
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to Scotland only, further amend the Food Labelling (Scotland) Regulations 1984 (“the principal Regulations”). They implement the provisions of Council Directive No.90/496/EEC (OJ No. L276, 6.10.90, p.40) on nutrition labelling for foodstuffs.

Where a nutrition claim is made in respect of a food, nutrition labelling, described as “prescribed nutrition labelling”, must be given and changes giving effect to this are made to the conditions governing restricted claims (which include nutrition claims) under Schedule 6 to the principal Regulations. The manner and content of prescribed nutrition labelling are set out in a new Schedule 6A to the principal Regulations. Before 6th October 1995 the contents of prescribed nutrition labelling shall include, as a minimum, energy and the amounts of protein, carbohydrate and fat present in the food, and from that date it may alternatively include, again as a minimum, energy and the amounts of protein, carbohydrate sugars, fat, saturates, fibre and sodium, provided that where a nutrition claim is made in respect of any of sugars, saturates, fibre or sodium this alternative is the form in which the labelling shall be given. Exempted from these requirements are food which is not prepacked and which is sold to the ultimate consumer at a catering establishment and nutrition claims made within generic advertising (new regulation 37(5) of the principal Regulations) (Regulation 5).

Where no nutrition claim is made for a food, nutrition labelling may be given voluntarily, in which event (and subject to minor qualifications) it is required to be given in the same form as prescribed nutrition labelling (new regulation 37(6) of the principal Regulations) (Regulation 5).

The Regulations come into force on 1st March 1995 but there are transitional provisions establishing that no offence is committed in respect of an act done in respect of food labelling which does not meet the new conditions introduced by these Regulations where such was done before the coming into force of these Regulations and in accordance with the conditions then obtaining.

A compliance cost assessment has been prepared in relation to these Regulations. Copies have been placed in the Library of each House of Parliament and copies can also be obtained from the Scottish Office Agriculture and Fisheries Department, Food Standards Branch, Pentland House, 47 Robb’s Loan, Edinburgh EH14 1TY.