

Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (Text with EEA relevance)

CHAPTER VI

NATIONAL MEASURES

Article 39

National measures on additional mandatory particulars

1 In addition to the mandatory particulars referred to in Article 9(1) and in Article 10, [F1 nothing in this Regulation prevents the appropriate authority from making type A or B regulations] requiring additional mandatory particulars for specific types or categories of foods, justified on grounds of at least one of the following:

- a [F2 in the case of type A regulations,] the protection of public health;
- b [F3 in the case of type A or B regulations,] the protection of consumers;
- c [F4 in the case of type A or B regulations,] the prevention of fraud;
- d [F5 in the case of type A regulations,] the protection of industrial and commercial property rights, indications of provenance, registered designations of origin and the prevention of unfair competition.

2 By means of [F6 type A regulations referred to in paragraph 1, the appropriate authority] may introduce measures concerning the mandatory indication of the country of origin or place of provenance of foods only where there is a proven link between certain qualities of the food and its origin or provenance. [F7 It is a condition of making such regulations that the appropriate authority considers that the majority of consumers in the territory to which the measures would apply attach significant value to the provision of that information.]

Textual Amendments

- F1** Words in Art. 39(1) substituted (31.12.2020) by The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(20)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Art. 39(1)(a) inserted (31.12.2020) by The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(20)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 39(1)(b) inserted (31.12.2020) by The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(20)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 39(1)(c) inserted (31.12.2020) by The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(20)(a)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Art. 39(1)(d) inserted (31.12.2020) by The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(20)(a)(v)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 1169/2011 of the European Parliament and of the Council, Article 39. (See end of Document for details)

- F6** Words in Art. 39(2) substituted (31.12.2020) by The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(20)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in Art. 39(2) substituted (31.12.2020) by The Food (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/529), regs. 1, **5(20)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EU) No 1169/2011 of the European Parliament and of the Council, Article 39.