

Foreign Language Labelled Foods

The Food Labelling Regulations 1996 (<http://www.legislation.gov.uk/uksi/1996/1499/contents/made>) state that, where labelling is required, it should be in a language 'easily understood by the purchaser'. In the UK, this is accepted as being in English, and it is therefore an offence for retailers or wholesalers to supply food without English labelling. The Regulations require certain compulsory information which must be in English and appears either on a label on, or attached to the packaging, or on a label clearly readable through the packaging.

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Definition of food

'Food' is defined to include not only substances which we would normally associate with the term, but also:

- drink
- chewing gum and similar products
- substances of no nutritional value, which are used for human consumption

Responsibilities of retailers

They must make sure that all food and drink that they sell, displays all the compulsory information on each container, in English.

This information should appear either:

- on a label on the packaging
- on a label attached to the packaging - or
- on a label clearly readable through the packaging

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Failure to do so is an offence under the Regulations and may result in a fine of up to £5,000.

Responsibilities of wholesalers

The law requires that if food is 'ready for sale to the ultimate consumer', it must comply with the Regulations.

Food is 'ready for delivery to the ultimate consumer' if the packaging will not be changed prior to sale by the eventual retailer. The wholesaler must, therefore, ensure that the food complies with the Regulations unless the retailer will repackage it. For example, a wholesaler sells cans of soft drinks to retailers in trays. The cans themselves will not be altered before reaching the ultimate consumer. The soft drink is, therefore, 'ready for delivery to the ultimate consumer' and must have the correct labelling in English.

The information on food sold by wholesalers must appear either:

- on a label on the packaging
- on a label attached to the packaging
- on a label clearly readable through the packaging - or
- with details of the name of the food, durability indication and name of the manufacturer, packer or seller in the EU on the product AND the other required information on documents accompanying the food (please see our leaflet 'Labelling of packaged foods' (http://www.derbyshire.gov.uk/images/std30_tcm44-131797.pdf))

Failure for a wholesaler to comply with these requirements is an offence and can result in a fine of up to £5,000.

If the retailer commits an offence because the wholesaler did not provide the necessary information, the wholesaler can also be prosecuted.

The same rules apply to the packaging of food sold to catering establishments, which include restaurants, canteens, pubs, clubs, schools or similar, if food is prepared in the course of a business, and is intended to be supplied to the consumer in that packaging. This includes mobile caterers such as fast food vans.

To sell food that is not labelled in accordance with these rules is an offence under the Regulations and may result in a £5,000 fine.

Where the food is not intended to be sold to consumers in the packaging (for instance, where it is intended to be sold to a catering establishment) less compulsory information is required.

Our business leaflet 'Labelling of packaged foods' (http://www.derbyshire.gov.uk/images/std30_tcm44-131797.pdf) provides information on the compulsory requirements for all packaged foods. This applies to all food labelling in the UK, regardless of whether the food is produced here or not.

If you are considering importing food from outside the UK, you may also find it useful to look at the information on imported food on the Food Standards Agency website (<http://www.food.gov.uk/foodindustry/imports/>). This site provides information about the legal requirements affecting different types of food that you may be considering importing (not only labelling).

Relevant legislation

Food Safety Act 1990

(<http://www.legislation.gov.uk/ukpga/1990/16/contents>)

Food Labelling Regulations 1996

(<http://www.legislation.gov.uk/uksi/1996/1499/contents/made>)

Where can I get further help?

This leaflet is not an authoritative document on the law and is only intended for guidance. For further details or clarification contact Derbyshire Trading Standards at:

Chatsworth Hall
Chesterfield Road
Matlock
Derbyshire
DE4 3FW

Telephone:

Businesses:	Call Derbyshire	08 456 058 058
Consumers:	Citizens Advice consumer helpline	08454 040506

Fax: 01629 536197

Website: www.derbyshire.gov.uk/tradingstandards

We want everyone to be able to understand us. On request, we will arrange:

- Language interpreters, including for sign language
- Translation of written materials into other languages
- Materials in large print, on tape or in Braille.

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To ensure that you are looking at the most up-to-date version of this leaflet, please visit our website at http://www.derbyshire.gov.uk/images/std10_tcm9-8359.pdf or telephone us on 01629 536166.

