

## Consultation Information Note

**Title:** Consultation on Definition of 'Small Quantities' of Prepacked Food

**Start date of consultation:** Monday, 18<sup>th</sup> July 2016

**End date of consultation:** Monday, 22<sup>nd</sup> August 2016 at 5pm

### Background

On the 13 December 2014, new rules set out in Regulation (EU) No 1169/2011 regarding the provision of food information to the consumer (FIC) became applicable.

The EU Commission White Paper of May 2007 on a Strategy for Europe on Nutrition, Overweight and Obesity related health issues noted that nutrition labelling is one important method of informing consumers about the composition of foods and helping them to make an informed choice. The provision of nutrition information on a mandatory basis for prepacked foods was introduced in Regulation (EU) No 1169/2011. In order to give food businesses time to prepare for this new requirement the date of application was set at the 13 December 2016. The mandatory nutrition information that must be provided for prepacked foods can be viewed [here](#).

### Exemptions

The obligation to provide the mandatory nutrition declaration applies only to prepacked foods. Food which is offered for sale without packaging or which is packed on the same premises from which it is sold is considered non-prepacked and therefore is exempt from the mandatory requirement to provide nutrition information.

Certain prepacked foods are also exempted and these foods are listed in [Annex V to Regulation \(EU\) No 1169/2011](#). Included in that list of exemptions is:

*Food, including handcrafted food, directly supplied by the manufacturer of small quantities of products to the final consumer or to local retail establishments directly supplying the final consumer.*

The EU have not defined 'small quantities of products' or 'local' in the Regulation and it is therefore up to each EU Member State to provide a definition for their own national market.

### Defining Local

A definition of 'localised' has been provided in both the Health (Definition of Marginal, Localised and Restricted Activity) (Butcher Shop) Regulations 2010 ([S.I. 340 of 2010](#)) and in the Health (Definition of Marginal, Localised and Restricted Activity) (Retail Catering Establishments) Regulations 2012 ([S.I. 168 of 2012](#)) as:

- An activity may be regarded as "localised" if the food business operator supplies food of animal origin to other retail establishments only within 100km of the supplying establishment.

The distance of 'within 100km of the supplying establishment' will also be used for the definition of 'local' for the purposes of the exemption from the requirement to provide nutrition information in cases where the supply of small quantities of products is to local retail establishments directly supplying the final consumer.

### **Defining Small Quantities**

The purpose of this consultation is to determine a definition for 'small quantities of products'. Food products include non-alcoholic beverages.

The consultation is in the form of a survey which is available [here on the FSAI website](#). The survey will remain open until 5pm on Monday, 22<sup>nd</sup> August 2016.

If you have any queries on accessing the consultation, please contact us via:

Email [consultations@fsai.ie](mailto:consultations@fsai.ie) or Telephone us on 1890 33 66 77

Post: Consultations, Food Safety Authority of Ireland, Abbey Court, Lower Abbey St, Dublin1.