businesscompanion
trading standards law explained

Labelling of fruit and vegetables

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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 all sales of fruit and vegetables, whether they are sold prepacked, prepacked for direct sale (PPDS) 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.

Fruit and vegetables must comply with both food information and marketing standards.

Non-prepacked fruit and vegetables must be marked with the name of the food and the country of origin.

Prepacked and PPDS fruit and vegetables must comply with all the normal food information requirements, with minor amendments.

Most fruit and vegetables must be labelled with their class and may also need to declare their variety.

In the case of prepacked and PPDS food, mandatory labelling must be on the packaging of the food or on a label attached to the packaging. The labelling of non-prepacked food must be on a notice with the food (shelf edge etc).

Any claims must be accurate; there are specific requirements for making an organic claim.

There are other requirements in relation to pricing and weight marking of the products.

Food information requirements: prepacked fruit and vegetables

Prepacked fruit and vegetables must comply with the requirements for prepacked labelling explained in 'Labelling of prepacked products: general' (and the other guidance notes linked within the document), with the following modifications:

Ingredients list

Prepacked fresh fruit and vegetables (including potatoes) are not required to have an ingredients list, unless they have been cut, peeled or similarly treated.

Prepacked products that are made up of a single ingredient that is included in the name of the food do not need an ingredients list, even if they have been cut, peeled, etc.

Durability date

Prepacked fresh fruit and vegetables (including potatoes) do not need a durability date unless, unless they have been cut, peeled or similarly treated.

Net quantity indication

Prepacked fruit and vegetables typically sold by number (six apples for example) do not need a net quantity indication, provided that the number appears on the label or the number of items can be clearly seen and counted through the packaging.

A list of fruit and vegetables that can be sold by number can be found in 'Weighing and measuring fruit and vegetables'.

Origin declaration

Prepacked fresh fruit and vegetables must be labelled with the country of origin. The country name must be written in full; it cannot be replaced with a flag.

Additionally, information on the place of provenance (the region or specific place that the food was produced - 'Angus strawberries', for example) can be included, but it is not mandatory.

Food information requirements: non-prepacked and PPDS fruit and vegetables

Non-prepacked and PPDS fruit and vegetables must comply with the requirements explained in 'Labelling of prepacked-for-direct-sale foods' and 'Labelling of non-prepacked foods' respectively.

The ingredient list and origin declaration modifications listed above apply equally to non-prepacked and PPDS foods.

Allergens

If sulphur dioxide or sulphites have been used as a preservative, and if they are present in the finished product at greater than 10 mg per kg of product, they must be highlighted in the ingredients list in order to comply with allergen-labelling requirements.

In the case of products that do not have an ingredients list, the product or notice (shelf edge, for example) must state 'contains sulphites'.

For more information, see 'Food allergens and intolerance'.

Marketing rules and grading requirements

Other than a small number of exemptions, all fruit and vegetables must comply with either the General Marketing Standard (GMS), which covers the majority of fruit and vegetables, or a Specific Marketing Standard (SMS), each of which is specific to a certain type of fruit or vegetable.

Marketing standards introduce mandatory quality and labelling requirements. All fruit and vegetables must be:

- Intact
- Sound (meaning not rotten, severely bruised or severely damaged)
- Clean*
- Free from pests*
- Free from damage caused by pests affecting the flesh*
- Free of abnormal external moisture
- Free of foreign smell or taste
- Sufficiently developed or ripe, but not overdeveloped or overripe

[*As far as reasonably possible.]

Fruit and vegetables that must comply with the General Marketing Standard (GMS)

All fruit and vegetables must comply with the GMS, unless the product is covered by an SMS or is on the list of exempt foods (see below). The specific requirements will depend on whether the product is sold prepacked or non-prepacked. Labelling requirements imposed by marketing standards are in addition to the food information requirements referred to above and explained in the linked guidance documents.

Additional prepacked and PPDS labelling requirements (GMS)

The name and postal address of the grower or dispatcher, or an approved code mark identifying the grower or dispatcher, must be included on the label. This is in addition to the name and address of the responsible food business operator required by food information.

The net quantity (or number of items) is mandatory.

Fruit and vegetables that must comply with a Specific Marketing Standard (SMS)

Specific Marketing Standards introduce additional quality and labelling requirements for certain fruit and vegetables. They apply to:

- Table grapes
- Kiwi fruit
- Citrus fruit (including oranges, lemons and fruit that is easy to peel)
- Peaches and nectarines
- Pears
- Strawberries
- Lettuces (including curly green and broad leaves that are eaten uncooked in salads)
- Sweet peppers
- Tomatoes

For detailed requirements, please refer to the Specific Marketing Standards themselves, which are available on the Rural Payments and Services website.

All SMS products must be sorted into one of three grades:

- **Extra class.** Superior quality produce that is regular in shape and appearance, with only very slight defects. Lettuce cannot be described as 'extra class'
- **Class I.** Good quality produce, with only minor defects on the skin or with the shape
- **Class II.** Reasonably good quality produce that may have one or more defects (such as some bruising, damage or change in colour), whilst still complying with the quality requirements outlined above

If the quality of the produce declines throughout its life, it should be regraded; however, if it deteriorates to the point that it does not satisfy the minimum quality criteria, it must not be sold.

The Horticulture and Marketing Unit of the Scottish Government is responsible for the enforcement of these requirements. More information on traders' legal obligations can be found on the Scottish Government website.

Certain fruit and vegetables do not need to comply with either the GMS or an SMS. The full list of exempt foods can be found on the GOV.UK website (the linked web page is for England and Wales, but the list is the same for Scotland).

Waxed fruit and other treatments

Fruit that has been waxed must be labelled as such. Any other treatment or process that a product has been subjected to must also be given - for example, beetroot that has been dipped in vinegar or cooked must be labelled accordingly.

Organic

Organic fruit and vegetables can only come from producers, importers or processors that have been inspected and approved by an organic control body such as the Soil Association. Food from any other source is not 'organic', and to describe it as such is an offence.

See 'Labelling and describing organic food' for further information.

Weights and measures

For information regarding weighing and measuring requirements, please see 'Weighing and measuring fruit and vegetables'.

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

The guide has been re-written, and now includes more information on marketing standards.

Last reviewed / updated: June 2026

Key legislation

- Marketing of Horticultural Produce (Scotland) Regulations 2009
- 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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