

EN

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Answer given by Ms Kyriakides
on behalf of the European Commission
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Regulation (EU) No 1169/2011¹ provides for a legal basis for competent authorities to take action in case misleading, inaccurate or unclear information is provided to consumers. Union law provides that food information and the presentation of foods, including their shape and appearance, must not be misleading as to the characteristics of the food, or by attributing to the food effects or properties it does not possess, or by suggesting the presence of a particular food or ingredient.

An overall examination of the various items comprising the labelling of the food is required to determine on a case-by-case basis whether an average consumer who is reasonably well informed, and reasonably observant and circumspect, may be misled by the food information provided.

In case a food is considered novel in the EU, the Novel Food Regulation² has established provisions to make sure that the final consumer is not misled and is properly informed of any specific characteristic of this food.

¹ <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32011R1169#>

² <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32015R2283>