

Labelling of non-prepacked foods

In the guide

Definitions

Labelling requirements

Meat products

Irradiated food statement

How to label

Penalties

Key legislation

This guidance is for England & Wales

This guidance relates to food that is prepacked for direct sale, food that is loose, and food that is packaged at the request of the consumer. This is collectively referred to as non-prepacked food.

The Food Information Regulations 2014 place minimal labelling requirements on non-prepacked foods.

Definitions

'Prepacked for direct sale' means food sold from the premises on which it was packed - 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.

'Prepacked food' is defined in EU Regulation (EU) No 1169/2011 *on the provision of food information to consumers* as "... 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 ...".

Prepacked labelling requirements are significantly more complex. Further information can be found in 'Labelling of prepacked foods: general'.

'Loose' means food that is sold or displayed without packaging - for example, ice cream displayed in a freezer and served into a tub.

'Food that is packaged at the request of the consumer' means food that is sold or displayed without packaging but is placed in packaging after purchase - for example, a joint of ham displayed loose on a deli counter, slices of which are cut and placed into sealed bags when a consumer makes a purchase.

Labelling requirements

Non-prepacked food will need to be labelled with the following:

- the name of the food
- the allergens present in the food
- 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)

While non-prepacked foods have far fewer labelling requirements than prepacked foods, any information that must appear follows identical rules as when it appears on a prepacked product.

Full details for the name of the food can be found in 'Labelling of prepacked foods: product name'.

Full details for allergens present in the food can be found in 'Food allergens & intolerance'.

Meat products

A meat product is any product that contains meat as an ingredient.

You are required to declare how much of the product is made of meat in the form of a percentage; this is referred to as a quantitative ingredient declaration (QUID).

Full details for QUID can be found in 'Labelling of prepacked foods: QUID'.

In the case of products that do not have an ingredient list the QUID should be presented as a statement specifying the type and amount of meat - for example, 'X% meat'.

Where more than one type of meat has been used you must declare the content of each - for example, 'X% chicken, X% pork'.

The QUID can alternatively be given in the name of the product - for example, 'Sausage roll (20% pork)'.

There are compositional requirements that some meat products must comply with; full details can be found in 'Composition of meat products'.

Irradiated food statement

If the food (or any ingredient in the food) has been irradiated, one of the following statements must appear in close proximity to the name of the food:

- 'irradiated'
- ... or
- 'treated with ionising radiation'

How to label

On the product. If possible, the information can be presented on a label that is on the packaging, attached to the packaging, or visible through the packaging.

On a notice. The information can appear on a notice in close proximity to the product or on the shelf edge.

Verbally. In the case of allergen information only, you can give the customer the information verbally. You must place a notice in close proximity to the product (or on the product itself) inviting customers to ask a member of staff for allergen information - for example, 'Please ask us about allergens in our food'.

Penalties

Failure to comply with trading standards law can lead to enforcement action and to sanctions, which may include a fine and/or imprisonment. For more information please see 'Trading standards: powers, enforcement & penalties'.

Key legislation

Food Safety Act 1990

EU Regulation (EU) No 1169/2011 *on the provision of food information to consumers*

Food Information Regulations 2014

Food Information (Wales) Regulations 2014

Last reviewed / updated: September 2019

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 amendments to legislation can be found on each link's 'More Resources' tab.

© 2020 Chartered Trading Standards Institute

Source URL:

<https://www.businesscompanion.info/en/quick-guides/food-and-drink/labelling-of-non-prepacked-foods>