
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**

Scope and general labelling requirement

Scope of Part II

4.—(1) Subject to paragraphs (2) and (3) of this regulation, this Part of these Regulations applies to food which is ready for delivery to the ultimate consumer or to a catering establishment.

(2) Except for regulations 33 and 34 and, insofar as they relate to regulations 33 and 34, regulations 35 and 38, this Part of these Regulations does not apply to—

- (a) any specified sugar product as defined in the Specified Sugar Products Regulations 1976(1);
- (b) any cocoa product or chocolate product as defined in the Cocoa and Chocolate Products Regulations 1976;
- (c) any honey as defined in the Honey Regulations 1976(2);
- (d) any condensed milk product or dried milk product as defined in the Condensed Milk and Dried Milk Regulations 1977(3) which is ready for delivery to a catering establishment other than any such product which is specially prepared for infant feeding and in the labelling of which there appears a clear statement that such food is intended for consumption by infants and no statement to the effect that such is intended for consumption by any other class of person;
- (e) any coffee, coffee mixture, coffee extract product, chicory extract product or other designated product as defined in the Coffee and Coffee Products Regulations 1978(4) which is ready for delivery to a catering establishment;
- (f) hen eggs, in so far as their labelling is regulated by Council Regulation (EEC) No. 1907/90(5) on certain marketing standards for eggs, as amended(6), Commission Regulation (EEC) No. 1274/91(7) introducing detailed rules for implementing Regulation

(1) S.I.1976/509; relevant amending instrument is S.I. 1980/1849.

(2) S.I. 1976/1832, to which there are amendments not relevant to these Regulations.

(3) S.I. 1977/928; relevant amending instrument is S.I. 1982/1066.

(4) S.I. 1978/1420; relevant amending instrument is S.I. 1987/1986.

(5) OJ No. L173, 6.7.90, p.5 as read with Corrigendum at OJ No. L195, 26.7.90, p.40.

(6) Council Regulation (EEC) No. 2617/93 (OJ No. L240, 25.9.93, p.1) and Council Regulation (EC) No. 3117/94 (OJ No. L330, 12.12.94, p.4).

(7) OJ No. L121, 16.5.91, p.11.

- (EEC) No. 1907/90, as amended(8), and Council Decision 94/371/EC(9) laying down specific public health conditions for the putting on the market of certain types of eggs;
- (g) spreadable fats, in so far as their labelling is regulated by Council Regulation (EC) No. 2991/94(10) laying down standards for spreadable fats;
- (h) wines or grape musts, in so far as their labelling is regulated by Council Regulation (EEC) No. 2392/89(11) laying down general rules for the description and presentation of wines and grape musts, as amended(12);
- (i) sparkling wines and aerated sparkling wines, in so far as their labelling is regulated by Council Regulation (EEC) No. 2333/92(13) laying down general rules for the description and presentation of sparkling wines and aerated sparkling wines;
- (j) liqueur wines, semi-sparkling wines and aerated semi-sparkling wines, in so far as their labelling is regulated by Council Regulation (EEC) No. 3895/91(14) laying down rules for the description and presentation of special wines, and Commission Regulation (EEC) No. 3901/91(15) laying down certain detailed rules on the description and presentation of special wines;
- (k) any spirit drinks, in so far as their labelling is regulated by Council Regulation (EEC) No. 1576/89(16) laying down general rules on the definition, description and presentation of spirit drinks, Commission Regulation (EEC) No. 3773/89(17) laying down transitional measures relating to spirituous beverages, as amended(18), and Commission Regulation (EEC) No. 1014/90(19) laying down detailed implementing rules on the definition, description and presentation of spirit drinks, as amended(20);
- (l) fresh fruit and vegetables, in so far as their labelling is regulated by Council Regulation (EEC) No. 1035/72(21) on the common organisation of the market in fruit and vegetables, as amended(22);
- (m) preserved sardines, in so far as their labelling is regulated by Council Regulation (EEC) No. 2136/89(23) laying down common marketing standards for preserved sardines;
- (n) preserved tuna and bonito, in so far as their labelling is regulated by Council Regulation (EEC) No. 1536/92(24) laying down common marketing standards for preserved tuna and bonito;

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- (8) Commission Regulation (EEC) No. 3540/91 (OJ No. L335, 6.12.91, p.12), Commission Regulation (EEC) No. 2221/92 (OJ No. L218, 1.8.92, p.81, as read with Corrigendum at OJ No. L292, 8.10.92, p.34), Commission Regulation (EC) No. 3300/93 (OJ No. L296, 1.12.93, p.52), Commission Regulation (EC) No. 1259/94 (OJ No. L137, 1.6.94, p.54), Commission Regulation (EC) No. 3239/94 (OJ No. L338, 28.12.94, p.48), Commission Regulation (EC) No. 786/95 (OJ No. L79, 7.4.95, p.12) and Commission Regulation (EC) No. 2401/95 (OJ No. L246, 13.10.95, p.6).
- (9) OJ No. L168, 2.7.94, p.34.
- (10) OJ No. L316, 9.12.94, p.2.
- (11) OJ No. L232, 9.8.89, p.3.
- (12) Council Regulation (EEC) No. 3886/89 (OJ No. L378, 27.12.89, p.12) and Council Regulation (EEC) No. 3897/91 (OJ No. L386, 31.12.91, p.5).
- (13) OJ No. L231, 13.8.92, p.9.
- (14) OJ No. L368, 31.12.91, p.1.
- (15) OJ No. L368, 31.12.91, p.15.
- (16) OJ No. L160, 12.6.89, p.1.
- (17) OJ No. L365, 15.12.89, p.48.
- (18) Commission Regulation (EEC) No. 1759/90 (OJ No. L162, 28.6.90, p.23), Commission Regulation (EEC) No. 3207/90 (OJ No. L307, 7.11.90, p.11), and Commission Regulation (EEC) No. 3750/90 (OJ No. L360, 22.12.90, p.40).
- (19) OJ No. L105, 25.4.90, p.9.
- (20) Commission Regulation (EEC) No. 1180/91 (OJ No. L115, 8.5.91, p.5), Commission Regulation (EEC) No. 1781/91 (OJ No. L160, 25.6.91, p.5), and Commission Regulation (EEC) No. 3458/92 (OJ No. L350, 1.12.92, p.59).
- (21) OJ No. L118, 20.5.72, p.1.
- (22) The relevant amending instrument is Council Regulation (EEC) No. 1603/91 (OJ No. L149, 14.6.91, p.12).
- (23) OJ No. L212, 22.7.89, p.79.
- (24) OJ No. L163, 17.6.92, p.1.

- (o) any additive sold as such which is required to be labelled in accordance with regulation 4(3) of the Extraction Solvents in Food Regulations 1993⁽²⁵⁾, or the appropriate provisions of any of the additives regulations.
- (3) This Part of these Regulations does not apply to—
 - (a) any drink bottled before 1st January 1983 which has an alcoholic strength by volume of more than 1.2 per cent and which is labelled in accordance with the legislation in force at the time of bottling;
 - (b) any food prepared on domestic premises for sale for the benefit of the person preparing it by a society registered under the Industrial and Provident Societies Act 1965⁽²⁶⁾;
 - (c) any food prepared otherwise than in the course of a business carried on by the person preparing it.

⁽²⁵⁾ S.I. 1993/1658, amended by S.I. 1995/1440.

⁽²⁶⁾ 1965 c. 12.