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STATUTORY INSTRUMENTS

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**2003 No. 1387**

**The Food Supplements (England) Regulations 2003**

**Interpretation**

2.—(1) In these Regulations—

“the Act” means the Food Safety Act 1990;

“catering establishment” means a restaurant, canteen, club, public house, school, hospital or similar establishment (including a vehicle or a fixed or mobile stall) where, in the course of a business, food is prepared for delivery to the ultimate consumer and is ready for consumption without further preparation;

F1

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F2

...

F2

...

“dose form” means a form such as capsules, pastilles, tablets, pills, and other similar forms, sachets of powder, ampoules of liquids, drop dispensing bottles, and other similar forms of liquids or powders designed to be taken in measured small unit quantities;

“food supplement” means any food the purpose of which is to supplement the normal diet and which—

(a) is a concentrated source of a vitamin or mineral or other substance with a nutritional or physiological effect, alone or in combination; and

(b) is sold in dose form;

“preparation” includes manufacture and any form of processing or treatment, and “prepared” shall be construed accordingly;

[<sup>F3</sup>“Regulation (EU) No 1169/2011” means Regulation (EU) No 1169/2011 of the European Parliament and of the Council 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;]

“sell” includes possess for sale and offer, expose or advertise for sale;

“ultimate consumer” means any person who purchases otherwise than—

(a) for the purpose of resale;

(b) for the purposes of a catering establishment; or

(c) for the purposes of a manufacturing business.

(2) A food supplement shall be regarded as prepacked for the purposes of these Regulations if—

(a) it is ready for sale to the ultimate consumer or to a catering establishment, and

(b) it is put into packaging before being offered for sale in such a way that the food supplement cannot be altered without opening or changing the packaging.

**Changes to legislation:** The Food Supplements (England) Regulations 2003, Section 2 is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

<sup>F4</sup>(3) .....

<sup>F4</sup>(4) .....

**Textual Amendments**

- F1** Words in reg. 2(1) omitted (13.12.2014) by virtue of The Food Information Regulations 2014 (S.I. 2014/1855), **Sch. 7 para. 25(a)**
- F2** Words in reg. 2 omitted (31.12.2020) by virtue of The Nutrition (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/651), regs. 1(1), **12(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in reg. 2(1) inserted (13.12.2014) by The Food Information Regulations 2014 (S.I. 2014/1855), **Sch. 7 para. 25(b)**
- F4** Reg. 2(3)(4) omitted (31.12.2020) by virtue of The Nutrition (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/651), regs. 1(1), **12(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

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**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 12(3) inserted by [S.I. 2023/131 reg. 3\(4\)](#)