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► **B** COMMISSION IMPLEMENTING REGULATION (EU) 2018/775

of 28 May 2018

laying down rules for the application of Article 26(3) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, as regards the rules for indicating the country of origin or place of provenance of the primary ingredient of a food

(Text with EEA relevance)

(OJ L 131, 29.5.2018, p. 8)

Amended by:

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**COMMISSION IMPLEMENTING REGULATION (EU) 2018/775****of 28 May 2018****laying down rules for the application of Article 26(3) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, as regards the rules for indicating the country of origin or place of provenance of the primary ingredient of a food****(Text with EEA relevance)***Article 1***Scope**

1. This Regulation lays down the modalities for the application of Article 26(3) of Regulation (EU) No 1169/2011 where the country of origin or place of provenance of a food is given by any means such as statements, pictorial presentation, symbols or terms, referring to places or geographical areas, except for geographic terms included in customary and generic names where those terms literally indicate origin but whose common understanding is not an indication of country of origin or place of provenance.

2. This Regulation shall not apply to geographical indications protected under Regulation (EU) No 1151/2012, Regulation (EU) No 1308/2013, Regulation (EC) No 110/2008 or Regulation (EU) No 251/2014 or protected pursuant to international agreements, nor registered trade marks where the latter constitute an origin indication, pending the adoption of specific rules concerning the application of Article 26(3) to such indications.

*Article 2***Indication of the country of origin or place of provenance of the primary ingredient**

The country of origin or the place of provenance of a primary ingredient which is not the same as the given country of origin or the given place of provenance of the food shall be given:

(a) with reference to one of the following geographical areas:

- (i) 'EU', 'non-EU' or 'EU and non-EU'; or
- (ii) Region, or any other geographical area either within several Member States or within third countries, if defined as such under public international law or well understood by normally informed average consumers; or
- (iii) FAO Fishing area, or sea or freshwater body if defined as such under international law or well understood by normally informed average consumers; or

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- (iv) Member State(s) or third country(ies); or
 - (v) Region, or any other geographical area within a Member State or within a third country, which is well understood by normally informed average consumers; or
 - (vi) The country of origin or place of provenance in accordance with specific Union provisions applicable for the primary ingredient(s) as such;
- (b) or by means of a statement as follows:
- ‘(name of the primary ingredient) do/does not originate from (the country of origin or the place of provenance of the food)’ or any similar wording likely to have the same meaning for the consumer.

*Article 3***Presentation of the information**

1. Information provided pursuant to Article 2 shall be provided in a font size which is not smaller than the minimum font size as required in accordance with Article 13(2) of Regulation (EU) No 1169/2011.
2. Without prejudice to paragraph 1, where the country of origin or place of provenance of a food is given with words, the information provided pursuant to Article 2 shall appear in the same field of vision as the indication of the country of origin or place of provenance of the food and by using a font size which has an x-height of at least 75 % of the x-height of the indication of the country of origin or place of provenance of the food.
3. Without prejudice to paragraph 1, where the country of origin or place of provenance of a food is given by means of non-scriptural form, the information provided pursuant to Article 2 shall appear in the same field of vision as the indication of the country of origin or place of provenance of the food.

*Article 4***Entry into force, date of application and transitional measures**

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 April 2020.

Foods placed on the market or labelled prior to the date of application of this Regulation may be marketed until the stocks are exhausted.

This Regulation shall be binding in its entirety and directly applicable in all Member States.