businesscompanion
trading standards law explained

Labelling of bread, cakes and similar products

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In this guide, the words 'must' or 'must not' are used where there is a legal requirement to do (or not do) something. The word 'should' is used where there is established legal guidance or best practice that is likely to help you avoid breaking the law.

Although the United Kingdom left the European Union (EU) in 2021, certain pieces of legislation (known as 'assimilated law') continue to apply until such time as they are replaced by new UK legislation, revoked or permitted to expire. This means that our guidance still contains references to legislation that originated from the EU.

This guidance is for Scotland

Bread, cakes, etc sold at a bakery must be marked with their name, details of irradiated or genetically modified ingredients, and any allergens that are present.

This guide applies to non-prepacked foods (those that are sold loose, or packaged at the request of the consumer). For more information on non-prepacked foods, please see 'Labelling of non-prepacked foods'.

The guide does not cover products packed by you for sale from another premises, nor does it cover products packed by another packer and sold by you. These products are prepacked and require full

labelling; for more information, please see 'Labelling of prepacked foods: general'.

This guide does not cover food that is prepacked for direct sale. 'Prepacked for direct sale', while not legally defined, means food that is placed into packaging (prepacked) before being offered for sale and sold / offered for sale or supply from the premises on which it was packed, or from a mobile stall or vehicle being operated by the business. For example, cakes that are packaged in the shop from which they will be sold. For more information, please see 'Labelling of prepacked-for-direct-sale foods'.

Name

The legal name of the product must be given. Under normal circumstances, this is the name that describes the true nature of the food (the descriptive name). A product marketed as 'Peter Pig' would need the descriptive name of the food to clarify what it is - for example, 'Marshmallow and digestive biscuit with a coating of pink icing'. The name 'Peter Pig' is a 'fancy name' and has no legal standing.

Sometimes a 'customary name' may be used instead of a descriptive name. A customary name is a name that allows the product to be clearly distinguished from other similar products, and is readily understood by consumers in Great Britain without further clarification - for example, Belgian bun, Chelsea bun, etc.

In order to meet the requirements of a customary name, the name must be generally understood throughout Great Britain, or throughout the region in which it is being sold ('the north', for example). You must not use a customary name that is only understood within a small part of the local community, even if the business predominantly serves that community. For example, it would not be permitted for a product being sold within a community that is primarily of Indian origin to be solely described as Nankhatai, as the name would only be understood within that community; it would need to be additionally labelled with a descriptive name, such as 'Traditional Indian shortbread cookie flavoured with nutmeg'.

For more information, please see 'Labelling of prepacked foods: product name'.

Allergens

If the product contains any of the following types of allergen, the allergen(s) it contains must be declared:

- Cereals containing gluten, such as wheat, rye, barley, oats, spelt, kamut, and their hybridised strains
- Peanuts (also called groundnuts)
- Nuts, such as almonds, hazelnuts, walnuts, Brazil nuts, cashews, pecans, pistachios, macadamias and Queensland nuts
- Fish
- Crustaceans
- Molluscs
- Sesame seeds
- Eggs
- Milk and milk products (including lactose)
- Soy beans
- Celery
- Lupin
- Mustard
- Sulphur dioxide and sulphites at levels above 10 mg/kg or 10 mg/litre expressed as SO2

You must specify the allergen as it appears in the list above. If a product contains wheat, you would state 'Contains wheat' as this is specified in the list; however, if a product contains prawns, you would state

'Contains crustaceans' as 'prawns' does not appear in the list.

For more information, please see 'Food allergens and intolerance'.

Irradiated foods

If a food has been irradiated, or contains ingredients that have been irradiated, you must state either 'Irradiated' or 'Treated with ionising radiation'.

Genetically modified foods

If the product contains or is made from genetically modified foods, you must state either 'Contains genetically modified [name of organism]' or 'Contains [name of ingredient] produced from genetically modified [name of organism]'. For more information, see 'Genetically modified foods'.

How to present the information

In the case of non-prepacked food, you must present the information on either:

- A label attached to the product
  or
- A notice in close proximity to the product that can be readily seen by customers (this can include shelf edge labelling)

For allergens only, you can place a notice on display instructing the customer to ask a member of staff for allergen information. For more information, please see 'Food allergens and intolerance'.

Bread

Bread made from wheat flour must have a notice on it that clearly and conspicuously tells customers which type it is - for example:

- Brown bread
- Wheatgerm bread (must contain 10% added wheatgerm)
- Wholemeal bread (all the flour used must be wholemeal)
- Soda bread

White bread is excluded from the above requirement.

It is illegal to use the name 'wheatmeal bread'.

Brand names such as 'Hovis' and 'Granary' are insufficient on their own; they must also have a descriptive name.

Other types of bread where the flour is not wholly wheat flour must be appropriately described - for example, rye bread.

Cakes and confectionery

You must ensure that any description is true and accurate. For example:

- It is important to realise that the words 'flavoured' and 'flavour' have very different meanings - for example, 'vanilla flavoured icing' derives its flavour only from real vanilla, but 'vanilla flavour icing' is synthetically flavoured and contains no vanilla. If neither word is used (vanilla slice, for example) the flavour must be only from natural vanilla
- The cream in cream cakes must be wholly dairy cream. If any artificial or imitation cream is used, this must be stated in the name of the food
- Imitation cream and imitation chocolate must not be described as cream or creme, chocolate or choc

Gluten-free and low gluten claims

A gluten-free claim is a statement to the consumer that eating the product will not cause an allergic reaction in sensitive individuals. Gluten-free claims must not be made unless production control and in-store handling procedures are sufficiently robust to ensure that there is no gluten contamination and that test results show that gluten is present at less than 20 mg/kg.

If you wish to make a claim of 'very low gluten' then you must ensure that the product contains no more than 100 mg/kg.

No other gluten claims are permitted (for example, 'Made with no gluten-containing ingredients').

Imported flour

See the GOV.UK website for information about the requirements for flour imported from the EU.

Further information

The Food Standards Agency (FSA) and the Department for Environment, Food and Rural Affairs (Defra) have jointly produced guidance on composition and labelling of bread and flour.

Please note that, in addition to iron, niacin, thiamine and calcium specified in the guidance, from 13 December 2026 all flour (including imported flour) must also be fortified with folic acid; please refer to the section of the FSA / Defra guidance headed 'Mandatory fortification of non-wholemeal common wheat flour' for more information on folic acid fortification.

Trading Standards

For more information on the work of Trading Standards Services and the possible consequences of not abiding by the law, please see 'Trading Standards: powers, enforcement and penalties'.

> In Scotland, food labelling laws are not generally enforced by Trading Standards Services, but rather by Environmental Health. However, we have included In-depth Guides on food for Scotland in order to provide more comprehensive guidance.

In this update

No major changes.

Last reviewed / updated: October 2026

Key legislation

- Bread and Flour Regulations 1998
- Assimilated Regulation (EC) No 1829/2003 *on genetically modified food and feed*
- Genetically Modified Food (Scotland) Regulations 2004
- Assimilated Regulation (EC) No 1333/2008 *on food additives*
- Assimilated Regulation (EU) No 1169/2011 *on the provision of food information to consumers*
- Food Information (Scotland) Regulations 2014

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links go to the legislation.gov.uk website. The site usually updates the legislation to include any amendments made to it. However, this is not always the case. Information on all changes made to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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