

Regulation (EU) No 609/2013 of the European Parliament and of the Council of 12 June 2013 on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control and repealing Council Directive 92/52/EEC, Commission Directives 96/8/EC, 1999/21/EC, 2006/125/EC and 2006/141/EC, Directive 2009/39/EC of the European Parliament and of the Council and Commission Regulations (EC) No 41/2009 and (EC) No 953/2009 (Text with EEA relevance)

## CHAPTER II

### COMPOSITIONAL AND INFORMATION REQUIREMENTS

#### SECTION I

##### **General requirements**

##### *Article 6*

##### **General provisions**

1 Food referred to in Article 1(1) shall comply with any requirement of [<sup>F1</sup>retained EU law] applicable to food.

2 The requirements laid down in this Regulation shall prevail over any conflicting requirement of [<sup>F1</sup>retained EU law] applicable to food.

#### **Textual Amendments**

**F1** Words in [Art. 6](#) substituted (E.W.S.) (31.12.2020) by [The Nutrition \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/651\)](#), regs. 1(1), **19(6)**; 2020 c. 1, Sch. 5 para. 1(1)

#### <sup>F2</sup>*Article 7*

##### **Opinions of the Authority**

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#### **Textual Amendments**

**F2** [Art. 7](#) omitted (E.W.S.) (31.12.2020) by virtue of [The Nutrition \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/651\)](#), regs. 1(1), **19(7)**; 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:** There are outstanding changes not yet made to Regulation (EU) No 609/2013 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

### <sup>F3</sup>Article 8

#### Access to documents

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#### Textual Amendments

**F3** [Art. 8](#) omitted (E.W.S.) (31.12.2020) by virtue of [The Nutrition \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/651), regs. 1(1), **19(7)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 9

#### General compositional and information requirements

1 The composition of food referred to in Article 1(1) shall be such that it is appropriate for satisfying the nutritional requirements of, and is suitable for, the persons for whom it is intended, in accordance with generally accepted scientific data.

2 Food referred to in Article 1(1) shall not contain any substance in such quantity as to endanger the health of the persons for whom it is intended.

For substances which are engineered nanomaterials, compliance with the requirement referred to in the first subparagraph shall be demonstrated on the basis of adequate test methods, where appropriate.

3 On the basis of generally accepted scientific data, substances added to food referred to in Article 1(1) for the purposes of the requirements under paragraph 1 of this Article shall be bio-available for use by the human body, have a nutritional or physiological effect and be suitable for the persons for whom the food is intended.

4 Without prejudice to Article 4(1) of this Regulation, food referred to in Article 1(1) of this Regulation may contain substances covered by [<sup>F4</sup>Regulation (EU) 2015/2283], provided that those substances fulfil the conditions under that Regulation for being placed on the market.

5 The labelling, presentation and advertising of food referred to in Article 1(1) shall provide information for the appropriate use of such food, and shall not mislead, or attribute to such food the property of preventing, treating or curing a human disease, or imply such properties.

6 Paragraph 5 shall not prevent the dissemination of any useful information or recommendations exclusively intended for persons having qualifications in medicine, nutrition, pharmacy, or for other healthcare professionals responsible for maternal care and childcare.

#### Textual Amendments

**F4** Words in [Art. 9\(4\)](#) substituted (E.W.S.) (31.12.2020) by [The Nutrition \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/651), regs. 1(1), **19(8)**; 2020 c. 1, Sch. 5 para. 1(1)

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## Article 10

### **Additional requirements for infant formula and follow-on formula**

1 The labelling, presentation and advertising of infant formula and follow-on formula shall be designed so as not to discourage breast-feeding.

2 The labelling, presentation and advertising of infant formula, and the labelling of follow-on formula shall not include pictures of infants, or other pictures or text which may idealise the use of such formulae.

Without prejudice to the first subparagraph, graphic representations for easy identification of infant formula and follow-on formula and for illustrating methods of preparation shall be permitted.

**Changes to legislation:**

There are outstanding changes not yet made to Regulation (EU) No 609/2013 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.

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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. 16E omitted in earlier amending provision S.I. 2019/651, reg. 19(15) by [S.I. 2020/1476](#) reg. 5(4)(d)(ii)