

PRIMARY AUTHORITY ASSURED ADVICE

CCC/830242/C

Front of pack - name of food

If you require further information and the full version of this advice and guidance, please contact the Primary Authority via the Primary Authority Register. Alternatively email deniserion@bfff.co.uk or hollyjones@bfff.co.uk

Notes:

1. This document includes best practice advice and a brief summary of the requirements of the [Primary Authority Statutory Guidance](#). It should be read alongside the Primary Authority Statutory Guidance.
2. Primary Authority Advice is assured. This means that when a business is following the advice the primary authority can direct against any proposed enforcement action which is inconsistent with the advice

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Introduction

This Primary Authority Advice has been produced by Cambridgeshire County Council in partnership with British Frozen Food Federation for use by members of British Frozen Food Federation to help your business comply with the law. If you follow this advice correctly your local trading standards officer should respect this and not ask you to comply with the law in a different way.

The Cambridgeshire County Council contact;

Trading Standards Administration Team

01954 284619

Ts.administration@cambridgeshire.gov.uk

Primary Authority Advice

Relevant Legislation:	<p>REGULATION (EU) No 1169/2011 on the provision of food information to consumers (FIC)</p> <p>Note: European Regulation on the provision of food information to consumers (EU) No. 1169/2011 (the EU FIC) will continue to apply in the UK as “retained EU law” after EU Exit. The Food Information Regulations 2014 (FIR) as amended, and equivalent regulations in Wales, Northern Ireland and Scotland provide for the execution and enforcement of the EU FIC in the UK.</p>
Geographic Applicability:	This has the status of Primary Authority Advice in England.
Scope:	This advice is addressed to businesses in the regulated group which are food business operators engaged in labelling of prepacked food.
Details of request:	FAQ: For prepacked food, does the name of the food have to be on the front of the pack?
Advice provided:	<p>There is no requirement to mark the mandatory name of the food on the front of the pack, for prepacked foods, but the front of pack labelling must enable the consumer to identify the character or nature of the food.</p> <p>The name of the food (legal name, customary name or descriptive name) are specified in article 17 FIC. It must appear in the same field of vision as the quantity indication and the alcoholic strength by volume (where applicable). Annexes III and VI of the Regulation list a</p>



	<p>number of foods for which certain additional particulars must accompany the name of the food.</p> <p>Note also that different rules apply to non-prepacked food.</p> <p>Recital 41 contains the following phrase - “the principal field of vision, commonly known as the ‘front of pack’”. There is no other reference to ‘front of pack’ in the Regulation.</p> <p>Article 2(2)(l) contains the following definition -</p> <p style="padding-left: 40px;">‘principal field of vision’ means the field of vision of a package which is most likely to be seen at first glance by the consumer at the time of purchase and that enables the consumer to immediately identify a product in terms of its character or nature and, if applicable, its brand name. If a package has several identical principal fields of vision, the principal field of vision is the one chosen by the food business operator;</p> <p>Where nutrition information is given in the prescribed format and you choose to repeat certain nutrition information elsewhere on the pack, as permitted by Article 30(3), this must be in the principal field of vision. ‘Principal field of vision’ is only referenced in Article 30(3).</p> <p>Marketing designations, front of pack descriptions claims, and illustrations are voluntary; they must be consistent with the composition of the food and must not be misleading, confusing, or ambiguous for the consumer (article 36).</p>
Document references:	This guidance was previously issued under code CCC/031760/2
Communication with businesses	<p>This advice will be published in electronic format and located in the Technical Guidance area of the BFFF website:</p> <p>http://bfff.co.uk/technical/guidance/.</p>
Communication with enforcing authorities:	<p>An enforcing authority, proposing to take enforcement action against a business, is only required to notify the primary authority, where they are aware that the business is a member of a regulated group. While guidance states that the enforcing authority should ask you whether you are relying on Primary Authority advice, we recommend that you ensure you communicate this as soon as possible, and do not wait to be asked. (para 21.5 of the Statutory Guidance refers). The scheme does not allow for a business to make a notification to the primary authority where an enforcing authority has already taken action in respect of which it [the enforcing authority] failed to make the required notification to the primary authority (para 21.20 of the Statutory Guidance refers).</p>



	<p>Additionally, the rules allow for you (or the Co-ordinator) to notify the primary authority (para 21.19 of the Statutory Guidance refers).</p> <p>Once a primary authority receives notification, statutory time limits apply (usually 5 days) in which time they must respond to the notification. (Paras 21.9 & 21.10 of the Statutory Guidance refer).</p>
Issued by:	Paul Maylunn, Senior Trading Standards Officer



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