

FOOD LABELLING REGULATIONS (AMENDMENT) BILL

EXPLANATORY NOTES

Clause 1 *Country of Origin Labelling*

1. *Subsection (1)* sets out that the Bill amends the Food Labelling Regulations 1996 ('the regulations')
2. *Subsection (2)* amends regulation 2 by adding two new definitions: 'meat product' and 'mechanically recovered meat'. Whilst 'meat product' is already defined in the regulations by reference to the Meat Products (England) Regulations 2003 this definition does not include raw meat. This new definition for 'meat products' only applies to the sections of the regulations affected by this Bill and covers raw meat (including offal), mechanically recovered meat and any products containing meat. The definition of 'mechanically recovered meat' is consequential of the definition of 'meat product'.
3. *Subsection (3)* amends regulation 3. Regulation 3 makes clear that the regulations do not apply to products from the EEA so long as they comply with relevant EC regulations and directives. The new 3(c) explicitly removes that exemption for meat products so that, regardless of EC regulations and directives country of origin labelling is required for meat products.
4. *Subsection (4)* amends regulation 5. Regulation 5 currently lists the general labelling requirements, such as list of ingredients, best before dates and storage conditions. Under the current regulation 5(f) country of origin labelling is only required 'if failure to give such particulars might mislead a purchaser to a material degree as to the true origin or provenance of the food'. This means that country of origin labelling is discretionary. The new 5(f) introduced in this Bill makes that labelling compulsory for the meat component of meat products. New 5(fa) maintains the status quo for all other products
5. *Subsection (5)* amends regulation 39(f). This section of the regulations relates to the field of vision in which information must be presented. The new 39(g) would require that country of origin labelling for meat products would have to be in the same field of vision as information such as the name of the food the best before date, and the quantity.
6. *Subsection (6)* introduces three new regulations:

New Regulation 39A defines the place of origin of the meat component of a meat product as the place in which the animal that the meat comes from was born. *Paragraph 2* requires that if the meat has been reared and slaughtered in different countries to that in which it was born then the label must also indicate this. *Paragraph 3* stops Section 36 of the Trade Descriptions Act 1968 from applying to country of origin labelling for meat. Section 36 of the Trade Descriptions Act 1968 states that 'goods shall be deemed to have been manufactured or produced in the

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country in which they last underwent a treatment or process resulting in a substantial change'. This means that pork meat from overseas processed in the UK can be called 'British' or have a labelling indicating it was 'produced in the UK'.

New Regulation 39B lists specific conditions for labelling a meat product 'British'. Any meat product can only be labelled 'British' if the animal from which the meat came was born, reared and slaughtered in the UK. *Paragraph 2* states that 'labelled British' means either using the word 'British' or the Union Flag or any other label that implies that the meat has its origin in the UK. As in *New Regulation 39A*, Section 36 of the Trade Descriptions Act 1968 does not apply to this section.

New Regulation 39C simply defines the term 'meat component of a meat product' as any meat ingredient or ingredients which make up at least ten per cent of the product.

Clause 2 *Short title, commencement and extent*

6. *Subsection (1)* gives the short title of the Act.

7. *Subsection (2)* indicates that the Secretary of State must, by order, designate the date on which the new rules come into place.

8. *Subsection (3)* designates the extent of the legislation.