



Press and Information

Court of Justice of the European Union

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Judgment in Case C-533/20  
Upfield Hungary

## **The list of ingredients of a food containing a vitamin is not required to mention the specific vitamin formulation used**

*It is sufficient to indicate the name of the vitamin itself on the labelling of the food*

Upfield Hungary markets in Hungary a vegetable spread the labelling of which refers, in particular, to 'vitamins (A, D)'.

Taking the view that, under the regulation on the provision of food information to consumers,<sup>1</sup> the labelling of that product had to include not only the name of the vitamins that it contained but also the specific vitamin formulations used, the Hungarian authorities ordered Upfield Hungary to amend that labelling.

Hearing on appeal the dispute between Upfield Hungary and the Hungarian authorities, the Supreme Court, Hungary asks the Court of Justice whether the list of ingredients of the vegetable spread in question must include, in addition to the name of the vitamins concerned, the name of the specific vitamin formulations used.

In today's judgment, the Court notes that, where a vitamin is added to a food, **it is required to be indicated in the list of ingredients that must appear on the labelling of the product.**

As regards the question as to the name under which such a vitamin must be included in that list, the Court states that, under the regulation, the ingredients of a food must be designated by their specific name. In that regard, one of the articles of the regulation provides that the name of ingredients is to be understood as the legal name of the ingredient concerned, or, in the absence of a legal name, the customary name of that ingredient, or, if there is no customary name or the customary name is not used, a descriptive name. The Court observes, however, that, in the absence of additional information, that article does not, in itself, clarify what name should be used for a vitamin which is among the ingredients.

That said, the Court notes that, for the purposes of **their indication in the nutrition declaration** relating to a food, which must be included on the labelling in addition to the list of ingredients, **the regulation designates vitamins under names such as 'vitamin A', 'vitamin D' or 'vitamin E'.** Next, the Court observes that, in order to ensure consistent interpretation and application of the various provisions of the regulation and to ensure that the information provided to consumers is accurate, clear and easy to understand, **it is under those same names that such vitamins must also be designated for the purpose of their indication in the list of ingredients.**

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<sup>1</sup> Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ 2011 L 304, p. 18 and corrigendum OJ 2013 L 163, p. 32).

Thus, the Court takes the view that, where a vitamin has been added to a food, **the list of its ingredients does not have to include, in addition to such a name, the name of the specific vitamin formulations used.**

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**NOTE:** A reference for a preliminary ruling allows the courts and tribunals of the Member States, in disputes which have been brought before them, to refer questions to the Court of Justice about the interpretation of European Union law or the validity of a European Union act. The Court of Justice does not decide the dispute itself. It is for the national court or tribunal to dispose of the case in accordance with the Court's decision, which is similarly binding on other national courts or tribunals before which a similar issue is raised.

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The [full text](#) of the judgment is published on the CURIA website on the day of delivery.

Press contact: Jacques René Zammit 📞 (+352) 4303 3355