
STATUTORY INSTRUMENTS

2019 No. 1218

**The Food Information (Amendment)
(England) Regulations 2019**

Amendment of the Food Information Regulations 2014

- 2.—(1) The Food Information Regulations 2014⁽¹⁾ are amended as follows.
- (2) In regulation 1 (citation, extent, application, commencement and expiry), omit paragraph (9).
- (3) In regulation 5 (foods that are not prepacked etc. containing an allergenic substance or product etc.), in paragraph (2)—
- (a) in sub-paragraph (a), after “prepacked,”, insert “or”;
 - (b) in sub-paragraph (b), omit the final “or”;
 - (c) omit sub-paragraph (c).
- (4) After regulation 5, insert—

“Foods that are prepacked for direct sale – duty to list ingredients

5A.—(1) A food business operator who offers for sale a food to which this regulation applies must provide directly on the package or on a label attached to the package the particulars required by—

- (a) Article 9(1)(b) (list of ingredients), as read with—
 - (i) Article 13(1) to (3), as read with any delegated acts made under Article 13(4),
 - (ii) Article 15,
 - (iii) Article 16(2), so far as it relates to the particulars required by Article 9(1)(b),
 - (iv) Article 17, as read with Parts A and C of Annex 6 and, in the case of an ingredient using a minced meat designation as a name, the following points of Part B of Annex 6—
 - (aa) point 1, and
 - (bb) point 3, as read with regulation 4 and Schedule 2,
 - (v) Article 18, as read with Annex 7 and paragraph (1)(a)(iv) of this regulation,
 - (vi) Article 19(1), as read with any delegated acts made under Article 19(2), and
 - (vii) Article 20;
 - (b) Article 9(1)(c) (labelling of certain substances or products causing allergies or intolerances), as read with Article 21(1) and Annex 2.
- (2) This regulation applies to a food that—
- (a) is offered for sale to a final consumer or to a mass caterer otherwise than by means of distance communication, and
 - (b) is prepacked for direct sale.”.

⁽¹⁾ S.I. 2014/1855, amended by S.I. 2015/1348. It is prospectively amended by S.I. 2019/150 from exit day.

(5) In regulation 6 (foods that are not prepacked etc. – general requirement to name them), in paragraph (2)—

- (a) in sub-paragraph (a), after “prepacked,”, insert “or”;
- (b) in sub-paragraph (b), omit the final “or”;
- (c) omit sub-paragraph (c).

(6) After regulation 6, insert—

“Foods that are prepacked for direct sale – general requirement to name them

6A.—(1) A food business operator who offers for sale a food to which this regulation applies must provide the particulars required by Article 9(1)(a) (the name of the food), as read with—

- (a) Article 17(1) to (4),
- (b) Part A of Annex 6, and
- (c) in the case of a food offered for sale using a minced meat designation as a name—
 - (i) Article 17(5),
 - (ii) point 1 of Part B of Annex 6, and
 - (iii) point 3 of Part B of Annex 6, as read with regulation 4 and Schedule 2.

(2) This regulation applies to a food that—

- (a) is offered for sale to a final consumer or to a mass caterer, and
- (b) is prepacked for direct sale.

(3) The particulars in paragraph (1) must be provided directly on the package or on a label attached to the package, except in the case of an offer for sale made by means of distance communication.”.

(7) In regulation 10(1) (offence)—

- (a) in sub-paragraph (a), omit the final “or”;
- (b) in sub-paragraph (b), after “5(5)”, insert “, or”;
- (c) after sub-paragraph (b) insert—

“(c) regulation 5A(1)(b).”.

(8) In regulation 12 (application of provisions of the Act), in paragraph (1)(a)—

- (a) after paragraph (ii), insert—
 - “(ii) regulation 5A(1);”;
- (b) after paragraph (iii), insert—
 - “(iii) regulation 6A(1) or (3);”.

(9) In regulation 15(4) (review)—

- (i) for “The first” substitute “A”;
- (ii) for “2019” substitute “2024”.

(10) In Schedule 1 (provisions of these Regulations that contain ambulatory references to FIC by virtue of regulation 2(3)), at the appropriate place, insert—

“Regulation 5A(1)”;

“Regulation 6A(1)”.

(11) In Schedule 4, in Part 1, in paragraph 1 (modification of section 10(1) of the Act), in the modified section 10(1A)(d)—

- (a) after sub-paragraph (i), insert—
 - “(ia) regulation 5A(1);”;
- (b) after sub-paragraph (ii), insert—
 - “(ia) regulation 6A(1) or (3);”.