

SCHEDULE 3

Regulations

F2

... and (3),2(1) and 10

[^{F1}Specified provisions of FIC, Regulation 828/2014 and Regulation 2018/775]

Textual Amendments

- F1** Sch. 3 Title substituted (19.6.2020) by [The Food Information and Addition of Vitamins, Minerals and Other Substances \(Scotland\) Amendment Regulations 2020 \(S.S.I. 2020/156\)](#), regs. 1(2), **2(5)(a)**
- F2** Word in sch. 3 omitted (19.1.2016) by virtue of [The Food Information \(Miscellaneous Amendments\) \(Scotland\) Regulations 2015 \(S.S.I. 2015/410\)](#), regs. 1(2), **3(6)**

PART 1

Specified FIC provisions applying on and from 13th December 2014

<i>Relevant provision of FIC</i>	<i>Provisions to be read with the provisions of FIC</i>
Article 6 (basic requirement for food information to accompany food)	Articles 1(3) and [^{F3} the first sub-paragraph of Article 54(1)], and, as appropriate, the other Articles of FIC listed in column 1 and Articles 30(2) and (3)
Article 7(1) (prohibition on misleading information), except so far as it applies to misleading information relating to quantity	Articles 1(3), 6 and 7(4) and [^{F3} the first sub-paragraph of Article 54(1)]
Article 7(2) (requirement for accurate, clear and easy to understand information)	Articles 1(3), 6 and 7(4) and [^{F3} the first sub-paragraph of Article 54(1)]
Article 7(3) (prohibition on food information attributing health benefits to any food subject to certain derogations)	Articles 1(3), 6 and 7(4) and [^{F3} the first sub-paragraph of Article 54(1)]
Article 8(2) (requirement for a food business operator to ensure	Articles 1(3) and 6 and [^{F3} the first sub-paragraph of Article 54(1)]

the presence and accuracy of food information)

Article 8(3) Articles 1(3) and [F3the first sub-paragraph of Article 54(1)]
(requirement for a food business operator not to supply non-compliant food)

Article 8(4) Articles 1(3) and 6 and [F3the first sub-paragraph of Article 54(1)]
(restrictions on the modification of information accompanying a food)

Article 8(5) Articles 1(3) and 6 and [F3the first sub-paragraph of Article 54(1)]
(obligation to ensure and verify compliance with food information law etc.)

Article 8(6) Articles 1(3) and 6 and [F3the first sub-paragraph of Article 54(1)]
(requirement to transmit information relating to non-prepacked foods)

Article 8(7) Articles 1(3), 6, 9, 10 and [F3the first sub-paragraph of Article 54(1)]
(requirement relating to the mandatory particulars required by Articles 9 and 10)

Article 8(8) Articles 1(3) and 6 and [F3the first sub-paragraph of Article 54(1)]
(requirement for a food business operator to provide sufficient information to other food business operators)

Article 9(1)(a) Articles 1(3), 6, 9(2), 16(1) and (2), 17, 22(1)(a) and 40 and [F3the first sub-paragraph of Article 54(1)], Annex VI and regulation 3
(mandatory indication relating to the name of the food)

- Article 9(1)(b) (mandatory indication relating to the list of ingredients) Articles 1(3), 6, 9(2), 11 and 16(1) and (2), the first paragraph of Article 16(4), Articles 18, 19(1), 20 and 40, and [^{F3}the first sub-paragraph of Article 54(1)], Annexes VI and VII and regulation 3
- Article 9(1)(c) (mandatory indication relating to ingredients and processing aids causing allergies or intolerances) Articles 1(3), 6, 9(2), 11, 16(1) and (2), 18(1), 21(1) and 40 and [^{F3}the first sub-paragraph of Article 54(1)], Annex II and regulation 3
- Article 9(1)(d) (mandatory indication relating to the quantity of certain ingredients or categories of ingredients) Articles 1(3), 6, 9(2), 11, 16(1) and (2), 22 and 40, and [^{F3}the first sub-paragraph of Article 54(1)], Annex VIII and regulation 3
- Article 9(1)(f) (mandatory indication relating to date of minimum durability or the “use by” date) Articles 1(3), 6, 9(2), 16(1) and (2), 24 and 40 and [^{F3}the first sub-paragraph of Article 54(1)], points 1 and 2 of Annex X and regulation 3
- Article 9(1)(g) (mandatory indication relating to any special storage conditions, the conditions of use, or both) Articles 1(3), 6, 9(2), 16(1) and (2), 25 and 40 and [^{F3}the first sub-paragraph of Article 54(1)] and regulation 3
- Article 9(1)(h) (mandatory indication relating to the name or business name and address of the food business operator) Articles 1(3), 6, 8(1), 9(2), 16(1) and (2) and 40 and [^{F3}the first sub-paragraph of Article 54(1)] and regulation 3
- Article 9(1)(i) (mandatory indication relating to country of origin or place of provenance) Articles 1(3), 6, 9(2), 16(1) and (2), 26(1) and (2), and 40, and [^{F3}the first sub-paragraph of Article 54(1)] and regulation 3
- Article 9(1)(j) (mandatory indication relating to country of origin or place of provenance) Articles 1(3), 6, 9(2), 16(1) and (2), 27 and 40 and [^{F3}the first sub-paragraph of Article 54(1)] and regulation 3

to instructions for use)

Article 9(1)(k) (mandatory indication relating to the actual alcoholic strength of beverages containing more than 1.2% by volume of alcohol) Articles 1(3), 6, 9(2), 11, 16(1) and (2) and 28, and [F3the first sub-paragraph of Article 54(1)] and Annex XII

Article 10(1) (additional mandatory particulars for specific types of food) Articles 1(3) and 6 and [F3the first sub-paragraph of Article 54(1)] and Annex III

Article 12(1) (availability and placement of mandatory food information) Articles 1(3) and 6 and [F3the first sub-paragraph of Article 54(1)], and Article 12(2) for pre-packed foods, Articles 12(5) and 44 for non-prepacked foods and Articles 14 and 44 for foods offered for sale by means of distance communication

Article 13(1) (general requirement for the presentation of mandatory particulars) Articles 1(3) and 6, [F3the first sub-paragraph of Article 54(1)] and, in the case of foods that are not prepacked etc. containing an allergenic substance or product etc., regulation 5

Article 13(2) (requirement relating to the presentation of mandatory particulars referred to in Article 9(1)(a) to (l)) Articles 1(3) and 6, [F3the first sub-paragraph of Article 54(1)] and Annex IV, and, in relation to Article 13(2) as it applies to the presentation of a mandatory nutrition declaration, the second paragraph of Article 55

Article 13(3) (font size of mandatory particulars on smaller packages) Articles 1(3) and 6 and [F3the first sub-paragraph of Article 54(1)]

Article 13(5) (field of vision requirements) Articles 1(3), 6, 13(6) and 16(1) and (2) and [F3the first sub-paragraph of Article 54(1)]

Article 14(1) (distance selling of prepacked foods relating to mandatory food information) Articles 1(3), 6, 9 and 14(3) and [F3the first sub-paragraph of Article 54(1)]

available before
conclusion of
a purchase and
mandatory
particulars
available at the
moment of
delivery)

Article 14(2) Articles 1(3), 6, 14(1) and 44 and [F3the first sub-paragraph of Article 54(1)]
(distance selling
of non-prepacked
foods)

Article 15(1) Articles 1(3) and 6 and [F3the first sub-paragraph of Article 54(1)]
(language
requirements)

Article 17(1) Articles 1(3), 6 and 9(1) and [F3the first sub-paragraph of Article 54(1)] and
(name of food) regulation 4 and Schedule 1

F4 F4

... ..

F5 F5

... ..

Article 17(4) Articles 1(3) and 6 and [F3the first sub-paragraph of Article 54(1)]
(prohibition
against replacing
the name of a food
with another name)

Article 17(5), Articles 1(3) and 6 and [F3the first sub-paragraph of Article 54(1)] and Annex
except so far VI
as it applies
to the specific
requirements in
Part B of Annex
VI concerning
the designation
“minced
meat”(requirements
on the name
of a food and
particulars that
must accompany it)

Article 18(1) (list Articles 1(3), 6, 18(4), 19(1) and 20, [F3the first sub-paragraph of Article
of ingredient 54(1)], Annex VII, regulation [F68] and the first [F7sub-] paragraph of
requirements) paragraph 5 of Article 3 of Council Directive 2001/112/EC relating to fruit
juices and certain similar products intended for human consumption
MI

Article 18(2) Articles 1(3), 6, 17, 18(4) and 19(1), [F3the first sub-paragraph of Article
(requirement to 54(1)] and Annexes VI and VII

designate ingredients by their specific name)

Article 18(3) Articles 1(3) and 6 and [F3the first sub-paragraph of Article 54(1)] (requirement relating to nanomaterial ingredients)

Article 21(1) Articles 1(3), 6, 9(1)(c) and 18(1), [F3the first sub-paragraph of Article 54(1)], (requirements relating to certain substances or products that cause an allergy or intolerance) Annex II and, in the case of foods that are not prepacked etc. containing an allergenic substance or product etc., regulation 5

Article 22(1) Articles 1(3), 6 and 22(2), [F3the first sub-paragraph of Article 54(1)] and (requirement relating to the need to provide a quantitative indication of an ingredient) Annex VIII

Article 22(2) Articles 1(3), 6 and 22(1), [F3the first sub-paragraph of Article 54(1)] and (technical rules for quantitative indication of ingredients[F8]) Annex VIII

Article 24(1), Articles 1(3) and 6 and [F3the first sub-paragraph of Article 54(1)] first sentence (requirement relating to “use by” dates)

Article 24(2) Articles 1(3) and 6, [F3the first sub-paragraph of Article 54(1)] and Annex X (requirement to express minimum durability date, “use by date” and date of freezing in a particular way)

Article 25(1) Articles 1(3) and 6 and [F3the first sub-paragraph of Article 54(1)] (requirement for special storage conditions or conditions for use, or both, to be indicated on food)

Article 25(2) Articles 1(3) and 6 and [F3the first sub-paragraph of Article 54(1)] (requirement to indicate

appropriate storage conditions or time within which food should be consumed after the packaging containing the food is opened or both)

Article 26(2)(a) Articles 1(3) and 6, [^{F3}the first sub-paragraph of Article 54(1)] and Annex XI (requirement for a mandatory indication relating to country of origin or place of provenance in certain cases, where failure to might mislead consumer)

Article 27(1) Articles 1(3) and 6 and [^{F3}the first sub-paragraph of Article 54(1)] (instructions for food use indication)

Article 28(2) Articles 1(3) and 6, [^{F3}the first sub-paragraph of Article 54(1)] and Annex XII (alcoholic strength by volume indication for beverages containing more than 1.2% volume of alcohol)

Article 30(1) Articles 1(3), 6, 29, 31(1) (as read with Annex XIV) and 31(3), the first (content of paragraph of Article 31(4), Articles 32(1) (as read with Annex XV), 32(2), mandatory 33(1) and 35(1) and [^{F3}the first sub-paragraph of Article 54(1)] nutrition declaration)

Article 31(1) Articles 1(3) and 6, [^{F3}the first sub-paragraph of Article 54(1)] and Annex XIV (conversion factors to be used for calculation of energy value)

Article 31(3), first sub-paragraph Articles 1(3), 6 and 30(1) to (5) and [^{F3}the first sub-paragraph of Article 54(1)] (supplement for energy value and amounts of nutrients to be those of the foods as sold except as provided for in the second

subparagraph of
Article 31(3))

Article 31(4), first subparagraph (requirement for declared values to be average values based on a methodology set out in the first subparagraph of Article 31(4)) Articles 1(3) and 6 and [^{F3}the first sub-paragraph of Article 54(1)]

Article 32(1) (requirement to use the measurement units listed in Annex XV for energy value and amount of nutrients) Articles 1(3) and 6, [^{F3}the first sub-paragraph of Article 54(1)] and Annex XV

Article 32(2) (energy value and amount of nutrients to be expressed per 100 grams or per 100 millilitres) Articles 1(3), 6, 33(1), (2) and (3), [^{F3}the first sub-paragraph of Article 54(1)] and Part B of Annex XIII

Article 32(3) (declaration relating to vitamins and minerals also to be expressed as a percentage of reference intakes per 100 grams or per 100 millilitres) Articles 1(3), 6 and 30(2)(f), [^{F3}the first sub-paragraph of Article 54(1)] and Part A of Annex XIII

Article 32(5) (requirement for additional statement relating to the reference intake of an average adult) Articles 1(3), 6 and 32(4) (as read with Part B of Annex XIII) and [^{F3}the first sub-paragraph of Article 54(1)]

Article 33(1) (requirements in cases where energy value and amount of nutrients may be expressed per portion, per consumption unit, or both per Articles 1(3), 6 and 32(2), (3) and (4) and [^{F3}the first sub-paragraph of Article 54(1)]

portion and per consumption unit, in addition to, or instead of, per 100 grams or per 100 millilitres)

Article 33(2), Articles 1(3), 6, 30(3)(b), 32(2), the first paragraph of Article 33(2) and the second first subparagraph of Article 54(1) (supplement for energy value to be expressed both per 100 grams or per 100 millilitres and per portion or consumption unit where information on energy, fat, saturates, sugars and salt is repeated voluntarily in the principal field of vision, and the amounts of the nutrients are expressed on a per portion or per consumption unit basis only)

Article 33(4) Articles 1(3), 6 and 33(1) and [F3the first sub-paragraph of Article 54(1)] (requirement for the portion or unit used to be in close proximity to the nutrition declaration)

Article 34(1) Articles 1(3), 6 and 30(1) and (2), [F3the first sub-paragraph of Article 54(1)] (presentation of mandatory nutrition declaration and any supplementary information provided in accordance with Article 30(1) and (2) – field of vision, format and order of presentation)

Article 34(2) Articles 1(3), 6, and 30(1) and (2), the second paragraph of Article 34(3), (presentation of Article 34(4) and [F3the first sub-paragraph of Article 54(1)] mandatory

Changes to legislation: There are currently no known outstanding effects for the The Food Information (Scotland) Regulations 2014, SCHEDULE 3. (See end of Document for details)

nutrition
declaration and
any supplementary
information
provided in
accordance with
Article 30(1) and
(2) – format
and alignment of
numbers)

Article 34(3), first sub-paragraph (presentation of nutrition information in a case where certain mandatory nutrition information is repeated in accordance with Article 30(3))
Articles 1(3), 6 and 30(3), the second paragraph of Article 34(3) and [F3the first sub-paragraph of Article 54(1)]

Article 34(5), first sub-paragraph (supplement for indication of negligible energy value or amount of nutrients, where used, to be in close proximity to the nutrition declaration, when present)
Articles 1(3), 6 and 30(1) to (5), 48(2) and [F3the first sub-paragraph of Article 54(1)]

Article 35(1) (requirements relating to energy value and the amount of nutrients used where additional forms of expression and presentation are used)
Articles 1(3), 6, 7, 30(1) to (5), 32(2) and (4), 33 and 34(2), [F3the first sub-paragraph of Article 54(1)] and Annex VIII and XIII

Article 36(1) (requirements that voluntary information must comply with)
Articles 1(3), 6, 9, 10 and [F3the first sub-paragraph of Article 54(1)] and sections 2 and 3 of Chapter IV

Article 36(2) (additional requirements that
Articles 1(3), 6 and 7 and [F3the first sub-paragraph of Article 54(1)]

voluntary
information must
comply with)

Article 37 Articles 1(3) and 6 and ^{F3}the first sub-paragraph of Article 54(1)]
(presentation of
voluntary food
information – no
detriment to space
availability)

Article 44(1)(a) Articles 1(3), 6 and 9(1)(c), 10 and ^{F3}the first sub-paragraph of Article 54(1)]
(provision of and regulation 5
allergen
information for
non-packaged
food)

Article 54(2) Articles 1(3), 6 and 30 to 35
(requirement to
comply with
provisions relating
to content,
calculation,
expression and
presentation when
nutrition
information is
provided on a
voluntary basis
during the period
on and from 13th
December 2014 to
and including 12th
December 2016)

Textual Amendments

- F3** Words in sch. 3 Pt. 1 substituted (19.1.2016) by [The Food Information \(Miscellaneous Amendments\) \(Scotland\) Regulations 2015 \(S.S.I. 2015/410\)](#), regs. 1(2), **3(7)(a)**
- F4** Words in sch. 3 Pt. 1 omitted (9.2.2023) by virtue of [The Food and Feed \(Miscellaneous Amendments\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/373\)](#), regs. 1(1), **9(2)(a)**
- F5** Words in sch. 3 Pt. 1 omitted (9.2.2023) by virtue of [The Food and Feed \(Miscellaneous Amendments\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/373\)](#), regs. 1(1), **9(2)(b)**
- F6** Word in sch. 3 Pt. 1 substituted (19.1.2016) by [The Food Information \(Miscellaneous Amendments\) \(Scotland\) Regulations 2015 \(S.S.I. 2015/410\)](#), regs. 1(2), **3(7)(b)**
- F7** Word in sch. 3 Pt. 1 inserted (19.1.2016) by [The Food Information \(Miscellaneous Amendments\) \(Scotland\) Regulations 2015 \(S.S.I. 2015/410\)](#), regs. 1(2), **3(7)(b)**
- F8** Word in sch. 3 Pt. 1 substituted (19.1.2016) by [The Food Information \(Miscellaneous Amendments\) \(Scotland\) Regulations 2015 \(S.S.I. 2015/410\)](#), regs. 1(2), **3(8)**

Changes to legislation: There are currently no known outstanding effects for the The Food Information (Scotland) Regulations 2014, SCHEDULE 3. (See end of Document for details)

Marginal Citations

M1 OJ No L 10, 12.1.2002, p.58, last amended by Directive 2012/12/EU of the European Parliament and of the Council (OJ No L 115, 27.4.2012, p.1).

[^{F9}PART 1A

Specified provisions of Regulation 828/2014 applying on and from 20th July 2016

Textual Amendments

F9 Pt. 1A inserted (20.7.2016) by [The Food Information \(Scotland\) Amendment Regulations 2016 \(S.S.I. 2016/191\)](#), regs. 1(2), **2(5)(b)**

<i>Specified provision of Regulation 828/2014</i>	<i>of</i>	<i>Provisions to be read with the specified provision of Regulation 828/2014</i>
---------------------------------------------------	-----------	----------------------------------------------------------------------------------

Article 3(1)		Articles 1(3), 6, 7 and 36(1) and (2) of FIC and Articles 2, 3(2) and (3) and the Annex to Regulation 828/2014.
Article 4		Article 2 of Regulation 828/2014]

PART 2

Specified FIC provision applying on and from 13th December 2016

<i>Relevant provision of FIC</i>	<i>Provisions to be read with the provision of FIC</i>
Article 9(1)(l) (mandatory nutrition declaration)	Articles 1(3), 6, 9(2), 11 and 16, section 3 of Chapter IV, Article 40 and the second subparagraph of Article 54(1), the second sub-paragraph of Article 55, Annex V and regulation 3

[^{F10}PART 3

Specified Regulation 2018/775 provisions enforceable on and from 19 June 2020

Textual Amendments

F10 Sch. 3 Pt. 3 inserted (19.6.2020) by [The Food Information and Addition of Vitamins, Minerals and Other Substances \(Scotland\) Amendment Regulations 2020 \(S.S.I. 2020/156\)](#), regs. 1(2), **2(5)(b)**

Changes to legislation: There are currently no known outstanding effects for the The Food Information (Scotland) Regulations 2014, SCHEDULE 3. (See end of Document for details)

<i>Specified Regulation 2018/775 provision</i>	<i>Provisions of Regulation 2018/775 to be read with the specified Regulation 2018/775 provision</i>
Article 2 (indication of the country of origin or place of provenance of the primary ingredient)	Articles 1, 3 and 4
Article 3 (presentation of the information)	Articles 1 and 4]

Changes to legislation:

There are currently no known outstanding effects for the The Food Information (Scotland) Regulations 2014, SCHEDULE 3.