businesscompanion
trading standards law explained

# Labelling of prepacked-for-direct-sale foods

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In this guide, the words 'must' or 'must not' are used where there is a legal requirement to do (or not do) something. The word 'should' is used where there is established legal guidance or best practice that is likely to help you avoid breaking the law.

Although the United Kingdom left the European Union (EU) in 2021, certain pieces of legislation (known as 'assimilated law') continue to apply until such time as they are replaced by new UK legislation, revoked or permitted to expire. This means that our guidance still contains references to legislation that originated from the EU.

**This guidance is for Scotland**

This guidance relates to food that is prepacked for direct sale (PPDS).

The Food Information (Scotland) Regulations 2014 place fewer labelling requirements on prepacked-for-direct-sale foods than on prepacked foods.

These requirements apply to purchases made in person, but also to any purchase made by 'distance communication', which is any purchase where there is no face-to-face interaction between the business and the consumer - for example, a takeaway that is ordered (whether online or by telephone), cooked at, and dispatched from the same premises. However, please see the 'Exemptions for distance sales' section below.

## Definitions

'Prepacked' means a single item of food and the packaging into which it was put before being offered for sale, whether such packaging encloses the food completely or only partially, but in any event in such a way that the contents cannot be altered without opening or changing the packaging.

'Single item' means a single item of the product as sold. For example, a multipack of crisps is a single item despite containing six packets of crisps because the customer is purchasing a single multipack of crisps. Conversely, a large cake that is to be cut into slices before being sold is not a single item because it will not be sold as such; in this example each slice would be a single item; the cake would only be a single item if it was to be sold whole.

'Prepacked for direct sale', while not legally defined, means food that is placed into packaging (prepacked) before being offered for sale and sold / offered for sale or supply from the premises on which it was packed, or from a mobile stall or vehicle being operated by the business. For example, sandwiches that are packaged in the shop from which they will be sold.

If packaged food is purchased by a separate business for later sale to the final consumer, the food will be considered prepacked, rather than prepacked for direct sale.

The requirement that food is packaged in such a way that the contents cannot be altered without opening or changing the packaging is important. Packaging can completely or partially enclose the product. However, if you can alter the product contained in the packaging without making a physical change to the packaging, the product is not 'prepacked'. For example, a baguette with a cardboard band around it that can be slipped on and off without altering the band is not prepacked.

Changing how packaging is presented can change whether the product comes under the definition of prepacked and whether the prepacked / prepacked-for-direct-sale labelling requirements will apply. The table below shows how slight changes in the packaging can affect this.

Examples of prepacked and non-prepacked packaging

| Prepacked | Non-prepacked |
|---|---|
| Cake presented in a bag that is folded over or has the corners twisted to hold it closed | Cake presented in an open bag |
| Filled baguette presented in a box with a closed lid | Filled baguette presented in a box with an open lid |

Prepacked labelling requirements are significantly more complex than non-prepacked; further information can be found in 'Labelling of prepacked foods: general' and 'Labelling of non-prepacked foods'.

## Labelling requirements

PPDS food must be labelled with the following:

- The name of the food
- A full ingredients list that emphasises allergenic ingredients each time they appear in the list
- In the case of a meat product, a meat content declaration (see below)
- In the case of irradiated food, an irradiated food statement (see below)

PPDS foods have fewer labelling requirements than prepacked foods, but any information that must appear follows the same rules as when it appears on a prepacked product.

Full rules for the name of the food can be found in 'Labelling of prepacked foods: product name'. The rules apply to PPDS foods in full, including additional requirements, such as including the statement 'with sweeteners' in the name of the food.

Full rules for the ingredients list can be found in 'Labelling of prepacked foods: ingredients list'. The rules apply to PPDS foods in full, including those in relation to compound ingredients and additives.

Full rules on how to emphasise the presence of allergenic ingredients can be found in 'Food allergens and intolerance'; please refer to the section headed 'Allergen information: non-prepacked, prepacked and prepacked for direct sale'.

The guide 'Labelling of prepacked foods: ingredients list' specifies certain foods that do not need an ingredients list. Any product that does not need an ingredients list must instead have a 'contains' statement, listing any allergens that are present - for example, 'Contains: **Fish, milk, eggs**'.

The rules on how to declare allergens on goods sold by distance communication can be found in 'Food allergens and intolerance'; please refer to the section headed 'Signposting: distance sales'.

### Exemptions for distance sales

The requirement to provide an ingredients list and the name of the food on a printed label (see 'How to label PPDS food' above) does not apply to goods sold by 'distance communication' (often referred to as 'distance sales' and meaning any contract where there is no face-to-face interaction between the two parties, such as telephone and internet orders). This is because, in the case of distance sales, there is often no physical label on the food.

### Identifying PPDS food

Food is PPDS if you can answer 'yes' to all of the following:

- Is the food in packaging?
- Do you have to alter or change the packaging (open, fold, twist, tear, etc) to be able to alter the food inside?
- Is the food a 'single item' (see 'Definitions' above)?
- Was the food placed in the packaging before being offered for sale?
- Is the food being sold by the same business that packed it?
- Is the food being sold or offered for sale from one of the following?
    - The same premises on which it was packed
    - Another outlet in the same complex as the premises on which it was packed and operated by the business that packed it
    - A mobile stall or vehicle being operated by the same business that packed it

Food that is displayed loose and placed into packaging by the consumer is not PPDS.

Food that you place into packaging after it has been chosen by the consumer is not PPDS (food held in trays at a hot counter, for example).

### How to label PPDS food

The required information must be printed on the outside of the product or on a label attached to the outside of the product.

Labels can be printed or handwritten.

The information must be clear, legible and indelible; it must not be obscured or hidden - for example, the information must not be inside the packaging.

To aid legibility, there is a minimum text size that must be complied with; a full explanation can be found in 'Labelling of prepacked foods: general'; please refer to the section headed 'Presentation'.

You can provide a QR code or link to a website, but this must only be in addition to providing the information on the label.

## Products containing meat

If a PPDS product contains one or more ingredients that contain meat, you will need to provide a quantitative ingredient declaration (QUID) for each of the ingredients that contain meat.

This does not apply to food that is prepared and sold by a mass caterer to a consumer, and is ready to eat without further preparation. A mass caterer is any premises, including stalls and vehicles, that is used to prepare food that is ready for immediate consumption by consumers (whether on or off the premises); this includes restaurants, cafes, canteens, food vans, market stalls, temporary concession stands, etc.

For further details, please refer to 'Labelling of prepacked foods: QUID'.

## Irradiated food statement

If the food (or any ingredient in the food) has been irradiated, the words 'irradiated' or 'treated with ionising radiation' must appear in close proximity to the name of the food.

## Net quantity

Weights and measures legislation requires that many PPDS foods bear a net quantity declaration, though there are a number of exemptions (some of which are discussed in 'Weighing and measuring fruit and vegetables').

For product specific advice, please contact your local Trading Standards Service.

## Trading Standards

For more information on the work of Trading Standards Services and the possible consequences of not abiding by the law, please see 'Trading Standards: powers, enforcement and penalties'.

> In Scotland, food labelling laws are not generally enforced by Trading Standards Services, but

> rather by Environmental Health. However, we have included In-depth Guides on food for Scotland in order to provide more comprehensive guidance.

## In this update

Clarification on how distance sales apply to PPDS food.

Last reviewed / updated: October 2026

### Key legislation

- Food Safety Act 1990
- Assimilated Regulation (EU) No 1169/2011 *on the provision of food information to consumers*
- Food Information (Scotland) Regulations 2014
- Products Containing Meat etc (Scotland) Regulations 2014

### Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links go to the legislation.gov.uk website. The site usually updates the legislation to include any amendments made to it. However, this is not always the case. Information on all changes made to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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