



Nottinghamshire  
County Council

# Business Information

## Use By and Best Before Dates

Pre-packed food is marked by the packer with a date to show how long it can be kept. These are either USE BY or BEST BEFORE dates.

**It is a criminal offence if you remove, alter or cover them up.**

### Use By Dates

Perishable foods which are likely to be a health risk after a short time must be labelled with a USE BY date. The food should remain fit for human consumption until that date, if it has been stored correctly.

You can only sell this food until the USE BY date. *After that date you must not sell it, display it or have it available for sale.* To do so is a criminal offence, regardless of the condition of the food.

The maximum penalty is a fine of **£5,000**. If the food is also unfit for human consumption the penalty rises to a maximum fine of **£20,000** and/or **six months imprisonment**.

**Therefore you must check all your perishable foodstuffs every day.**

Foods with USE BY dates are normally refrigerated and include:

- meat pies
- fresh and cooked meats
- soft cheeses
- yoghurts and other milk products

### Best Before Dates

Foods with a longer shelf life or those unlikely to be a health risk must be labelled with a BEST BEFORE date. The manufacturer has decided that the product will be at its best until this date, if it is stored correctly.

Examples of foods with BEST BEFORE dates:

- canned foods
- biscuits, bread, most cakes
- frozen foods
- dried pasta and rice

A person may commit an offence if they sell any food after the best before date if the quality of the food has deteriorated.

*Please turn over...*

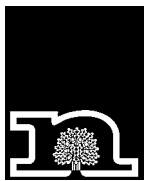
## Eggs -A Special Case

Different rules apply to eggs. They are labelled with a Best Before date, *but they must not be on sale within 7 days before the BEST BEFORE date* - again this is an offence.

### Points to remember

- Carry out proper stock rotation.
- Make daily checks on perishable items.
- Do not remove, alter or cover up date marks.
- Do not sell or display food after its USE BY date.
- Remove eggs from sale at the end of the 7<sup>th</sup> day before the Best Before date.
- If you sell other food after its BEST BEFORE date, make sure it is in good condition.

*This leaflet is a brief summary of the law regarding durability marking of food. It is not an authoritative document on the law and is only intended for guidance. For further details or clarification contact the Trading Standards Service.*



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This information can be made available  
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