

Requirements for the Food Distribution after Expiry of the Date of Minimum Durability

*Issued pursuant to
Section 11.², Paragraph two of the Law on the Supervision of the Handling of Food*

1. The Regulation prescribes the groups of products, the type of and procedures for the distribution thereof, and also the time period within which it is permitted to distribute the food which has been labelled with “Best before...” (hereinafter – the food) after expiry of the date of minimum durability.
2. After expiry of the date of minimum durability, it is permitted to distribute packaged food within the groups of products referred to in Annex to this Regulation within the time period laid down in Annex to this Regulation, except for the food intended for infants and small children.
3. A food establishment (hereinafter – the donor) may donate the food:
 - 3.1. directly to a final consumer;
 - 3.2. directly to a long-term social care and social rehabilitation institution or another social service provider registered with the Register of Social Service Providers (hereinafter – the social service provider) if the social service provider ensures catering of customers or possibility to use the food brought along or prepared during activities;
 - 3.3. transfer for donation to religious organisations and institutions thereof, associations and foundations which are engaged in charity, and also to social services of local governments (hereinafter – the recipient).
4. Only the donor registered with the Food and Veterinary Service in accordance with the laws and regulations regarding the procedures for the approval and registration of food establishments or the social service provider or recipient accordingly is entitled to donate and receive the food.
5. It is permitted to donate the food or deliver it for donation if it conforms with the safety requirements laid down in Article 14 of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.
6. It is permitted to donate the food to a long-term social care and social rehabilitation institution if the food conforms with the requirements which are laid down in the laws and regulations regarding the nutritional norms for educatees of educational institutions, clients of social care and social rehabilitation institutions and patients of medical treatment institutions.
7. When donating the food directly to a final consumer, the donor shall:
 - 7.1. ensure a separate place for the distribution of the food;

7.2. comply with the hygiene requirements laid down in Annex II, Chapter I of Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs.

8. The donor or recipient shall ensure that the food intended for the donation to a final consumer is labelled with a special, clearly visible and indelible indication which confirms that the food is intended for donation, for example “For donation”, “For charity”.

9. The donor and recipient shall ensure the following for the food intended for donation:

9.1. traceability;

9.2. storage in conformity with the requirements indicated on the labelling.

10. The donor and recipient shall place indications at the place of the food distribution that the date of minimum durability, which is indicated on the labelling “Best before ...”, has expired for the food intended for donation.

11. If the recipient has not distributed the food intended for donation within the laid down time period or the social service provider has not used the donated food, it shall be responsible for the destruction of it in conformity with the laws and regulations regarding the procedures for further use or destruction of the food unfit for distribution.

12. Cabinet Regulation No. 261 of 18 June 2019, Requirements for the Food Distribution After Expiry of the Date of Minimum Durability (*Latvijas Vēstnesis*, 2019, No. 124), is repealed.

Prime Minister

A. K. Kariņš

Minister for Agriculture

K. Gerhards

Groups of Food Products and Time Period within which it Is Permitted to Distribute the Food After Expiry of the Date of Minimum Durability “Best before...”

No.	Group of food products	Time period for distribution
1.	Tea, coffee, cocoa	Up to two months
2.	Cereals, legumes and processed products thereof (groats, pearl-barley, flakes, semolina etc.)	Up to two months
3.	Pasta	Up to two months
4.	Flour, flour mixtures	Up to two months
5.	Starch	Up to two months
6.	Honey, honey products	Up to two months
7.	Vegetable, fruit, berry, herb preserves, conserves, jams, syrups	Up to two months
8.	Sauces, ketchups, mustards, horseradish	Up to two months
9.	Refined vegetable oil	Up to two months
10.	Non-refined vegetable oil	Up to one month
11.	Non-alcoholic beverages, juices, nectars, water	Up to two months
12.	Marshmallows	Up to two weeks
13.	Sugar confectionery (hard candies, sugarplums etc.)	Up to two months
14.	Cookies, crisps, salty snacks	Up to two months
15.	Breakfast cereals, muesli	Up to two months
16.	Dried fruit and vegetables, spices	Up to two months
17.	Sterilised preserves of processed fishery products, products of animal origin and combined preserves	Up to two months
18.	Frozen products of plant origin (berries, vegetables etc.)	Up to two months
19.	Dried soups, jellies, potato puddings etc.	Up to two months
20.	Cereal hardtack, dried bread, small dry bagels, etc.	Up to two months
21.	Bread	Two days
22.	Pastry, big pretzels, cakes	Two days
23.	Frozen dough, bread, pastry, pizza	Up to two months
24.	Candied fruit, fruit-berry products	Up to two months
25.	Salt, sugar, vinegar	Up to two months
26.	Non-roasted nuts and seeds and products thereof	Up to two months
27.	Bread and pastry packaged in a modified atmosphere packaging	Up to two weeks
28.	Drinks of plant origin other than referred to in Paragraph 11 of this Annex	Up to two months

29.	Desserts of plant origin, soya products, tofu, sauces, soya sausages, wheat nuggets, pate, etc.	Up to two months
30.	Ice cream	Up to two months

Minister for Agriculture

K. Gerhards