(9) omitted (31.12.2020) by virtue of [The Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/529\)](#), regs. 1, **5(14)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 27

#### Instructions for use

- 1 The instructions for use of a food shall be indicated in such a way as to enable appropriate use to be made of the food.
- 2 [<sup>F40</sup>Regulations may be made] setting out detailed rules concerning the implementation of paragraph 1 for certain foods. <sup>F41</sup>...

#### Textual Amendments

- F40** Words in Art. 27(2) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(13)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F41** Words in Art. 27(2) omitted (31.12.2020) by virtue of [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(13)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 28

#### Alcoholic strength

- 1 The rules concerning indication of the alcoholic strength by volume shall, in the case of products classified in CN code 2204, be those laid down in the specific [<sup>F42</sup>provisions in EU-derived domestic legislation or retained direct EU legislation] applicable to such products.

*Status: Point in time view as at 27/05/2021.*

*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, CHAPTER IV. (See end of Document for details)*

2 The actual alcoholic strength by volume of beverages containing more than 1,2 % by volume of alcohol other than those referred to in paragraph 1 shall be indicated in accordance with Annex XII.

**Textual Amendments**

**F42** Words in Art. 28(1) substituted (31.12.2020) by [The Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/529\)](#), regs. 1, **5(15)**; 2020 c. 1, Sch. 5 para. 1(1)

*SECTION 3*

*Nutrition declaration*

*Article 29*

**Relationship with other legislation**

1 This Section shall not apply to foods falling within the scope of the following legislation:

- <sup>F43</sup>a the following legislation relating to food supplements:
  - i in relation to food supplied in England, the Food Supplements (England) Regulations 2003;
  - ii in relation to food supplied in Scotland, the Food Supplements (Scotland) Regulations 2003;
  - iii in relation to food supplied in Wales, the Food Supplements (Wales) Regulations 2003;
- b the following provisions relating to the exploitation and marketing of natural mineral waters and spring waters:
  - i in relation to water supplied in England, Parts 2 and 3 of the Natural Mineral Water, Spring Water and Bottled Drinking Water (England) Regulations 2007;
  - ii in relation to water supplied in Scotland, Parts 2 and 3 of the Natural Mineral Water, Spring Water and Bottled Drinking Water (Scotland) (No. 2) Regulations 2007;
  - iii in relation to water supplied in Wales, Parts 2 and 3 of the Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2015.]

<sup>F44</sup>2 .....

**Textual Amendments**

**F43** Art. 29(1)(a)(b) substituted (31.12.2020) by [The Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/529\)](#), regs. 1, **5(16)(a)**, **Sch. 2 Pt. 2** (as amended by S.I. 2020/1501, regs. 1(a), **4(6)(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**

**F44** Art. 29(2) omitted (31.12.2020) by virtue of [The Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/529\)](#), regs. 1, **5(16)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

*Status: Point in time view as at 27/05/2021.*

*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, CHAPTER IV. (See end of Document for details)*

## Article 30

### Content

- 1 The mandatory nutrition declaration shall include the following:
- a energy value; and
  - b the amounts of fat, saturates, carbohydrate, sugars, protein and salt.

Where appropriate, a statement indicating that the salt content is exclusively due to the presence of naturally occurring sodium may appear in close proximity to the nutrition declaration.

- 2 The content of the mandatory nutrition declaration referred to in paragraph 1 may be supplemented with an indication of the amounts of one or more of the following:
- a mono-unsaturates;
  - b polyunsaturates;
  - c polyols;
  - d starch;
  - e fibre;
  - f any of the vitamins or minerals listed in point 1 of Part A of Annex XIII, and present in significant amounts as defined in point 2 of Part A of Annex XIII.

- 3 Where the labelling of a prepacked food provides the mandatory nutrition declaration referred to in paragraph 1, the following information may be repeated thereon:
- a the energy value; or
  - b the energy value together with the amounts of fat, saturates, sugars, and salt.

4 By way of derogation from Article 36(1), where the labelling of the products referred to in Article 16(4) provides a nutrition declaration, the content of the declaration may be limited to the energy value only.

5 Without prejudice to Article 44 and by way of derogation from Article 36(1), where the labelling of the products referred to in Article 44(1) provides a nutrition declaration, the content of that declaration may be limited only to:

- a the energy value; or
- b the energy value together with the amounts of fat, saturates, sugars, and salt.

6 In order to take account of the relevance of particulars referred to in paragraphs 2 to 5 of this Article for the information of consumers, [<sup>F45</sup>regulations may] amend the lists in paragraphs 2 to 5 of this Article, by adding or removing particulars.

F467

#### Textual Amendments

- F45** Words in Art. 30(6) substituted (31.12.2020) by The Environment, Food and Rural Affairs (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/778), regs. 1, **4(14)**; 2020 c. 1, Sch. 5 para. 1(1)
- F46** Art. 30(7) omitted (31.12.2020) by virtue of The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(17)**; 2020 c. 1, Sch. 5 para. 1(1)

*Status: Point in time view as at 27/05/2021.*

*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, CHAPTER IV. (See end of Document for details)*

## Article 31

### Calculation

1 The energy value shall be calculated using the conversion factors listed in Annex XIV.

2 <sup>[F47]</sup>Regulations may amend Annex 14 to require specified conversion factors to be used] for the vitamins and minerals referred to in point 1 of Part A of Annex XIII, in order to calculate more precisely the content of such vitamins and minerals in foods. <sup>F48</sup>...

3 The energy value and the amounts of nutrients referred to in Article 30(1) to (5) shall be those of the food as sold.

Where appropriate, the information may relate to the food after preparation, provided that sufficiently detailed preparation instructions are given and the information relates to the food as prepared for consumption.

4 The declared values shall, according to the individual case, be average values based on:

- a the manufacturer's analysis of the food;
- b a calculation from the known or actual average values of the ingredients used; or
- c a calculation from generally established and accepted data.

<sup>[F49]</sup>Regulations may set] out detailed rules for the uniform implementation of this paragraph with regard to the precision of the declared values such as the differences between the declared values and those established in the course of official checks. <sup>F50</sup>...

#### Textual Amendments

- F47** Words in Art. 31(2) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(15)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F48** Words in Art. 31(2) omitted (31.12.2020) by virtue of [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(15)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F49** Words in Art. 31(4) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(15)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F50** Words in Art. 31(4) omitted (31.12.2020) by virtue of [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(15)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

## Article 32

### Expression per 100 g or per 100 ml

1 The energy value and the amount of nutrients referred to in Article 30(1) to (5) shall be expressed using the measurement units listed in Annex XV.

2 The energy value and the amount of nutrients referred to in Article 30(1) to (5) shall be expressed per 100 g or per 100 ml.

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*Status: Point in time view as at 27/05/2021.*

*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, CHAPTER IV. (See end of Document for details)*

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3 When provided, the declaration on vitamins and minerals shall, in addition to the form of expression referred to in paragraph 2, be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XIII in relation to per 100 g or per 100 ml.

4 In addition to the form of expression referred to in paragraph 2 of this Article, the energy value and the amounts of nutrients referred to in Article 30(1), (3), (4) and (5) may be expressed, as appropriate, as a percentage of the reference intakes set out in Part B of Annex XIII in relation to per 100 g or per 100 ml.

5 Where information is provided pursuant to paragraph 4, the following additional statement shall be indicated in close proximity to it: 'Reference intake of an average adult (8 400 kJ/2 000 kcal)'.

### *Article 33*

#### **Expression on a per portion basis or per consumption unit**

1 In the following cases, the energy value and the amounts of nutrients referred to in Article 30(1) to (5) may be expressed per portion and/or per consumption unit, easily recognisable by the consumer, provided that the portion or the unit used is quantified on the label and that the number of portions or units contained in the package is stated:

- a in addition to the form of expression per 100 g or per 100 ml referred to in Article 32(2);
- b in addition to the form of expression per 100 g or per 100 ml referred to in Article 32(3) regarding the amounts of vitamins and minerals;
- c in addition to or instead of the form of expression per 100 g or per 100 ml referred to in Article 32(4).

2 By way of derogation from Article 32(2), in the cases referred to in point (b) of Article 30(3) the amount of nutrients and/or the percentage of the reference intakes set out in Part B of Annex XIII may be expressed on the basis of per portion or per consumption unit alone.

When the amounts of nutrients are expressed on the basis of per portion or per consumption unit alone in accordance with the first subparagraph, the energy value shall be expressed per 100 g or per 100 ml and on the basis of per portion or per consumption unit.

3 By way of derogation from Article 32(2), in the cases referred to in Article 30(5) the energy value and the amount of nutrients and/or the percentage of the reference intakes set out in Part B of Annex XIII may be expressed on the basis of per portion or per consumption unit alone.

4 The portion or unit used shall be indicated in close proximity to the nutrition declaration.

5 In order to ensure the uniform implementation of the expression of the nutrition declaration per portion or per unit of consumption and to provide for a uniform basis of comparison for the consumer, [F51 regulations may regulate the way in which per portion and per consumption unit indications are to be expressed for specific categories of food. The actual consumption behaviour of consumers as well as dietary recommendations must be taken into account when making such regulations].



*Status: Point in time view as at 27/05/2021.*

*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, CHAPTER IV. (See end of Document for details)*

### Textual Amendments

- F51** Words in Art. 33(5) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(16)**; 2020 c. 1, Sch. 5 para. 1(1)

## Article 34

### Presentation

1 The particulars referred to in Article 30(1) and (2) shall be included in the same field of vision. They shall be presented together in a clear format and, where appropriate, in the order of presentation provided for in Annex XV.

2 The particulars referred to in Article 30(1) and (2) shall be presented, if space permits, in tabular format with the numbers aligned. Where space does not permit, the declaration shall appear in linear format.

3 The particulars referred to in Article 30(3) shall be presented:

- in the principal field of vision; and
- using a font size in accordance with Article 13(2).

The particulars referred to in Article 30(3) may be presented in a format different from that specified in paragraph 2 of this Article.

4 The particulars referred to in Article 30(4) and (5) may be presented in a format different from that specified in paragraph 2 of this Article.

5 In cases where the energy value or the amount of nutrient(s) in a product is negligible, the information on those elements may be replaced by a statement such as ‘Contains negligible amounts of ...’ and shall be indicated in close proximity to the nutrition declaration when present.

In order to ensure the uniform implementation of this paragraph, [<sup>F52</sup>regulations may be made relating to] the energy value and amounts of nutrients referred to in Article 30(1) to (5) which can be regarded as negligible. <sup>F53</sup> ...

6 In order to ensure a uniform application of the manner of presenting the nutrition declaration under the formats referred to in paragraphs 1 to 4 of this Article, [<sup>F54</sup>regulations may be made] in this regard. <sup>F55</sup> ...

### Textual Amendments

- F52** Words in Art. 34(5) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(17)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F53** Words in Art. 34(5) omitted (31.12.2020) by virtue of [The Food \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1501\)](#), regs. 1(b), **6**
- F54** Words in Art. 34(6) substituted (31.12.2020) by [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(17)(b)(i)** (as substituted by [S.I. 2020/1501](#), regs. 1(a), **5(3)(d)**)

Status: Point in time view as at 27/05/2021.

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, CHAPTER IV. (See end of Document for details)

**F55** Words in Art. 34(6) omitted (31.12.2020) by virtue of [The Environment, Food and Rural Affairs \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/778\)](#), regs. 1, **4(17)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 35

**Additional forms of expression and presentation**

1 In addition to the forms of expression referred to in Article 32(2) and (4) and Article 33 and to the presentation referred to in Article 34(2), the energy value and the amount of nutrients referred to in Article 30(1) to (5) may be given by other forms of expression and/or presented using graphical forms or symbols in addition to words or numbers provided that the following requirements are met:

- a they are based on sound and scientifically valid consumer research and do not mislead the consumer as referred to in Article 7;
- b their development is the result of consultation with a wide range of stakeholder groups;
- c they aim to facilitate consumer understanding of the contribution or importance of the food to the energy and nutrient content of a diet;
- d they are supported by scientifically valid evidence of understanding of such forms of expression or presentation by the average consumer;
- e in the case of other forms of expression, they are based either on the harmonised reference intakes set out in Annex XIII, or in their absence, on generally accepted scientific advice on intakes for energy or nutrients;
- f they are objective and non-discriminatory; and
- g their application does not create obstacles to the free movement of goods.

2 [<sup>F56</sup>The appropriate authority] may recommend to food business operators the use of one or more additional forms of expression or presentation of the nutrition declaration that they consider as best fulfilling the requirements laid down in points (a) to (g) of paragraph 1. <sup>F57</sup> ...

3 [<sup>F58</sup>The appropriate authority may monitor the use] of additional forms of expression or presentation of the nutrition declaration that are present on the market in their territory.

[<sup>F59</sup>Nothing in this Regulation prevents the appropriate authority from making type A regulations, so as] to facilitate the monitoring of the use of such additional forms of expression or presentation, [<sup>F60</sup>requiring] food business operators placing on the market <sup>F61</sup>... foods bearing such information to notify the competent authority [<sup>F62</sup>specified in those regulations] of the use of an additional form of expression or presentation and to provide them with the relevant justifications regarding the fulfilment of the requirements laid down in points (a) to (g) of paragraph 1. In such cases, information on the discontinuation of the use of such additional forms of expression or presentation may also be required.

<sup>F63</sup>4 .....

<sup>F64</sup>5 .....

6 In order to ensure the uniform application of this Article, [<sup>F65</sup>regulations may be made] setting out detailed rules concerning the implementation of paragraphs 1, 3 and 4 of this Article.

<sup>F66</sup> ...

*Status: Point in time view as at 27/05/2021.*

*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, CHAPTER IV. (See end of Document for details)*

### Textual Amendments

- F56** Words in Art. 35(2) substituted (31.12.2020) by The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(18)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F57** Words in Art. 35(2) omitted (31.12.2020) by virtue of The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(18)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F58** Words in Art. 35(3) substituted (31.12.2020) by The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(18)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F59** Words in Art. 35(3) inserted (31.12.2020) by The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(18)(b)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F60** Word in Art. 35(3) substituted (31.12.2020) by The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(18)(b)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F61** Words in Art. 35(3) omitted (31.12.2020) by virtue of The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(18)(b)(ii)(cc)**; 2020 c. 1, Sch. 5 para. 1(1)
- F62** Words in Art. 35(3) inserted (31.12.2020) by The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(18)(b)(ii)(dd)**; 2020 c. 1, Sch. 5 para. 1(1)
- F63** Art. 35(4) omitted (31.12.2020) by virtue of The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(18)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F64** Art. 35(5) omitted (31.12.2020) by virtue of The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(18)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F65** Words in Art. 35(6) substituted (31.12.2020) by The Environment, Food and Rural Affairs (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/778), regs. 1, **4(18)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F66** Words in Art. 35(6) omitted (31.12.2020) by virtue of The Environment, Food and Rural Affairs (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/778), regs. 1, **4(18)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

**Status:**

Point in time view as at 27/05/2021.

**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, CHAPTER IV.