

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.

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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, SECTION 1. (See end of Document for details)

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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)

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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, SECTION 1. (See end of Document for details)

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## 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)

*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, SECTION 1. (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.

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#### 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)

**Changes to legislation:**

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