

## Use By And Best Before Dates Explained

The information about durability marking is stated under the Food Labelling Regulations 1996

### Who do the requirements affect?

- Anyone who produces or sells packaged food.

### What information is required?

- Most prepacked foodstuffs must carry a date of minimum durability. This can be either a 'best before' date or a 'use by' date. These date marks must be in a prominent place on the label, if this is difficult the manufacturer must state where the date can be found, for example best before: see date on lid.

### Use By

- A Use By date must be used for food which is highly perishable and is likely, after a short period become an immediate danger to human health examples are cooked meat and some ready prepared meals
- Use By dates are made up of either a day and month or a day, month and year. For example Use by 20 November or Use by 20 November 2005.
- It is an **offence** to sell or display for sale any food after its Use By date.

### Best Before

- Foods with a longer shelf life must be labelled with a Best Before date.
- The Best Before date is the date up to and including that which the food should remain at its best condition, providing it has been properly stored.
- Best Before dates are made up of a day, month and year, for example Best before 20 November, 2005.
- Food which can be expected to keep for 3 months or less may be marked with a day and a month only, e.g. Best before 20 November.
- Food which will keep more than 3 months may be marked with a month and year only and food which will keep 18 months may be marked with a year only, e.g. Best Before end November 2005 or Best Before end 2005.

### What about food sold after the Best Before date?

- It is an **offence** to sell food after its Use By date but food can be sold after its Best Before date as long as it is still of satisfactory quality and the Best Before date is still visible.
- By selling the food after its Best Before date, the seller takes responsibility for the quality of the food and therefore may commit an offence if the food is not of the quality the customer expects.

## What about storage conditions?

- as well as a Use By or a Best Before date , foods have to be labelled with any storage conditions which should be adhered to.

## Who is responsible for date marking?

- the person who first sells packaged food within the European Union must label it with the appropriate Use By or Best Before date.
- it is an offence for unauthorised persons to change date marks. Manufacturers are the only ones authorised to do so.

## Food Date Exemptions

Certain foods do not have to be marked with a 'use by' or 'best before' date. These are:

- fresh fruit and vegetables which have not been peeled or cut into pieces (sprouting seeds and similar products must be date marked).
- wine, liqueur wine, sparkling wine, aromatised wine and similar products.
- any drink with an alcoholic strength by volume of 10 per cent or more.
- any soft drink, fruit juice or fruit nectar or alcoholic drink, sold in a container of 5 litres or more intended for supply to catering establishments.
- flour confectionery and bread normally consumed within 24 hours of preparation.
- vinegar
- cooking and table salt.
- solid sugar and flavoured or coloured sugar products.
- chewing gum and similar products.
- individual portions of edible ices.

## Eggs

There are some specific rules that only apply to eggs. Eggs must be marked with a 'best before' date. This date may be up to a maximum of 28 days after the eggs are laid. Eggs must be sold to the consumer within 21 days after the eggs were laid; this means that they must be sold 7 days before the 'best before' date expires.

For example eggs marked 'best before 22 March' must be sold by 15 March. It is an offence to supply eggs if there are less than 7 days before the 'best before' date expires.

**This leaflet is not an authoritative statement of the law and is intended for guidance only. Reference should be made to the legislation for more detailed information.**