

Food Labelling Bill

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Make further provision for relevant information about food, including information about the country of origin and standards of production of that food, to be made available to consumers, by labelling, marking or in other ways; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Interpretation

In this Act, unless the context otherwise requires—

- “food” is to be interpreted in accordance with section 1 of the Food Safety Act 1990 (c. 16), but does not include food to which regulations 26, 27 and 28 of the Food Labelling Regulations 1996 (“the Regulations”) apply, or sea fish or shellfish listed in Schedule 1 to the Regulations; 5
- “ingredient” has the meaning assigned to it by the Regulations;
- “labelling” has the meaning assigned to it by the Regulations;
- “livestock” has the meaning assigned to it by the Agricultural Holdings Act 1986 (c. 5), but including salmon and freshwater fish listed in Schedule 1 to the Regulations; 10
- “major ingredient” means an ingredient which forms more than 25 per cent. by weight of a food;
- “production standards” means the minimum legal requirements relating to husbandry which must be observed by food producers, including requirements relating to animal welfare, food safety and environmental protection; and 15
- “ultimate consumer” has the meaning assigned to it by the Regulations.

2 Labelling: countries of origin

- (1) Food which is sold to a consumer shall be marked or labelled with— 20
- (a) particulars of the country or countries of origin of the food; and
 - (b) where the food has more than one ingredient, particulars of the country or countries of origin of each major ingredient.

- (2) Where food to which subsection (1) applies has been processed or packaged in a country or countries other than the country or countries of origin, particulars of the country or countries of origin shall be marked or labelled in no less prominent a manner than the particulars of the country or countries where the food has been processed or packaged. 5

3 Labelling: production standards

- (1) Where a food is labelled in accordance with section 2 with a country or countries of origin where the production standards for that food are lower than the production standards applicable in England and Wales, a reference to that fact shall appear on the mark or label of that food. 10
- (2) In determining whether, in relation to any food derived from livestock, the production standards in another country are lower than those applicable in England and Wales, regard shall be had to any codes of recommendations for the welfare of livestock issued under the Agriculture (Miscellaneous Provisions) Act 1968 (c. 34) which are in force. 15

4 Method of marking or labelling

- (1) Subject to subsection (2), the information required by this Act shall be provided—
- (a) on the food's packaging;
 - (b) on a label attached to the food's packaging; 20
 - (c) on a label that is clearly visible through the food's packaging;
 - (d) where the food is not prepacked, on a shelf marker or show card clearly visible at the place where the food is presented for sale; and
 - (e) by other means accessible to consumers.
- (2) Where food is sold otherwise than to the ultimate consumer, the information required by this Act may appear on commercial documents relating to the food, provided that it also appears on the outermost packaging of the food. 25
- (3) Subsection (2) shall only apply when the commercial documents either—
- (a) accompany the food to which they relate at all times; or
 - (b) arrive with the purchaser before or at the same time as the food itself. 30

5 Consequential amendment

In regulation 5 of the Regulations, for sub-paragraph (f) there shall be substituted the following sub-paragraph—

“(f) the particulars required by the Food Labelling Act 2003”. 35

6 Short title, commencement and extent

- (1) This Act may be cited as the Food Labelling Act 2003.
- (2) This Act shall come into force on such day as may be appointed by order made by statutory instrument, and different days may be appointed for different areas. 40
- (3) An order under subsection (2) is to be made—

- (a) in relation to England, by the Secretary of State for Environment, Food and Rural Affairs and the Secretary of State for Health, acting jointly;
and
 - (b) in relation to Wales, by the National Assembly for Wales.
- (4) This Act extends to England and Wales only.

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