



SUPPORTED BY:



Guidance on Commission Implementing Regulation (EU) 2018/775 of 28 May 2018 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

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## EXPLANATORY NOTES

Regulation (EU) No. 1169/2011 on food information to consumers, was published in 2011. This Regulation was implemented into UK legislation as: The Food Information Regulations (England) (Scotland) (Wales) (Northern Ireland) 2014.

For the purpose of this guidance document the European Regulation (EU) No. 1169/2011 will be referred to as FIC.

Article 26 of FIC includes provisions on country of origin labelling. Article 26(2) and Article 26(3) state the following:

*2. Indication of the country of origin or place of provenance shall be mandatory:*

*(a) where failure to indicate this might mislead the consumer as to the true country of origin or place of provenance of the food, in particular if the information accompanying the food or the label as a whole would otherwise imply that the food has a different country of origin or place of provenance;*

*(b) for meat falling within the Combined Nomenclature ('CN') codes listed in Annex XI. The application of this point shall be subject to the adoption of implementing acts referred to in paragraph 8.*

*3. Where the country of origin or the place of provenance of a food is given and where it is not the same as that of its primary ingredient:*

*(a) the country of origin or place of provenance of the primary ingredient in question shall also be given; or*

*(b) the country of origin or place of provenance of the primary ingredient shall be indicated as being different to that of the food.*

Article 26(8) of FIC, required the Commission by 13 December 2013, and following impact assessments, to adopt an implementing act concerning the application of point (b) of paragraph 2 of this Article and the application of paragraph 3 of this Article. Implementing Regulation (EU) 2018/775 of 28 May fulfils these requirements.

At the time of publication of this document, Implementing Regulation (EU) 2018/775 had not been enacted into UK legislation, nor had the Commission or UK government published guidance. In light of publication of further legislation and associated guidance, this document will be reviewed in due course to incorporate any required changes.

The guidance has been produced to help compliance by the end of the EU transitional period of 1 April 2020. This period may be longer for products sold only in the UK.

## DEFINITIONS

The FIC contains some important definitions, which should be referred to when reading this guidance (Article 2):

**'Ingredient'** means any substance or product, including flavourings, food additives and food enzymes, and any constituent of a compound ingredient, used in the manufacture or preparation of a food and still present in the finished product, even if in an altered form; residues shall not be considered as 'ingredients';

**'Place of provenance'** means any place where a food is indicated to come from, and that is not the 'country of origin' as determined in accordance with Articles 23 to 26 of Regulation (EEC) No 2913/92; the name, business name or address of the food business operator on the label shall not constitute an indication of the country of origin or place of provenance of food within the meaning of this Regulation;

**'Customary name'** means a name which is accepted as the name of the food by consumers in the Member State in which that food is sold, without that name needing further explanation;

**'Primary ingredient'** means an ingredient or ingredients of a food that represent more than 50 % of that food or which are usually associated with the name of the food by the consumer and for which in most cases a quantitative indication is required

**'Field of vision'** means all the surfaces of a package that can be read from a single viewing point

# GENERAL PRINCIPLES

## The requirement

Article 26(3) of Regulation (EU) No 1169/2011 states that where the country of origin or place of provenance of a food is given and where it is not the same as that of its primary ingredient, the country of origin or place of provenance of that primary ingredient shall be given or indicated as being different to that of the food.

The legislation is intended to ensure that where a country of origin is given on a product, consumers are not misled into believing that the primary ingredient came from the named country if that is not the case.

It is important to note that this requirement only applies where the country of origin of the food is given and the primary ingredient is not from that country.

How the country of origin or place or provenance of the food is indicated dictates how the information on the origin of the primary ingredient must be given. For pre-packed foods, the information should be given on the label. In the UK, where the Food Information Regulations 2014 require the name of the food to be given, the information about the origin of the primary ingredient should be given in close proximity to the food origin claim.

# BACKGROUND

Regulation (EU) No. 1169/2011 (FIC) was published in December 2011 and incorporated in to UK law by the UK Food Information Regulations 2014. The Regulations list all the mandatory information required to be given for food. It also specifies the manner in which information is to be given. Information which is given voluntarily is also regulated and is not allowed to mislead consumers. This is specifically true for country of origin, where the rules are contained in a number of provisions.

When reading this guidance document, it is important to note that if you reach the conclusion that you do not need to declare the country of origin of the primary ingredient, as required by Article 26(3), the general provisions in Article 26(2) may still apply. The customer should never be misled about the origin of the food.

In 2010, BRC, together with FDF, and other industry bodies, worked with DEFRA on a set of country of origin principles (See Annex IV). While some of the country of origin principles previously agreed upon have been superseded by the publication of this and other Regulations, many are still relevant. The expectation remains that responsible businesses will continue to provide information on the origin of the ingredient in the products covered by the principles.

## SCOPE – WHICH ORIGIN INDICATIONS TRIGGER THESE PROVISIONS?

The following information is given to help with that decision. Defining what is in and out of the scope should be decided on a case by case basis.

### IN SCOPE:

The Implementing Regulation can apply to any type of foodstuff, including single ingredient foods.

**I** Any indication, whether written or in pictorial form, which by common understanding is an indication of origin or place of provenance of the food.

These indications are usually provided in prominent manner on the front of the pack. They are a selling feature of the product and usually take the following forms:

- The pack design features an explicit written origin claim
- The pack design features an explicit non-written origin claim e.g. a flag, map, scene, country graphic, monument, pattern, colour/design or other objects which customers would immediately associate with a country or a geographical indication.
- The overall pack design, whilst not featuring explicit origin claims, is clearly designed to imply origin, e.g. the prominent use of red, green and white colours that suggest Italian origin

The use of text in a foreign language on a label may trigger the indication being in the scope, however, this will depend on the purpose and the nature of the text and the content in which is being used. In isolation 'baguette' or 'pain au chocolat' to describe a product would not be in scope - but if accompanied by iconography and colours which inferred the product was French then consideration should be given to avoid consumers being misled in relation to the product itself or its primary ingredient.

Country codes on multilanguage labels which highlight to the consumer which market the mandatory labelling information relates to (e.g. FR for French) are out of the scope of the Implementing Regulation, however, other origin indications may trigger the application of the primary ingredient rules.

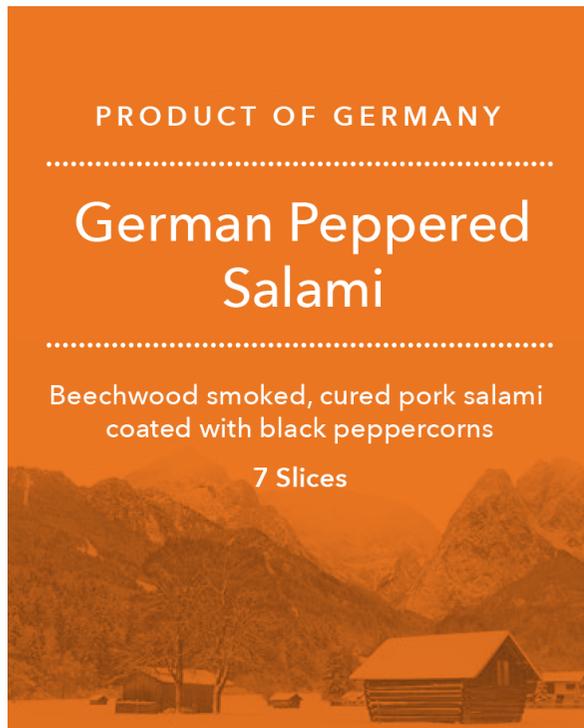
The use of international language characters (e.g. Chinese text) in a prominent manner as part of the marketing presentation of the product, may bring a product in scope of the Implementing Regulation if the origin of the food is required to be given to avoid misleading the customer.



In scope: The pack design features an explicit origin claim. It includes the written statement 'Made in Italy'. For the product not to be in scope, the Made in Italy statement would have to be removed. Alternatively the product label could make it clear the product has been produced to an Italian recipe. If the primary ingredients (beef, egg pasta) of this product were Italian, it would also be out of scope.

## IN SCOPE

Often the geographical reference is given in a less obvious way. Care should be taken when making references to a local environment, for example a local farm in a certain region as part of the story of the product. This can easily put the product in the scope of the provisions of the Implementing Regulation.



In scope: The pack design features an explicit written origin claim.



In scope: The statement 'produce of Spain' is prominent on the front of the pack. These types of statements are in scope of the Implementing Regulation.

## 'MADE IN', 'PRODUCED IN', 'MANUFACTURED IN' STATEMENTS

While in most cases these statements are not used to influence the purchasing decision of the customer, they provide a geographical reference to the origin of the food and therefore are in scope of the Implementing Regulation.

See Annex I for compliance options

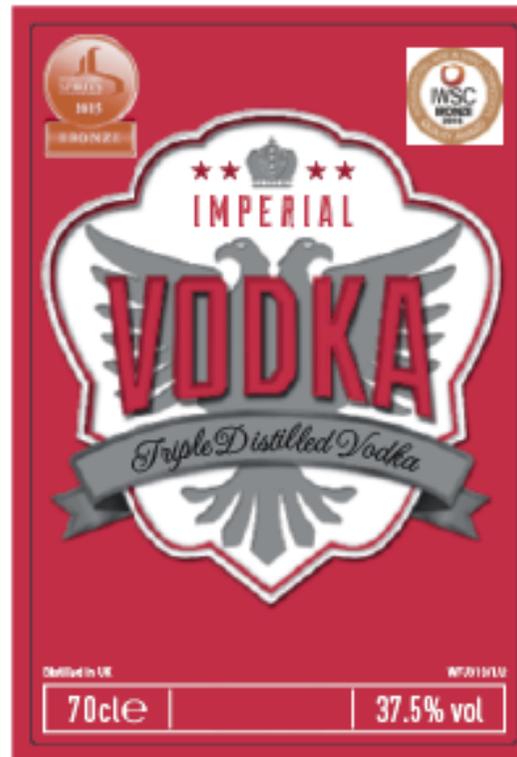
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## IN SCOPE

**2** Article 26(2)(a) requires the indication of the country of origin be given where its omission could mislead the consumer as to the true country of origin or place of provenance of the final food. In particular, if the information accompanying the food or the label as a whole would otherwise imply that the food has a different country of origin.

Although in this case the declaration of origin is mandatory, it can trigger, due to the conspicuous manner in which it must be presented, the provisions of Article 26(3) of FIC and the Implementing Regulation.

E.g. A pack of oven fries may be presented with the colours of the American flag and a picture of a bald-headed eagle. This could suggest to the customer the product is produced in America. If the product is not made in American, the provisions of Article 26(2)(a) in FIC would apply and the country where the food was produced should be given. If that country is different to the country the potatoes come from, the origin of the potatoes would have to also be given.



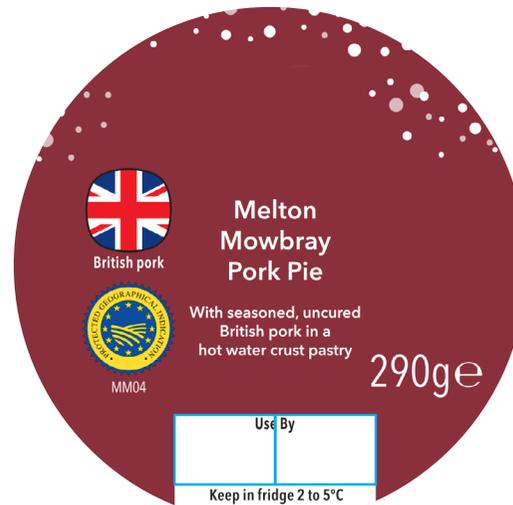
In scope - This product is presented in such a way that gives the impression of being Russian. Since it is not, the provisions of Article 26(2) in FIC apply; the origin of the product needs to be given. This product is compliant by stating 'distilled in UK'. To achieve compliance with the Implementing Regulation the origin of the primary ingredients (grains) will have to be given if different from the origin of the vodka.

**3** The Implementing Regulation does not directly apply to loose foods, unless a Member State authority uses the powers given to them in Article 44 of FIC and extends the scope within their national territory. In the UK the Food Information Regulations 2014 require the name of the food, when sold loose, to be given. If an origin indication of the food is given as part of the product name, and that origin is different to the origin of the main ingredient, the origin of the ingredient must be given.

## IN SCOPE WITH DELAYED IMPLEMENTATION

**1** Protected names – PDOs and PGIs covered in the following Regulations are in the scope of this Regulation; Regulation (EU) No 1151/2012 (PDO, PGI, TSG), Regulation (EU) No 1308/2013 (agricultural products), Regulation No 110/2008 (spirit drinks) and Regulation (EU) No 251/2014 (aromatised wines). However, the provisions will only be applicable when specific rules detailing the way the provisions apply to these products, are adopted. No timings have been specified for the publication of these detailed rules.

While the geographical reference which is part of the PDO/PGI is in scope with delayed implementation, any other country of origin or place of provenance reference on the label of these products, may bring them in scope of the Implementing Regulation.



Melton Mowbray pork pie is a British PGI.

**2** Trade marks – country of origin or place of provenance indications which are part of registered trade marks, are in the scope of this Implementing Regulation. However, the provisions will only be applicable when specific rules detailing the way the provisions apply to those products, are adopted. No timings have been specified for the publication of these detailed rules.

## OUT OF SCOPE:

- 1** Products where the country of origin or the place of provenance of a food is given and where it is the same as that of its primary ingredient. e.g. Cornish ice cream made with Cornish cream.



Out of scope: This product is produced with Cornish cream and milk. The place of provenance of the primary ingredients are the same as the origin of the product, therefore this product is out of the scope of the Implementing Regulation and no additional labelling is required.



Out of scope: British bacon produced with pigs born, reared and slaughtered in the UK. The origin of the product is the same as the origin of the primary ingredient, and therefore does not require any additional labelling.

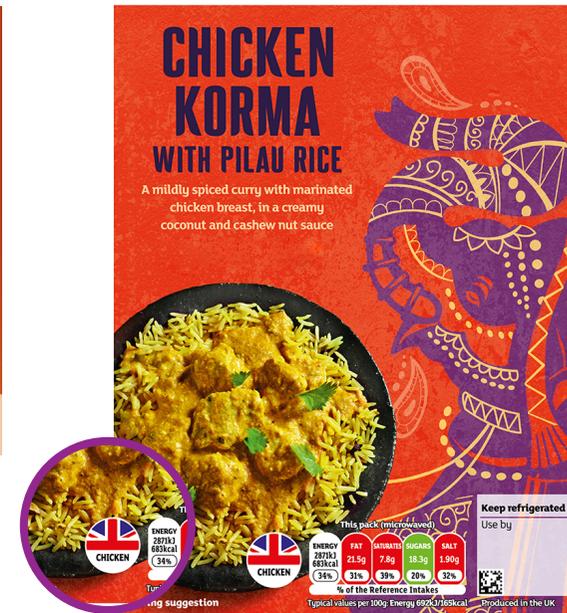
## OUT OF SCOPE

**2** Ingredient origin claim – The Implementing Regulation does not apply to origin claims made for ingredients, i.e. Shepherd's pie made with British lamb. When making a claim about an ingredient consideration should be given to how this will be understood by the average consumer, e.g. Sicilian lemon cake, could be understood as a claim about a Sicilian recipe, the cake being made in Sicily or the lemons used in the recipe being Sicilian. Consideration should also be given to the use of pictorials to highlight the origin of an ingredient.

In order to ensure a product is outside the scope of the provisions of this Regulation, it is recommended that any ingredient origin claim, whether written, in pictorial form or by means of a flag or logo, clearly identifies the ingredient. This can be achieved by carefully considering the position, size and prominence of the information on pack, as well as the potential use, when relevant, of additional clarifying information.



Out of scope: In this example it is clear that the 'Belgian' reference relates to the milk chocolate and not to the whole product, and therefore out of scope.



Out of scope: This ready meal is clearly produced with British chicken. The declaration is given in a way which does not give the impression that the British reference relates to the overall product.

Other elements of the label, i.e. the use of the statement 'Made in', would bring the label in scope and require origin declaration for the primary ingredients. This declaration needs to appear in the same field of vision as the product origin statement.

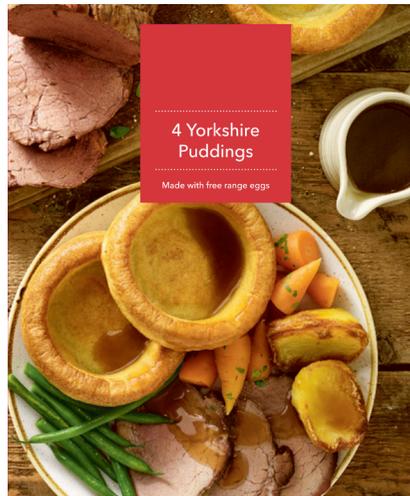
## OUT OF SCOPE

**FARM ASSURED SCHEMES** often include flags as part of their pictorial presentation/logo. As such, these schemes are not excluded from the provisions of the Implementing Regulation; therefore when a logo, which is part of assured scheme, containing a flag, is used on the label, this may result in the label being in scope of the provisions of the Implementing Regulation. However, most logos, when used in composite products, are required to specify the ingredient they relate to. When they clearly relate to an ingredient, they are out of scope of the Implementing Regulation.

### 3 CUSTOMARY AND GENERIC NAMES

FIC defines a customary name as a name which is accepted as the name of the food by consumers in the Member State in which that food is sold, without that name needing further explanation, e.g. 'Yorkshire pudding', 'Lancashire hot pot', etc. To become customary, a name would have needed to be used habitually for a number of years for a product of consistent composition and characteristics. Customary names can fall out of use; and no longer be customary names.

What is a customary name in one country, and out of the scope, may not be a customary name in another and therefore in that country potentially in the scope of the Implementing Regulation, i.e. a Yorkshire pudding can be sold us as such in the UK without triggering the provisions of the Implementing Regulation; however, if sold in any other country this product name may be considered an origin indication and be covered within the scope. The same applies regionally, some names are only customary in a region in a country, e.g. Lorne sausage.



Out of scope: Yorkshire pudding is a customary name in the UK and therefore this product does not need any additional labelling.

See a non-exhaustive list of customary names in the UK in Annex II



Out of scope: Scotch pie is a customary name in the UK and therefore this product does not need any additional labelling.

## OUT OF SCOPE

**4** Descriptors such as 'Style', 'Inspired', 'Inspired by', 'Flavour of', 'Taste of', 'Blend' and similar should be considered out of scope, provided they are used in away which does not infer the origin of the food. It is difficult to establish a rule for whether recipes, or references to traditional food types, are in or out of scope. This must be established on a case by case bases.

See non-exhaustive list of example recipe descriptors in Annex III

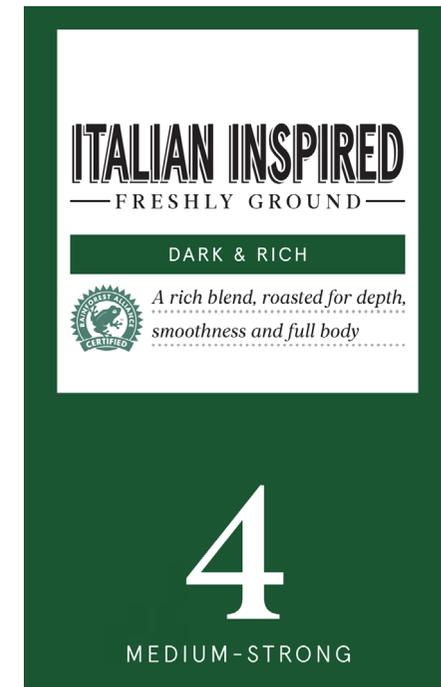
The expectation may vary from country to country. If businesses want to be certain that the geographical recipe reference is out of scope, they could use terms such as 'style' or 'flavour of x', which make it clear to the consumer that these products follow a national recipe or style of food but have not been produced in that country and are not giving the origin of the food.

In all these examples, terminology should be used to clarify the dishes have been produced following recipes inspired by different countries.

Having said that, some recipes have become generic and commonly understood names names in many countries and therefore they are outside of the scope, e.g. Belgium chocolate. There is no customer expectation that Belgian chocolate contains cocoa beans from Belgium. Customers have a clear understanding that the geographical reference relates to where the product was made (last substantial processing).

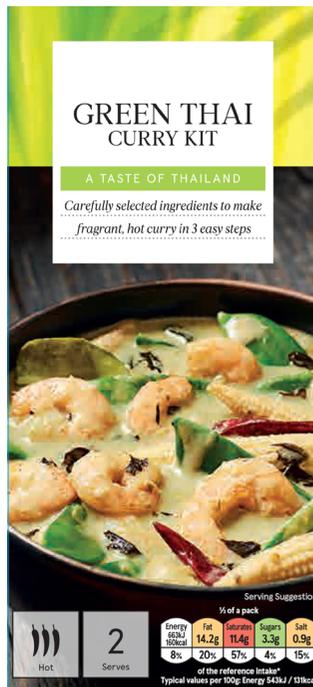
For certain foods an origin indication may be a reference to a flavour profile and not the foods origin, e.g. Italian blend/style coffee (which refers to a dark roasting style). As the coffee beans are not grown in the named country, terms such as 'blend' or 'style' should be included with the origin indication to ensure customers are not mislead as to the true origin of the coffee beans, Colombian style ground coffee.

The use of terms such as traditional or authentic may give customers the impression the product is from that country. To establish whether a label is in or out of scope, it should be considered as a whole.



Out of scope: The label clearly indicates the coffee has been roasted in an Italian style, which is a dark roasted coffee. If an Italian related pictorial had been used on this label, it could make it come in scope irrespective of the use of the term inspired.

## OUT OF SCOPE



Out of scope: The use of the phrase 'A taste of Thailand' makes it clear the product is inspired by Thai cuisine but it is not produced in Thailand

- 5 Pictorial representations which are not specifically of a particular country or place or provenance, and which are not easily identifiable by the average consumer. For example a coastal scene on a fish finger pack or the picture of a mountain range are out of the scope as the origin is not being given.



Out of scope: The picture seen on this label is of a generic coastal scene, not associated with any specific country or area, therefore no further labelling is required.

## OUT OF SCOPE

- 6** Foodstuffs subject to specific marketing standards, i.e. olive oil, fruit and vegetables, fresh meat, fish – the origin indication required to be provided for these foods is specified in the individual marketing standards. For some products, the mandatory indication of origin must be given in a prescribed format. In some cases, this is different from the format required under Implementing Regulation (EU) 2018/775 for primary ingredients. E.g. wine and 'Wine of X'.

While the geographical reference given for these foodstuffs according to the specific legal requirements, is out of scope of the Implementing Regulation, any other country of origin or place of provenance reference on the label of these products, may bring them in scope of the Implementing Regulation.

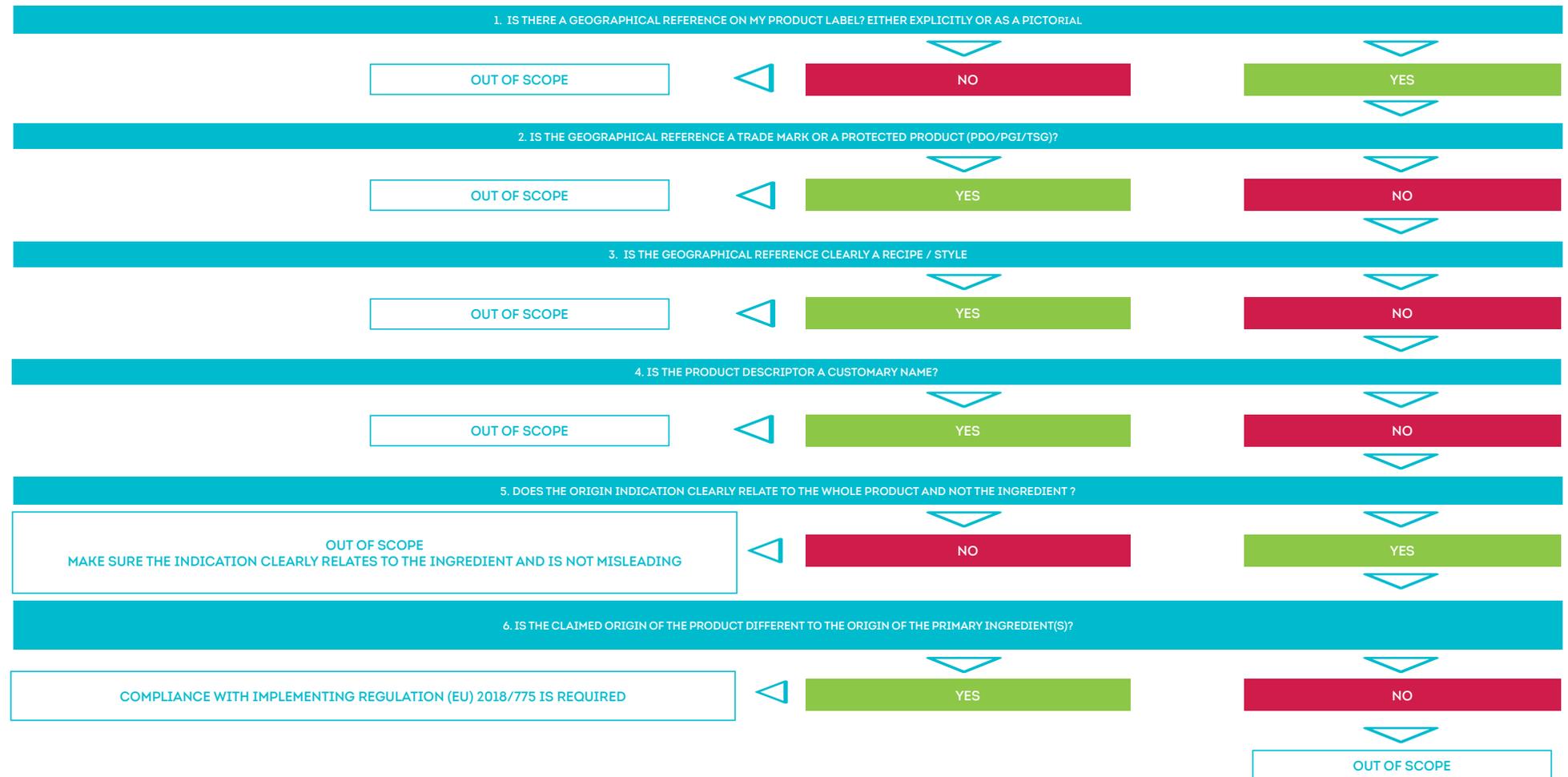
- 7** Prescribed legal names - The Regulation does not apply to prescribed legal names. For example commercial designations for fish, which may include an origin indication and are outside of scope, such as the name of a place or region, e.g. Alaskan Pollock and Dublin Bay prawns.



Out of scope: Legal names which include reference to a place of provenance, such as Alaska Pollock, are out of the scope of the Implementing Regulation.

- 8** Name and address of a business – when the address is given, usually on the back of pack, to facilitate contact with the food business operator.
- 9** Identification marks required for hygiene and traceability purposes. These apply to certain approved establishments specifically concerned with products of animal origin.
- 10** The use of country acronyms on multi-language labels used to help customers find the mandatory information in their relevant language.
- 11** Multilanguage label including translations of mandatory labelling information into the official languages of the countries in which the product is sold.

# DECISION TREE



## PRIMARY INGREDIENT

A “primary ingredient” is an ingredient or ingredients of a food that represent more than 50 % of that food OR which are usually associated with the name of the food by the consumer and for which, in most cases a quantitative indication (QUID) is required.

When establishing what is the primary ingredient of the product, consideration should be given to the purpose for which these provisions were introduced – to avoid misleading consumers about country of origin.

Establishing what is a primary ingredient should be decided on a case by case basis.

An ingredient may be a primary ingredient in the following instances:

1. The ingredient is associated with the name of the food, or
2. The ingredient is emphasised on the label other than in the name of the food, e.g. made with real butter, or
3. It is present in a quantity above 50% of the overall product weight, or
4. QUID is required for the ingredient – Article 22(1) of the FIC provides that “The indication of the quantity of an ingredient or category of ingredients used in the manufacture or preparation of a food shall be required where the ingredient or category of ingredients concerned:

- appears in the name of the food or is usually associated with that name by the consumer;
- is emphasised on the labelling in words, pictures or graphics; or
- is essential to characterise a food and to distinguish it from products with which it might be confused because of its name or appearance.”

Preamble 29 in FIC states that the indication of country of origin or place of provenance should be provided in a manner which does not deceive the customer and on the basis of clearly defined criteria which ensure a level playing field for industry and improve consumers’ understanding of the information related to the country of origin or place of provenance of a food. In most cases therefore, the origin indication for the primary ingredient will focus on the ingredient which will drive the purchasing decisions which is the characterising ingredient(s).

An ingredient could constitute more than 50% of the food; BUT not be characterising of the product nor be the ingredient which would influence the purchasing decision, e.g. in a pepperoni pizza, where the origin of the food product is given, the flour in the base could represent more than 50% of the product; however, pepperoni is the characterising ingredient, therefore likely to be the primary ingredient which origin should be given.

Many ingredients are voluntarily QUIDed and therefore a QUID declaration against an ingredient in the ingredients list, does not necessarily make it a primary ingredient.



In scope: The primary ingredients for this soup are likely to be tomatoes, beans and chillies.

A product does not always have a primary ingredient. In these cases, no further qualification is required, when an origin statement is used on the product label.

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## ADDITIONAL CONSIDERATIONS

A product could have more than one primary ingredient. FIC defines 'ingredient' as any substance or product, including flavourings, food additives and food enzymes, and any constituent of a compound ingredient, used in the manufacture or preparation of a food and still present in the finished product, even if in an altered form; residues shall not be considered as 'ingredients'. It defines 'compound ingredient' as an ingredient that is itself the product of more than one ingredient.

For the purpose of compliance with the Implementing Regulation, a primary ingredient can be a single ingredient or a compound ingredient. Establishing whether a single ingredient or the compound ingredient in which it is used is the primary ingredient, should be done on a case by case basis, considering consumer understanding and expectation.

## DEFINING ORIGIN

"Country of origin" is defined in the FIC as as the country where the product has been wholly obtained (one Member State) or the country of the last substantial transformation.

This definition applies in the absence of more specific provisions. Specific provisions exist for several products:

- Beef – the country where the animal was born, reared and slaughtered.
- Other meat, including poultry – one single origin is permitted if the animal was born, reared and slaughtered in the same country. Otherwise 'reared in x, slaughtered in y, is required.
- Fish, crustacean and molluscs – FAO fishing area or freshwater body as defined in international law or well understood by informed average consumers
- Fruit and vegetables – where the product was grown
- Milk - the place where the animal was milked, farmed and/or grazed

For processed/composite products there are no specific rules, therefore general provisions apply, i.e. their country of origin is the country in which they underwent the last treatment or process resulting in a substantial change.

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## HOW TO ESTABLISH IF THE PRIMARY INGREDIENT HAS THE SAME ORIGIN AS THE FOOD

In the majority of cases it is straightforward to establish if the origin of the primary ingredient is the same as the origin of the food. However, there are few instances, where this might be a little more complicated. Below is a non-exhaustive list of examples:

- If the place of provenance of the foodstuff is a broad geographical area, e.g. The Alps, Scandinavia, Eastern Europe, South America, South East Asia, the origin of the primary ingredient should be a country located in that wide geographical area. There might be cases in which the primary ingredient could come from more than one country. Therefore, in that case all possible countries of origin should be within that stated broad geographical area.
- Products where fish/shellfish is the primary ingredient. When the fish/shellfish is farmed or cultivated its relatively straight forward to determine where the country of origin is the same as the origin of the overall product. However, for wild/sea sourced fish, it is possibly more difficult when linking an open area of water with a country of origin , for the purpose of this Implementing Regulation, e.g. Scottish fisherman's pie - the origin of the fish is clearly established from the waters it was obtained, e.g. North Atlantic fall within Scotland's claim or is further qualified. Alternatively, the name of the food may need amending.

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## INDICATION OF THE ORIGIN

The country of origin or place of provenance of the primary ingredient in question shall be given by either of these two methods A or B:

### A. reference to one of the following geographical areas:

- “EU”, “non-EU” or “EU and non-EU”; (The UK will not be part of the EU after exit date) or
- Region, or any other geographical area within several Member States if defined as such under public international law or well understood by normally informed average consumers; or
- FAO Fishing area, sea or freshwater body, if defined as such under international law or well understood by normally informed average consumers; or
- Member State(s) or third country(ies); or
- 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
- The country of origin or place of provenance in accordance with existing specific Union provisions applicable for the primary ingredient(s) (such as Honey, Olive Oil etc).

To fulfill the requirements of the Regulation, one of the references in section A should be used. They cannot be mixed, e.g. the declaration of EU and Switzerland is not permitted, instead two countries will need to be given, e.g. France and Switzerland.

### 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.

Where specific Union provisions apply for indicating a country of origin these would apply to the primary ingredient indication i.e. when meat is the primary ingredient it requires reared and slaughtered origin labelling or a single origin (if the same country applies to born, reared and slaughtered).

In any case, the Implementing Regulation does not prescribe which one of the geographical options listed above to use. The Implementing Regulation does not prescribe the level of geographical precision for the primary ingredient.

### THE USE OF THE GENERAL STATEMENT (option B)

“(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.”

This statement can be used for more than one primary ingredient.

The Implementing Regulation does not prescribe the wording to be used; it allows for similar wording with the same meaning to be used.

## MULTIPLE COUNTRIES OR PLACES OF PROVENANCE

The provisions in the Implementing Regulation allow for multiple countries to be given (i.e. Member State or third country), however, only one region.

Whatever origin term is used the company should have substantiation as to why consumers would not be misled.

## ACRONYMS

The name of the country should be given in full; however, alternatively an acronym could be used as long as it is understood by the the average consumer.

## BRITISH VS. UK

In the UK, it is common best practice to voluntarily highlight the origin of an ingredient with a 'nationality descriptor', e.g. British and/or the use of a flag. Article 2 (a)(v) of the Implementing Regulation allows for a region or other geographical area within a Member State or within a third country to be given in a way which is well understood by normally informed average consumers.



In/out of scope: Scottish cheddar – if the product is produced exclusively with Scottish milk, it would be out of the scope of the Implementing Regulation; thus no indication is required. If the product is not produced exclusively with Scottish milk, the origin of the milk must be indicated as UK. An indication of Scottish and English milk will not be allowed, since the Implementing Regulation does not allow for the use of more than one place of provenance (only one region permitted). Alternatively, the label can state the milk is from a different origin to the one claimed for the cheese.



In scope: Jamaican chicken curry can be an origin indication. In this product chicken is the primary ingredient and has been described as British. The British descriptor is clear and well understood by consumers; it is therefore compliant with the provisions of the Implementing Regulation. Businesses will need to make sure that the information is given in a font 75% of the size of the origin claim for the food, in this case 'Jamaican Chicken Curry with Rice'.

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## PRESENTATION

### PRE-PACKED

Where the country of origin or place of provenance of a food is given in words, the primary ingredient's different country of origin shall appear in the same field of vision as the indication of the country of origin or place of provenance of the food and in using a font size that 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.

Where the country of origin or place of provenance of a food is given by means of non-scriptural form, the primary ingredient's different country of origin shall appear in the same field of vision as the indication of the country of origin or place of provenance of the food.

The Implementing Regulation states that the information must be provided in a font size which is not smaller than the minimum font size as required in accordance with the provisions in FIC. The FIC requires a the use of a font size where the x-height is equal or greater than 1.2 mm. A small font size of 0.9 mm can be used in case where the packaging or container's largest surface area is 80cm<sup>2</sup> or less.

The origin indication has to always be in the same field of vision as the products' origin indication, including flags. Therefore, in case the sale denomination containing origin indication or flags is repeated on the packaging, the information on the origin of the primary ingredient needs also to be repeated accordingly.

One indication of the origin of the primary ingredients could cover repeated front and side product origin indications as long as both can be seen together, however if the origin indication of the product is given on the front and back of pack then the indication of the origin of the primary ingredients would need to be repeated to ensure both sides and indications can be seen together.

### NON-PREPACKED

For foods sold loose, in the UK, the Food Information Regulation 2014, require the name of the food to be given in cafés, restaurants, other catering outlets and in-store, if an origin indication of the food is provided as part of the product name, the different origin of the ingredient must be displayed in close proximity to where the name of the product is given; where possible, and this should be on the same label, tag, counter ticket, sticker, etc.

**GERMAN SALAMI**  
Made with Danish Pork

250g e                      Best Before

In scope: In this example the information on the country of origin of the primary ingredient has to be given using a font size that has an x-height of at last 75% of the height of the statement GERMAN SALAMI

**SALAMI**  
Made with Danish Pork



250g e                      Best Before

In scope: In this example the information on the country of origin of the ingredient has to be given, however, there is not specific font size requirement, other than the general minimum font size required of 1.2mm, for all mandatory information.

**GERMAN SALAMI**  
Pork does not originate from Germany

250g e                      Best Before

In scope: In this example the statement specifying the origin of the primary ingredient is different from the origin claimed for the food product, has to be given using a font size that has an x-height of at last 75% of the height of the statement GERMAN SALAMI

**SALAMI**  
Pork does not originate from Germany



250g e                      Best Before

In scope: In this example, the statement stating that the origin of the primary ingredient is different from the origin claimed for the food product, has to be given, however, there is not specific font size requirement, other than the general minimum font size required of 1.2mm, for all mandatory information.

## ANNEX I - MADE IN, PRODUCED IN COMPLIANCE OPTIONS

Made in', 'produced in', 'manufactured in', and 'Produced in X country for Y company' statements are widely used by businesses on food labels. While in most cases these statements are not used to influence the purchasing decision of the customer as to the origin of the product, they provide a geographical reference to the origin of the food and therefore are in scope of the Implementing Regulation. Below are the available options to ensure compliance:

1. **Removal of the statement** - Businesses may choose to remove these statements from food labels. If no other country of origin or place of provenance reference is used on the label, products with no 'made in', 'produced in' or equivalent statements, will be out of the scope of the Implementing Regulation.
2. **Specifically qualifying the statement** - The statements can be qualified with information on the country of origin or place of provenance of the primary ingredient(s). This indication could refer to a single country or to a wider geographical area (see INDICATION OF ORIGIN section).

3. **Qualifying the statement with a different origin statement** - The 'Made in', 'produced in' and equivalent statements, can be qualified with a general statement clarifying the primary ingredient(s) does not originate from the country of origin or place of provenance of the food product, or equivalent wording.
4. **Use the statement 'Packed in'** - This statement clearly indicates the place where a food has been packed and as such is not likely to imply an origin indication for the customer. Consequently, the term 'packed in' is not considered as giving the country of origin or place or provenance of a food.

Presentational rules apply to these statements, e.g. 75% of the largest country of origin declaration on pack (See page 21).

SALAMI

250g e

BEST BEFORE

Produced in UK for BRC using pork from outside the UK

SALAMI

250g e

BEST BEFORE

Produced in UK for BRC using Danish pork

SALAMI

250g e

BEST BEFORE

Produced in UK for BRC using EU pork

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**ANNEX II - CUSTOMARY NAMES IN THE UK - NATIONAL AND REGIONAL  
(NON- EXHAUSTIVE LIST)**

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American Hard Gums	Eccles cake	Scotch egg
Bakewell tart	English breakfast tea	Scotch pie
Bath buns	Eton mess	Scotch pancake
Bedfordshire clanger	Everton mints	Scottish Batch
Belgium bun	Indian Tonic water	Scottish Breakfast tea
Brighton Rock	Irish stew	Tottenham cake
Caerphilly cheese	Kendal mint cake	Welsh cakes
Cheddar cheese	Lancashire cheese	Welsh rarebit
Chelsea bun	Lancashire hotpot	Wensleydale cheese
Cheshire cheese	Lincolnshire sausage	Yorkshire pudding
Cumberland sausage	London Cheesecake	
Danish bread	Madeira cake	
Derby cheese	New York cheesecake	
Devon scone	Pontefract cake	
Double Gloucester cheese	Red Leicester	
Dundee cake		

**ANNEX III - NON- EXHAUSTIVE LIST OF EXAMPLE RECIPE DESCRIPTORS**

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Style	Taste of	Kitchen
Inspired by	Blend	Recipe
Flavour of	'A la'	

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Where the principles are not aligned with the provisions of the Implementing Regulation, the Implementing Regulation should always be used.

## ANNEX IV PRINCIPLES ON COUNTRY OF ORIGIN INFORMATION

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October 2010

### FOREWORD

The food industry has always shown itself adaptable and flexible to its customers' demands – and much progress has already been made in providing more and better information on food origin. However, this document marks a significant further step forward. I am very pleased that the food industry has been able to come together, facilitated by Defra, and develop principles for clearer country of origin labelling.

Many individual businesses already provide excellent origin information. These principles formalise and strengthen what they do. Championing the practices of the best performers and bringing others into line will reduce confusion and ensure improvements in both the quality and consistency of origin information for all consumers.

I congratulate the industry on this important initiative and look forward to seeing real benefits to the consumer.

**Minister for Agriculture, Jim Paice**

### General Principles

We are fully committed to honest labelling and these principles set out how we will continue to improve the level and clarity of country of origin<sup>1</sup> information for meat, meat products and certain dairy products.

We will continue to ensure that labels do not mislead consumers as to the origin of food particularly where some form of voluntary claim is made.

We will keep this document under review particularly in the light of the development of new EU labelling rules (EU Regulation on Food Information to Consumers) and other relevant legislation.

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## BEST PRACTICE

Meat<sup>2</sup>

**(This section on meat has superseded by the provisions of Implementing Regulation 1337/2013 of 13 December 2013 laying down rules for the application of Regulation (EU) No 1169/2011 as regards the indication of the country of origin or place of provenance for fresh, chilled and frozen meat of swine, sheep, goats and poultry)**

Label all unprocessed meat with country of origin

Limit all single country of origin labelling to meat from animals born and reared in the specified country (or, in the case of poultry, reared in the specified country).

Limit the use of 'British' to meat from animals born and reared in the UK (or, in the case of poultry, reared in the UK).

Where the animal has been born and reared in different countries additional information will be provided to make this clear.

## Meat products

Label "lightly" processed products such as bacon, ham, gammon, sausages and burgers with the origin of the meat ingredient

Limit all single country of origin labelling to processed products containing meat from animals born and reared in the specified country (or, in the case of poultry, reared in the specified country).

Limit the use of 'British' to processed products containing meat from animals born and reared in the UK (or, in the case of poultry, reared in the UK).

Where the animal has been born and reared in different countries additional information will be provided to make this clear.

In other composite products (e.g. pies, casserole etc) where a voluntary origin declaration is made, label the country or origin of the meat ingredient if the meat is considered of primary interest to the consumer or a predominant component of the product.

Where the meat is sourced from multiple countries this is made clear either by naming the countries (e.g. produced in the UK with meat from Thailand and/or Brazil), stating "product of multiple countries", defining a geographical area (e.g. product of the EU, product of South America or product of Scandinavia) or by stating that the origin of the primary ingredients is different from the origin of the product e.g. "Produced in the UK from imported beef."

Origin claims using UK flags, British imagery (such as icons or landmarks), or any suggestion of British or local origin through the product name or description (e.g. "British Classic") is limited to products where the meat originates from the UK

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2. Legal requirements are in place for beef & veal and imported poultry meat.

3. Excludes evaporated and condensed milk.

4. Excludes processed cheese (e.g. spreads) and cheeses used as an ingredient (e.g. in pizzas).

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### **Dairy products (Liquid milk, fresh cream, cheese and butter)**

Label all liquid milk and fresh cream with the country of origin of the milk.

Label cheese and butter sold as such with the country of origin of the liquid milk or the place of manufacture.

The use of flags or imagery (such as icons or landmarks) on these products will be limited to those containing liquid milk from that country.

Where the milk is sourced from multiple countries this is made clear either by naming the countries (e.g. produced in the UK with milk from Belgium and France), stating “product of multiple countries”, defining a geographical area (e.g. product of the EU) or by stating that the origin of the primary ingredients is different from the origin of the product e.g. “Produced in the UK from imported milk.”

### **General provisions**

Place origin information either on the label or in close proximity to the product (where not pre-packed).

For catering establishments provide origin information on the menu, on accompanying literature or ensure it is available at the request of the customer.

When using statements such as ‘packed [sliced etc] in country X’ it should be accompanied by the place(s) of production if different.

### **Additional best practice**

Where these principles are followed consumers can be confident in claims that are made. Where possible and achievable the additional best practice elements of the Government’s guidance on origin labelling and for pigmeat, the BPEX labelling code should be applied

### **ANNEX A**

The following information is not considered to be an origin declaration

- Approved premises codes (identification marks indicating country of processing and a code number that relates to the approved establishment in order to meet the requirements of EU Hygiene Legislation).
- Breeds of cattle (e.g. Aberdeen Angus).
- Name and address of the manufacturer, packer and seller
- Control body code numbers under the organic standards.
- Use of slogans such as “UK favourite brand” when supported by sales data.

This information will not be used or placed on the packaging in a way which could confuse as to the origin of the product.

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## THE BRITISH RETAIL CONSORTIUM

The BRC's purpose is to make a positive difference to the retail industry and the customers it serves, today and in the future.

Retail is an exciting, dynamic and diverse industry which is going through a period of profound change. Technology is transforming how people shop; costs are increasing; and growth in consumer spending is slow.

The BRC is committed to ensuring the industry thrives through this period of transformation. We tell the story of retail, work with our members to drive positive change and use our expertise and influence to create an economic and policy environment that enables retail businesses to thrive and consumers to benefit. This membership comprises over 5,000 business and accounts for £120bn of grocery sales and employ over 1m people in food outlets and distribution.

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