
STATUTORY INSTRUMENTS

2021 No. 632

The Food and Drink (Miscellaneous Amendments
Relating to Food and Wine Composition,
Information and Labelling) Regulations 2021

PART 2

Amendment of subordinate legislation

Amendment of the Food Information Regulations 2014

2. In the Food Information Regulations 2014(1), after regulation 15 insert—

“Transitional provisions: withdrawal from the EU

16.—(1) An authorised officer of a food authority must not serve on a person an improvement notice relating to a failure to comply with Article 9(1)(h) of FIC if—

- (a) the improvement notice would relate to a product that was placed on the market before the last day of the period of 21 months beginning with the day on which IP completion day falls; and
- (b) the matter would not have constituted a failure to comply with that provision of FIC(2) as it had effect in EU law immediately before IP completion day.

(2) An authorised officer of a food authority must not serve on a person an improvement notice relating to a failure to comply with Article 7(1) or Article 36(2)(a) or (b) of FIC if—

- (a) the improvement notice would relate to a specified product that was placed on the market before IP completion day; and
- (b) the labelling of the specified product would not have constituted a failure to comply with those provisions of FIC as they had effect in EU law immediately before IP completion day.

(3) Products to which paragraph (1) or (2) applies may continue to be marketed until stocks are exhausted.

(4) An authorised officer of a food authority must not serve on a person an improvement notice relating to a failure to comply with Article 7(1) or Article 36(2)(a) or (b) of FIC if—

- (a) the improvement notice would relate to a specified product placed on the market within the period beginning with IP completion day and ending with the end of the relevant period; and
- (b) the labelling of the specified product would not have constituted a failure to comply with those provisions of FIC as they had effect in EU law immediately before IP completion day.

(1) [S.I. 2014/1855](#), to which there are amendments not relevant to these Regulations.

(2) [Regulation \(EU\) No 1169/2011](#) (OJ L 304 22.11.2011, p. 18).

(5) Wine products to which paragraph (4) applies may continue to be marketed until stocks are exhausted.

(6) Other products to which paragraph (4) applies may continue to be marketed until the end of the relevant period.

(7) In this regulation—

“improvement notice” means an improvement notice pursuant to regulation 12(1);

“relevant period” means the period of three years beginning with the day after the day on which IP completion day falls;

“specified product” means an individually identifiable product, including a wine product, bearing an indication listed in point 5, 6 or 7 of Annex 10 to Commission Implementing Regulation (EU) No 668/2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs⁽³⁾ as that Regulation had effect in EU law immediately before IP completion day;

“wine product” means a product to which Part 2 of Annex 7 to Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products⁽⁴⁾ as that Regulation had effect in EU law immediately before IP completion day applies.”.

⁽³⁾ OJ L 179, 19.6.2014, p. 36.

⁽⁴⁾ OJ L 347, 20.12.2013, p. 671.