businesscompanion
trading standards law explained

Labelling of fish

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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.

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.

This guidance is for Scotland

The sale of fish and aquaculture products* is covered by the Fish Labelling (Scotland) Regulations 2013. They must be labelled with the legal name of the fish / aquaculture product, the production method, the catch area, and treatments and additives that must be declared. There is a list of recognised legal names, which is maintained and updated by the Department for Environment, Food and Rural Affairs (Defra).

[*Aquaculture products are aquatic organisms at any stage of their life cycle, and products produced from them. Aquaculture products include molluscs (such as oysters and mussels), crustaceans (such as shrimp and prawns) and aquatic plants (such as seaweed and microalgae).

There are additional labelling requirements for fish that has been irradiated, previously frozen, smoked and/or contain any genetically modified material.

This guidance relates to all sales of fish and aquaculture products, whether they are sold prepacked, prepacked for direct sale or non-prepacked. Please see 'Labelling of prepacked foods: general', 'Labelling of prepacked-for-direct-sale foods' and 'Labelling of non-prepacked foods' for more information on the legal definitions and requirements.

Required labelling

Fish must be labelled with the following:

- commercial designation of the food (see below)
- scientific name (which may be provided on a separate poster)
- production method (caught at sea, caught in fresh water, farmed or cultivated)
- catch / production area (see below)
- category of fishing gear used
- whether or not the fish has been defrosted (see below)

There is an exemption from the first three of these requirements for fish worth less than 20 euros (approximately £18) that is sold direct to the consumer by those who caught it.

As fish is a specified allergen, the allergen-labelling requirement must also be complied with. See 'Food allergens and intolerance' for more information.

Names for species of fish (commercial designations)

A name is required by law for the fish. Defra keeps an up-to-date list in its *Commercial Designations of Fish* document.

The list of recognised legal names for species of fish (or 'commercial designations') is updated as new species are marketed and when new scientific information about species becomes available.

A brand name, trade name, or made-up name must not be substituted for the true name. A commonly misused trade name is 'crab sticks'; to comply with the requirements listed above, this trade name must be accompanied by a true name that indicates that it includes fish, cereal and crab flavouring.

The name you use should be the same as that used by your supplier. By shortening a fish's name you could be misdescribing it - for example, lemon sole is different from sole (which means a Dover sole), and salmon is a different species from red or pink salmon, etc. Beware of megrim and lemon sole as these can be easily confused.

Area of catch / production

You are required to declare the area in which the fish was caught or produced, as follows.

Caught at sea

The Food and Agriculture Organisation of the United Nations (FAO) breaks down fishing waters into 'Major Fishing Areas' and sub-areas within those major areas, each of which has a name and a number.

The waters surrounding Great Britain and Western Europe are referred to as Atlantic North East, Major Fishing Area 27.

A full list of names and numbers can be found on the FAO website.

Fish caught at sea must bear the following:

- the name of the sub-area. A map and full list of sub-areas in the Atlantic North East can be found on the European Commission website
- either a name that consumers will understand, or a map or picture of the area

For example, 'Area of catch: North Eastern Atlantic - Irish Sea'.

If the fish was caught in an area other than the Atlantic North East, the Mediterranean or the Black Sea, you need only state the name of the Major Fishing Area.

Caught in freshwater

If the fish was caught in freshwater, you must state the body of water from which it was caught.

For example, 'Area of catch: Lake Constance, Germany'.

Aquaculture products

For aquaculture products only, you must state the country of production. Where the production process (birth, rearing, etc) took place in more than one country, this is:

- the country in which it reached more than half its final weight, or spent more than half of the rearing period
- in the case of shellfish, the country in which it had a final rearing stage of at least six months

Genetic modification

If a food contains any genetically modified material (for example, breadcrumbs may contain maize or soya) the product must be labelled 'Produced from genetically modified X' (where X is the substance that has been genetically modified). For example, 'Produced from genetically modified maize'.

For more information on GM foods, see 'Genetically modified foods'.

Treatment or process

Irradiation

If the food (or any ingredients in the food) have been irradiated, it must be declared and marked 'irradiated' or 'Treated with ionising radiation' (some crustaceans and shellfish are irradiated, for example).

Previously frozen fish

If fish that has been frozen is offered for sale in a thawed or partly thawed condition, it must be labelled with the word 'defrosted'.

Smoked

Fish that has been smoked should be labelled as such. Where appropriate, this should indicate whether it was cold smoked (which will require thorough cooking) or hot smoked.

Care should be taken to ensure that your labelling clearly distinguishes between smoked and smoke flavour products. Only fish that has been actually flavoured by smoking can be labelled 'smoked'. Those treated with smoke solution must be labelled 'smoke flavour'.

Smoked fish is exempt from the requirement to give the commercial designation.

Formed fish

Many traditional products such as breaded scampi and breaded fish 'steaks' are now made with formed fish or minced fish. In order to prevent customers being misled, they must be labelled as 'formed fish'. Use the same name as that given by the manufacturer on the packaging.

Weights and measures

For information regarding weighing and measuring requirements, please see 'Weighing and measuring fish'.

Further information

More guidance on fish and seafood labelling can be found on the GOV.UK website.

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

General detail added.

Last reviewed / updated: July 2025

Key legislation

- assimilated Regulation (EU) No 1169/2011 *on the provision of food information to consumers*
- Fish Labelling (Scotland) Regulations 2013
- assimilated Regulation (EU) No 1379/2013 *on the common organisation of the markets in fishery and aquaculture products*
- 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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