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trading standards law explained

Labelling and describing organic food

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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.

To fully understand this guidance, it is important to note the difference between the United Kingdom and Great Britain:

- UK: England, Scotland, Wales and Northern Ireland
- GB: England, Scotland and Wales

This guidance is for Scotland

The Organic Products Regulations 2009 regulate the production and description of organic products.

Some labelling is compulsory for organic food.

This guidance relates to all organic food, whether it is sold prepacked, prepacked for direct sale or non-prepacked.

Please see 'Labelling of prepacked foods: general', 'Labelling of prepacked-for-direct-sale foods' and 'Labelling of non-prepacked foods' for more information on the legal definitions and requirements.

What is an organic product?

Organic products are those produced in compliance with strict restrictions on fertilisers, pesticides and herbicides, or, in the case of livestock, on feed additives and medications, with specific requirements for how the animals are housed.

The description 'organic' can only be used to describe agricultural products, livestock and foods that are produced and prepared in accordance with the detailed standards of the Regulations. These standards also include requirements for record keeping, labelling, marketing, and an inspection and certification system. Products described as organic must not contain any genetically modified or irradiated material.

The methods of production, processing, etc of organic products have to be inspected and certified by an approved control body to ensure that they meet the specified standards.

The term 'organic' can only legally be applied to products that fulfil these criteria.

Registration

Any person who produces, processes or packs organic food products (including products partially consisting of organic food products) must have their methods of production, processing, etc inspected and certified by an approved control body.

These bodies in turn must be registered and are overseen by the Department for Environment, Food and Rural Affairs (Defra), which is the appointed control authority for the UK.

A list of approved UK organic control bodies can be found on the GOV.UK website.

Descriptions

There are strict controls covering the use of the term 'organic'. Where the term is used in relation to the final product, ingredients or farming method (including feed materials) these controls apply to:

- Labelling
- Advertising (whether written or by other means, such as a verbal description)
- Commercial documents

The term 'organic' cannot be used as part of a trade mark or company name unless the business has been certified as a producer, packer, etc of organic products by an organic control body.

Types of products that can be described as 'organic'

- Unprocessed products of agricultural origin - such as meat, fruit and vegetables - that have been

produced in accordance with the criteria for organic products
- Processed products with ingredients sourced by hunting or fishing, where at least 95% of the additional ingredients by raw weight are organic, and only processing aids and other additional ingredients from a restricted list have been used
- Organic ingredients may be still be described as such if they have been used in a product that has not been made of 100% organic products. This does not mean the finished product can be described as organic

Organic products from outside the EU

Products from outside the EU can be described as 'organic' when sold in the EU if they fulfil all the criteria for organic production in the EU, and all operators down to the exporter are subject to control by an authorisation body recognised by the European Commission.

Defra has confirmed that the UK retains its existing approved control body certification codes (see below).

If you are a Northern Ireland-based food business operator, but your product is produced in Great Britain, you will need to change your origin statement to reflect its non-EU origin.

The UK organic control bodies on the list above are recognised by the European Commission to authorise organic products for the EU market.

Labelling

In addition to any labelling required under assimilated Regulation (EU) No 1169/2011 *on the provision of food information to consumers*, or any other product-specific regulations, the following requirements apply to organic food.

All organic food must show the code number of the approved control body that you are registered with, such as GB-ORG-02, GB-ORG-04, etc. You may also use the approved control body's logo, but it is not mandatory.

Where organic ingredients are used in a product that is less than 95% organic overall, then the term 'organic' may only be used in the ingredients list to describe the organic ingredient. You must still mark the code number of your approved control body. You must also declare what percentage the organic ingredient makes up out of all of the agriculturally sourced ingredients.

UK agricultural statement

One of the following statements must be used on all organic prepacked products produced in GB:

- 'UK Agriculture' (where the agricultural ingredients are produced in the UK)
- 'UK or non-UK Agriculture' (where the product uses a mixture of agricultural ingredients produced inside and outside the UK)
- 'Non-UK Agriculture' (where the agricultural ingredients are produced outside the UK)

You can use more specific references if at least 98% of a product's agricultural ingredients are grown in a specific area - for example, Welsh Lamb can be labelled 'Welsh Agriculture'.

EU organic logo

Using the EU organic logo for GB organic food is optional.

Variations as to how the EU organic logo may be presented can be found in Annex XI to assimilated Regulation (EC) No 889/2008 *laying down detailed rules for the implementation of Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control* (see link in 'Key legislation' below).

Note: Annex XI was amended by assimilated Regulation (EU) No 271/2010 *amending Regulation (EC) No 889/2008 laying down detailed rules for the implementation of Regulation (EC) No 834/2007, as regards the organic production logo of the European Union*; you can find images of the EU organic logo in this Regulation (see link in 'Key legislation' below).

If the EU logo is used, the EU organic labelling requirements must be met, and an EU statement of agricultural origin must also be included ('EU agriculture', 'non-EU agriculture' or 'EU / non-EU agriculture'; the latter being used for a mix of EU and non-EU agricultural products). The EU agricultural statement must be accompanied by the UK agricultural statement detailed above.

Where the EU organic logo is shown, you must give a declaration of origin that can be seen on the packaging at the same time as the logo (refer to 'UK agricultural statement' above).

Further information

Further guidance on labelling and advertising rules for organic products can be found on the GOV.UK website.

Extra controls are in place regarding notification of imports, and you should contact your local Port Health authority regarding these. For further information about labelling or claims, you can contact your local authority, the Animal and Plant Health Agency (APHA) or organic.standards@defra.gov.uk.

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

General detail added.

Last reviewed / updated: May 2026

Key legislation

- Assimilated Regulation (EC) No 834/2007 *on organic production and labelling of organic products*
- Assimilated Regulation (EC) No 889/2008 *laying down detailed rules for the implementation of Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control*
- Organic Products Regulations 2009
- Assimilated Regulation (EU) No 271/2010 *amending Regulation (EC) No 889/2008 laying down detailed rules for the implementation of Regulation (EC) No 834/2007, as regards the organic production logo of the European Union*
- Assimilated Regulation (EU) No 1169/2011 *on the provision of food information to consumers*
- Food Information (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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