
STATUTORY INSTRUMENTS

1996 No. 1499

The Food Labelling Regulations 1996

PART II

**FOOD TO BE DELIVERED AS SUCH TO THE
ULTIMATE CONSUMER OR TO CATERERS**

Appropriate durability indication

Form of indication of minimum durability

20.—(1) Subject to the following paragraphs of this regulation, the minimum durability of a food shall be indicated by the words “best before” followed by—

- (a) the date up to and including which the food can reasonably be expected to retain its specific properties if properly stored, and
- (b) any storage conditions which need to be observed if the food is to retain its specific properties until that date.

(2) The date in the indication of minimum durability shall be expressed in terms of a day, month and year (in that order), except that—

- (a) in the case of a food which can reasonably be expected to retain its specific properties for three months or less, it may be expressed in terms of a day and month only;
- (b) in the case of a food which can reasonably be expected to retain its specific properties for more than three months but not more than 18 months it may be expressed in terms of a month and year only, if the words “best before” are replaced by the words “best before end”, and
- (c) in the case of a food which can reasonably be expected to retain its specific properties for more than 18 months it may be expressed either in terms of a month and year only or in terms of a year only, if (in either case) the words “best before” are replaced by the words “best before end”.

(3) Either—

- (a) the date up to and including which a food can reasonably be expected to retain its specific properties if properly stored, or
- (b) that date and any storage conditions which need to be observed if the food is to retain its specific properties until that date,

may appear on the labelling of a food separately from the words “best before” or “best before end”, as the case may be, provided that those words are followed by a reference to the place where the date (or the date and the storage conditions) appears (or appear).

Form of indication of “use by” date

21.—(1) Where a “use by” date is required in respect of a food it shall be indicated by the words “use by” followed by—

- (a) the date up to and including which the food, if properly stored, is recommended for use, and
- (b) any storage conditions which need to be observed.

(2) The “use by” date shall be expressed in terms either of a day and month (in that order) or of a day, a month and a year (in that order).

(3) Either—

- (a) the date up to and including which a food required to bear a “use by” date is recommended for use, or
- (b) that date and any storage conditions which need to be observed,

may appear separately from the words “use by”, provided that those words are followed by a reference to the place where the date (or the date and the storage conditions) appears (or appear).

Foods which need not bear an appropriate durability indication

22. The following foods need not be marked or labelled with an appropriate durability indication:

- (a) fresh fruit and vegetables (including potatoes but not including sprouting seeds, legume sprouts and similar products) which have not been peeled or cut into pieces;
- (b) wine, liqueur wine, sparkling wine, aromatised wine and any similar drink obtained from fruit other than grapes;
- (c) any drink made from grapes or grape musts and coming within codes 2206 00 39, 2206 00 59 and 2206 00 89 of the Combined Nomenclature given in Council Regulation (EEC) No. 2658/87(1) on the tariff and statistical nomenclature and on the Common Customs Tariff, as amended(2);
- (d) any drink with an alcoholic strength by volume of 10 per cent or more;
- (e) any soft drink, fruit juice or fruit nectar or alcoholic drink, sold in a container containing more than 5 litres and intended for supply to catering establishments;
- (f) any flour confectionery and bread which, given the nature of its content, is normally consumed within 24 hours of its preparation;
- (g) vinegar;
- (h) cooking and table salt;
- (i) solid sugar and products consisting almost solely of flavoured or coloured sugars;
- (j) chewing gums and similar products;
- (k) edible ices in individual portions.

(1) OJ No. L256, 7.9.87, p.1.

(2) Relevant amendment is Commission Regulation (EEC) No. 2551/93, OJ No. L241, 27.9.93, p.1.