# businesscompanion

# trading standards law explained

# Labelling of meat and products containing meat

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Although the United Kingdom has left the European Union (EU), certain pieces of legislation (formally known as 'retained EU law') will still apply until such time as they are replaced by new UK legislation; this means that you will still see references to EU regulations in our guidance.

#### This guidance is for Scotland

There are a number of legal requirements regarding the labelling and composition of fresh meat, cooked meat and meat-containing products.

Food for sale to consumers needs varying degrees of labelling. Beef, veal, pork, mutton, lamb, goat meat and poultry meat have specific legislation governing their labelling. Specified meat-containing products have a legal definition and very specific labelling requirements. You also need to take care when using such terms as 'smoked' and 'traditional' as these are also subject to legal and restricted definitions.

This guidance covers food that is not prepacked; for more information see '<u>Labelling of non-prepacked</u> foods'.

There are extra requirements for food that has been put into packaging before being offered for sale; see 'Labelling of prepacked foods: general'.

#### Fresh meat: general

Loose fresh meat displayed for sale should be labelled with the name of the food. The name of the food should be precise, giving the type of meat and accurately describing any cut that you declare - for example, sirloin steak, frying steak, loin chops or mutton mince. Meat that has been treated with proteolytic enzymes must be described as 'tenderised'.

Products must not contain more than the maximum permitted level of additives listed in the Food Additives, Flavourings, Enzymes and Extraction Solvents (Scotland) Regulations 2013.

Sulphur dioxide is only permitted in burger meat containing a minimum 4% rusk or vegetable content, or sausages, and at a set level of 450 mg/kg. As it is an allergen, its presence must be declared. For further information on allergen labelling see 'Food allergens and intolerance'.

If any meat-containing product contains added proteins originating from a different animal, this must be stated in the name of the food.

If you produce or sell uncooked cured or uncured meat-containing products with the appearance of a cut, joint, slice, portion or carcase of meat, that contain more than 5% water, you must include the words 'added water' in the name of the food.

If the meat-containing product contains any other added ingredients apart from these, whether or not these need to be included in the name of the food should be determined on a case-by-case basis in accordance with Regulation (EU) No 1169/2011 on the provision of food information to consumers.

A limited number of types of fresh meat have 'protected designation of origin' status, based on breed, geographical origin or farming method. More information on <u>protected food names</u>, including a list of UK registered names, is available on the GOV.UK website.

#### Fresh meat: beef and veal

Beef and veal must be labelled in compliance with the Beef and Veal Labelling (Scotland) Regulations 2010. Please see '<u>Labelling of beef</u>' for more information.

## Fresh meat: pork, poultry, mutton, lamb and goat

In order to comply with the Country of Origin of Certain Meats (Scotland) Regulations 2016, fresh, chilled and frozen pork, poultry, mutton, lamb and goat meat have to be labelled with the country of rearing and country of slaughter (or country of origin where these are the same). Please see 'Labelling of meat: country of origin'.

# Cooked meat and products containing meat

Meat-containing products are regulated products; all regulated products are covered by the Products Containing Meat etc (Scotland) Regulations 2014.

A 'regulated product' is defined in the Regulations as:

- "(a) any food that contains no other ingredient except for meat;
- (b) any food that contains at least one of the following as an ingredient:
  - (i) meat;

- (ii) mechanically separated meat ...
- (iii) the heart, the tongue, the muscles of the head (other than the masseters [cheeks, which are considered to be meat]), the carpus [lower forelimb], the tarsus [lower hindlimb], or the tail of any mammalian or bird species recognised as fit for human consumption".

Meat-containing products that are sold loose must be accompanied by:

- a label with the name of the product
- a QUID declaration for any meat-containing ingredients
- details of any irradiated ingredients
- the words 'added water' in the name of the food (for example, 'Bacon with added water'), if the products contain more that 5% water

Additionally, many meat-containing products - such as sausages, burgers, pasties and pies - are subject to compositional requirements. Detailed information on this can be found in 'Composition of products containing meat'.

When producing products that contain meat, you will need to ensure that your recipe and manufacturing method produces goods that comply with their legal definition, with particular regard to meat content. Recipes should be written down and you should check all ingredients - spice blends, for example - for the presence of any allergens, which must be declared.

Meat is legally defined as skeletal muscle with specified amounts of adherent tissue (connective tissue and fat); it does not include offal. Mechanically separated or mechanically recovered meat (MSM or MRM) cannot count as part of the meat content; the cell structure of the meat is altered during the process of recovery, meaning that it no longer meets the legal definition of meat. The associated levels of fat and connective tissue that may be counted towards the meat content vary for different species. After this level is reached, then the connective tissue and fat must be declared separately on any ingredients label (for instance, pork rind or beef fat) and cannot be counted towards the meat content.

There are different methods currently used to work out meat content from a cut of meat:

- 'visual lean'. This is the simplest method and is most suitable for smaller retail outlets
- 'CLITRAVI analysis'
- 'nitrogen testing' (for single species only)

The last two methods are only suitable for manufacturers that know the analytical values of the nitrogen content of the cuts of meat that they use.

Products containing meat only need to be labelled with their country of origin if it would be misleading not to do so.

# **Descriptions**

Be aware that there are legal and restricted definitions of many terms used to describe the products discussed in this guide. Examples of these terms are:

- 'breast'. It should be clear if products are made from chopped and shaped / reformed cuts of meat
- 'smoked' products should be distinguished from products that have not been smoked but contain 'smoke flavouring'
- 'lean' and 'extra lean' should be sufficiently different to standard products
- 'gluten free'. Ensure your herb or spice mixes used in products are also gluten free. There is a legal limit for a gluten-free claim of 20 mg/kg (20 parts per million), and unless you are completely

confident in your recipe and ingredients you should have your finished product tested to verify the

- 'kosher' and 'halal' have very specific legal definitions, and you should clarify with your slaughterhouse or supplier whether your products comply with these requirements
- 'free range', 'outdoor reared' and 'local' should be confirmed in writing by your supplier
- 'farmhouse', 'traditional' and 'home made' have specific meanings and should not be used unless accurate

#### Weights and measures

For information regarding weighing and measuring requirements for products sold loose and/or prepacked, please see 'Weighing and measuring meat'.

## **Trading Standards**

For more information on the work of Trading Standards services - and the possible consequences of not abiding by the law - please see '<u>Trading Standards</u>: <u>powers, enforcement and penalties</u>'.

In Scotland, food labelling laws are not generally enforced by the Trading Standards service, 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

New guidance for Scotland.

Last reviewed / updated: October 2023

# Key legislation

- Food Safety Act 1990
- Beef and Veal Labelling (Scotland) Regulations 2010
- Regulation (EU) No 1169/2011 on the provision of food information to consumers
- Food Additives, Flavourings, Enzymes and Extraction Solvents (Scotland) Regulations 2013
- Food Information (Scotland) Regulations 2014
- Products Containing Meat etc (Scotland) Regulations 2014
- Country of Origin of Certain Meats (Scotland) Regulations 2016

#### 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 may only show the original version of the legislation, although some amending legislation is linked to separately where it is directly related to the content of a guide. Information on changes to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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