businesscompanion
trading standards law explained

Labelling of fruit and vegetables

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Key legislation

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.

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.

This guidance is for England and Wales

This guidance relates to all sales of fruit and vegetables, whether they are 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.

Fruit and vegetables must be marked with the name of the food. Most fruit and vegetables must be labelled with their class and may also need labelling with country of origin and variety.

Care should be taken with any other descriptions to ensure they are correct - 'organic', for example. There

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

In the case of non-prepacked food, mandatory labelling must be on a notice with the food (shelf edge etc).

In the case of prepacked and prepacked-for-direct-sale food, mandatory labelling must be on the packaging of the food or on a label attached to the packaging.

The name of the food

Food products must be labelled with a name that accurately describes the food.

For further information, see 'Labelling of prepacked foods: product name'.

Irradiation

Food or ingredients that have been irradiated must be declared and labelled 'irradiated' or 'treated with ionising radiation'.

Marketing rules and grading requirements

Most fruit and vegetables are required by grading legislation to be labelled with their class and may also need labelling with country of origin and variety.

The Horticultural Marketing Inspectorate (HMI) is responsible for the enforcement of these requirements. More information on traders' legal obligations can be found on the GOV.UK website.

Country of origin or place of provenance

The country of origin or place of provenance must be marked if failure to do so would be misleading. The place of provenance is a more local description than country of origin - for example, Kent strawberries or Valencia oranges.

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.

Cut, peeled or similarly treated prepacked fruit and vegetables

These are required to bear a list of ingredients, unless the product is made up of a single ingredient. Some prepared salads, dried fruit and peeled potatoes are treated with preservative solution to keep them fresh; this, and anything else that has been added, must be declared as an ingredient.

For further information, see 'Labelling of prepacked foods: ingredients list'.

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.

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

Organic

Organic fruit and vegetables can only come from producers, importers or processors that have been inspected and approved by a body authorised by the Government. 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 this update

General detail added.

Last reviewed / updated: October 2024

Key legislation

- assimilated Regulation (EC) No 1333/2008 *on food additives*
- Marketing of Fresh Horticultural Produce Regulations 2009
- Marketing of Fresh Horticultural Produce (Wales) Regulations 2009
- assimilated Regulation (EU) No 1169/2011 *on the provision of food information to consumers*
- Food Additives, Flavourings, Enzymes and Extraction Solvents (England) Regulations 2013
- Food Additives, Flavourings, Enzymes and Extraction Solvents (Wales) Regulations 2013
- Food Information Regulations 2014
- Food Information (Wales) 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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