

# businesscompanion

## trading standards law explained

### Labelling of bread, cakes and similar products

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Although the United Kingdom has left the European Union (EU), certain pieces of legislation (formally known as 'retained EU law') will still apply until such time as they are replaced by new UK legislation; this means that you will still see references to EU regulations in our guidance.

#### This guidance is for England and Wales

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 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; they are covered by '[Labelling of prepacked foods: general](#)'.

This guide does not cover food that is prepacked for direct sale. Prepacked for direct sale 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 by that business, or from a mobile stall or vehicle used by that business - for example, cakes that are packaged in the shop from which they will be sold. For more

information please refer to '[Labelling of prepacked-for-direct-sale foods](#)'.

## How to present the information

In the case of non-prepacked food, you should present the information on the shelf edge or on a notice that can be readily seen by customers.

In the case of allergens you can place a notice on display instructing the customer to ask a member of staff for allergen information.

## 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. 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 UK consumers without further clarification - for example, Belgian bun, Chelsea bun, etc.

For more information please refer to '[Labelling of prepacked foods: product name](#)'.

## Allergens

If the product contains any of the following types of allergen then this 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 SO<sub>2</sub>

You should specify the allergen as it appears in the list above. If a product contains wheat then 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 refer to '[Food allergens and intolerance](#)'.

## Irradiated foods

If a food has been irradiated, or contains ingredients that have been irradiated, then you must state either 'Irradiated' or 'Treated with ionising radiation'. This should appear either on the shelf edge, a notice immediately above or next to the product, or on the label.

## 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]'. The information should appear on the shelf edge or on a notice immediately next to the product. For more information please refer to '[Genetically modified foods](#)'.

## Bread

Bread, made from wheat flour, other than white bread, 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

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

Brand names such as 'Hovis' and 'Granary' are insufficient on their own, you will also need to give 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; some examples are below:

- 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 should 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

The [requirements for flour imported from the EU](#) changed in October 2022; see the GOV.UK website for more information.

## 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 this update

References to meat-containing products removed; guidance on these products can be found in other guides on the site.

Last reviewed / updated: June 2023

## Key legislation

[Bread and Flour Regulations 1998](#)

[Regulation \(EC\) No 1829/2003 on genetically modified food and feed](#)

[Genetically Modified Food \(England\) Regulations 2004](#)

[Genetically Modified Food \(Wales\) Regulations 2004](#)

[Regulation \(EC\) No 1333/2008 on food additives](#)

[Regulation \(EU\) No 1169/2011 on the provision of food information to consumers](#)

[Food Information Regulations 2014](#)

[Food Information \(Wales\) 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 often only shows the original version of the legislation, although some amending legislation is linked to separately where it is directly related to the content of a guide. Information on changes to legislation can be found by following the above links and clicking on the 'More Resources' tab.

<https://businesscompanion.owastaging.co.uk/en/quick-guides/food-and-drink/labelling-of-bread-cakes-and-similar-products>