

Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed (Text with EEA relevance)

CHAPTER II

**GENETICALLY MODIFIED FOOD**

Section 2

**Labelling**

*Article 12*

**Scope**

1 This Section shall apply to foods which are to be delivered as such to the final consumer or mass caterers in [<sup>F1</sup>Great Britain] and which:

- a contain or consist of GMOs; or
- b are produced from or contain ingredients produced from GMOs.

2 This Section shall not apply to foods containing material which contains, consists of or is produced from GMOs in a proportion no higher than 0,9 per cent of the food ingredients considered individually or food consisting of a single ingredient, provided that this presence is adventitious or technically unavoidable.

3 In order to establish that the presence of this material is adventitious or technically unavoidable, operators must be in a position to supply evidence to satisfy the competent authorities that they have taken appropriate steps to avoid the presence of such material.

[<sup>F24</sup> The appropriate authority may prescribe amendments to non-essential elements of this Regulation by supplementing it and establishing lower thresholds, in particular in respect of foods containing or consisting of GMOs, or taking account of advances in science and technology.]

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**Textual Amendments**

- F1** Words in [Art. 12\(1\)](#) substituted (31.12.2020) by S.I. 2019/705, reg. 16(a) (as substituted by [The Food and Feed Hygiene and Safety \(Miscellaneous Amendments etc.\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1504), regs. 1(2), **17(3)**)
- F2** [Art. 12\(4\)](#) substituted (31.12.2020) by [The Genetically Modified Food and Feed \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/705), regs. 1, **16(b)**; 2020 c. 1, Sch. 5 para. 1(1)

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*Changes to legislation:* There are outstanding changes not yet made to Regulation (EC) No 1829/2003 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## Article 13

### Requirements

1 Without prejudice to the other requirements of [F<sup>3</sup>retained EU] law concerning the labelling of foodstuffs, foods falling within the scope of this Section shall be subject to the following specific labelling requirements:

- a where the food consists of more than one ingredient, the words ‘genetically modified’ or ‘produced from genetically modified (name of the ingredient)’ shall appear in the list of ingredients provided for in Article 6 of Directive 2000/13/EC in parentheses immediately following the ingredient concerned;
- b where the ingredient is designated by the name of a category, the words ‘contains genetically modified (name of organism)’ or ‘contains (name of ingredient) produced from genetically modified (name of organism)’ shall appear in the list of ingredients;
- c where there is no list of ingredients, the words ‘genetically modified’ or ‘produced from genetically modified (name of organism)’ shall appear clearly on the labelling;
- d the indications referred to in (a) and (b) may appear in a footnote to the list of ingredients. In this case they shall be printed in a font of at least the same size as the list of ingredients. Where there is no list of ingredients, they shall appear clearly on the labelling;
- e where the food is offered for sale to the final consumer as non-pre-packaged food, or as pre-packaged food in small containers of which the largest surface has an area of less than 10 cm<sup>2</sup>, the information required under this paragraph must be permanently and visibly displayed either on the food display or immediately next to it, or on the packaging material, in a font sufficiently large for it to be easily identified and read.

2 In addition to the labelling requirements referred to in paragraph 1, the labelling shall also mention any characteristic or property, as specified in the authorisation, in the following cases:

- a where a food is different from its conventional counterpart as regards the following characteristics or properties:
  - (i) composition;
  - (ii) nutritional value or nutritional effects;
  - (iii) intended use of the food;
  - (iv) implications for the health of certain sections of the population;
- b where a food may give rise to ethical or religious concerns.

3 In addition to the labelling requirements referred to in paragraph 1 and as specified in the authorisation, the labelling of foods falling within the scope of this Section which do not have a conventional counterpart shall contain appropriate information about the nature and the characteristics of the foods concerned.

#### Textual Amendments

- F3** Words in [Art. 13\(1\)](#) substituted (31.12.2020) by [The Genetically Modified Food and Feed \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/705\)](#), regs. 1, 17; 2020 c. 1, Sch. 5 para. 1(1)

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## [<sup>F4</sup> Article 14

### Implementing measures

The appropriate authority may prescribe the following measures designed to amend non-essential elements of this Regulation by supplementing it—

- a the measures necessary for operators to satisfy the competent authorities as referred to in Article 12(3);
- b the measures necessary for operators to comply with the labelling requirements set out in Article 13;
- c measures concerning the information to be given by mass caterers providing food to the final consumer. In order to take account of the specific situation of mass caterers, such measures may provide for adaptation of the requirements set out in Article 13(1) (e); and
- d measures to facilitate the uniform application of Article 13.]

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#### Textual Amendments

- F4** Art. 14 substituted (31.12.2020) by [The Genetically Modified Food and Feed \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/705\)](#), regs. 1, **18**; 2020 c. 1, Sch. 5 para. 1(1)

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**Changes and effects yet to be applied to :**

- Regulation applied (with modifications) by [S.I. 2023/959 reg. 4\(a\)Sch. 1](#)

**Changes and effects yet to be applied to the whole legislation item and associated provisions**

- Art. 5para. 3 Point (m) addition by [EUR 2019/1381](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Art. 5para. 3 Text replacement by [EUR 2019/1381](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Art. 5para. 3 Point (l) replacement by [EUR 2019/1381](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Art. 6para. 7 replacement by [EUR 2019/1381](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Art. 10para. 1 replacement by [EUR 2019/1381](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Art. 11para. 2 Text replacement by [EUR 2019/1381](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Art. 17para. 3 Point (m) addition by [EUR 2019/1381](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Art. 17para. 3 Point (l) replacement by [EUR 2019/1381](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Art. 17para. 3 Text replacement by [EUR 2019/1381](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Art. 18para. 7 replacement by [EUR 2019/1381](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Art. 22para. 1 replacement by [EUR 2019/1381](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Art. 23para. 2 Text replacement by [EUR 2019/1381](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Art. 29para. 2 replacement by [EUR 2019/1381](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Art. 29para. 1 replacement by [EUR 2019/1381](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)

- Art. 35(4)(d) words substituted by [S.I. 2019/1013 reg. 30](#) (This amendment not applied to legislation.gov.uk. S.I. 2019/1013 revoked immediately before IP completion day by S.I. 2020/1504, regs. 1(2), 21(e))