

1. Food businesses will not have to provide specific information to consumers about allergens present in their food products.

From 13th December 2014 the Regulations will be in force for businesses that supply food or drinks. The relevant Regulations are: EU Food Information for Consumers Regulations 2014 (SI 2014/1831) (FIC) and Food Information Regulations 2014 (SI 2014/1832) (FIR). All take effect in England, Scotland, Wales and Northern Ireland. If you are a food manufacturer, a restaurant, a mobile burger bar, a supplier of food to offices and shops or a catering kitchen, you are a Food Business and these new Regulations will apply to you.

2. What is the purpose of the Regulations?

It is estimated that in the UK, 1 in 10 people can be produced by a very small number of allergens; every year in the UK, 1 in 10 people die from an allergic reaction to food. Allergic individuals need to know what causes the allergic reaction and consequently they need to know what the allergen is in their food. For this reason, the Regulations require food businesses to provide clear and accurate information on the allergens present in their food. That all prepacked food information is provided for consumers.

3. What food products do the Regulations apply to?

The Regulations apply to food products that are sold direct sale by a food business to the public. Individuals who are not food businesses, for example, occasionally provide food at charitable events or for private functions, are not covered by the Regulations.

4. What does the food business have to do?

4.1 The Regulations require food businesses to provide a list of the most common ingredients and processing aids that are used in the preparation or manufacture of the food. In accordance with the legislation, if you use any of the listed allergens, or use a processing aid, derived from any of the listed allergens, then it will need to be declared on the label. See clause 6 below.

4.2 For prepacked food, the Regulations require food businesses to provide a list of each of the processing aids used in the preparation or manufacture of the food. The Regulations even give details about the size of the list.

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prepacked foods are

information on the requirements for
below.

- 4.3 For non-prepacked
circumstances the
More information can

packed for direct sale, in certain
information to be provided orally.
below.

5. What happens if my business

with the Regulations?

Failure to comply with the
and criminal prosecution.
agency; such as the Local
Department.

al offence and can result in a fine
made to your local enforcement
standards or Environmental Health

6. List of substances or products Allergens”).

gies or intolerances. (“List of

This section lists the fourteen
Information for Consumers
the most common ingred
intolerances and these a
allergen group, in square b
where such ingredients ma
not always be obvious.

make up Annex II of the EU Food
(2011). These allergens are deemed
s that cause food allergies and
red to the customer. For each
some non-exhaustive examples of
and also where their presence may

- 6.1 Cereals containing
their hybridised str

rye, barley, oats, spelt, kamut or
, except:

- a) wheat based
- b) wheat based
- c) glucose syrup
- d) cereals used
agricultural or

dextrose (1);

[Can also be found in food
breadcrumbs, bread, cake
and foods dusted with flour

stillates including ethyl alcohol of

as some baking powders, batter,
acts, pasta, pastry, sauces, soups

- 6.2 Crustaceans and pro

[Includes crab, lobster, pra
in Thai curries or salads.]

so be found in shrimp paste used

- 6.3 Eggs and products

[Can also be found in ca
quiche, sauces and

ts, mayonnaise, mousses, pasta,
or glazed with egg to finish.]

6.4 Fish and products thereof

- a) fish gelatine used for carotenoid preparations;
- b) fish gelatine or fish bone meal as preservative agent in beer and wine;

[Can be found in some dressings, stock cubes and in Worcestershire Sauce.]

6.5 Peanuts and products thereof

[Can be found in biscuits, and sauces such as satay. It is also found in groundnut oil]

6.6 Soybeans and products thereof

- a) fully refined soybean oil;
- b) natural mixed tocopherols, natural D-alpha tocopherol, natural D-alpha tocopherol succinate from soybean sources;
- c) vegetable oils containing phytosterol esters from soybean sources;
- d) plant stanol esters from vegetable oil sterols from soybean sources;

[Can be found in bean-curd, soya flour or tofu. Can also be found in iso paste, textured soya protein, desserts, ice cream, meat products, sauces and vegetarian products]

6.7 Milk and products thereof

- a) whey used in alcoholic distillates including ethyl alcohol of agricultural origin;
- b) lactitol;

[Can be found in butter, cheese, yoghurt, powdered soups and sauces and yoghurt. Also can be used in soups and sauces]

6.8 Nuts, namely: almonds (Prunus avellana), walnuts (Juglans regia), hickory nuts (Carya illinoensis), pistachio nuts (Carya excelsa), macadamia or Queensland nuts (Macadamia ternstroemia)

except for nuts used for making alcoholic distillates of agricultural origin;

[Can also be found in bread, pastries, desserts, ice cream, marzipan (almond paste), nut oils and almond paste]

used in Asian dishes such

6.9 Celery and products

[Includes celery stalks, leaves, roots and seeds. Can also be found in celery salt, salads, some meat products and soups.]

6.10 Mustard and products

[This includes liquid mustard, mustard seeds. Can be found in breads, curries, marinades, dressings, sauces and soups.]

6.11 Sesame seeds and products

[Can be found in bread, bread crumbs, some oil and tahini (sesame paste).]

6.12 Sulphur dioxide and products

[Products containing more than 10 mg/kg or 10 mg/litre in terms of sulphur dioxide to be calculated for products as reconstituted according to the instructions of the manufacturer.]

[Can be used as a preservative in meat products, soft drinks and vegetables as well as in wine.]

6.13 Lupin and products

[This includes lupin seeds, flours. Can be found in some types of bread, pastries and pasta.]

6.14 Molluscs and products

[This includes mussels, snails. Can be found in oyster sauce or as an ingredient in fish stews.]

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(1) And the products thereof which are likely to increase the level of allergens in the product from which they originate.

7. Regulations applicable to prepacked food or drinks to consumers.

7.1 These rules apply to food manufacturers, packers, retailers and online sellers.

7.2 If any of the allergens listed in Annex 6 above have been used in the preparation or manufacture of a food product then the food business operator is required to declare the allergen in the list of ingredients.

- 7.3 Prepacked products that have been produced before 13th December 2014 can still be sold. However, all prepacked food and drink products produced after 13th December 2014 must comply with the new labelling requirements.
- 7.4 How the allergens should be displayed on the ingredients list;
- 7.4.1 It is permitted to direct the consumer to where they can find the allergen information and to show how the allergens are emphasised on the ingredients list, for example "Allergy advice: for further information see page 2".
- 7.4.2 Allergens from the List of Allergens that are present in the preparation or manufactured from ingredients should normally be emphasised in the ingredients list in the same form as they are detailed in the List of Allergens. For further examples and information on this subject, see the Food Standards Agency Technical Guidance website: www.food.gov.uk.
- 7.4.3 The allergen information must be easily accessible, in a conspicuous place, easily accessible.
- 7.4.4 The allergen information must not be obscured in any way, for example by a logo or other graphic element.
- 7.4.5 Guidelines as to the minimum font size that is acceptable for different sizes of packaging.
- 7.4.6 The List of Allergens details of exemptions.
- 7.4.7 Some products, such as certain alcoholic drinks and ingredients, do not contain any substances or products from the List of Allergens and do not need to be declared in the form for allergen information. For example; "Contains wheat".
- 7.4.8 Where an ingredient is not permitted to also use an allergen advice statement: "Contains: wheat, egg and soy" . This ingredients information might be confusing to the consumer. The intention of the Regulations is to provide a simple statement for food products.
- 7.4.9 Precautionary statements such as: "may contain nuts", which is used to indicate the presence of an allergen due to the fact that an allergen was accidentally during production is still permitted, but a thorough risk assessment has been performed and it is concluded that there is a real risk to the food.
- 7.5 Prepacked foods sold at a distance selling the same level of information as provided to the consumer, this may be done via a website or in a catalogue.

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be put, for example, on a menu, on a blackboard, on a food order ticket or on a signpost statement.

enu, on a blackboard, on a food

- 8.3.4 Whether provided orally or in writing, the information must be easily accessible, in a clearly legible and conspicuous manner.

nation directly in writing or using a signpost statement must be easily accessible, in a clearly legible.

- 8.3.5 Allergens from prepacked for direct sale (PPDS) food need to be listed in the same form as they are detailed in the list of allergens. For example, the allergen must be listed as 'contains gluten' and not 'gluten free' or 'gluten free'.

that are present in the food product must be in the same form as they are detailed in the list of allergens. For example, the allergen must be listed as 'contains gluten' and not 'gluten free' or 'gluten free'. For specific examples of how to detail allergens and information on this subject please see the Food Standards Agency Technical Guidance website: www.food.gov.uk.

- 8.3.6 Even when allergen information is provided orally, it is not sufficient to provide written information on the menu or on a signpost statement.

of charge such as: testers and samples; cakes or biscuits at a hotel or airline catering service. It must be either a signpost statement or written information on the menu or on a signpost statement.

8.4 Oral provision of allergen information

- 8.4.1 The Regulations require that allergen information is provided orally for non-prepacked food for direct sale (PPDS) food.

certain businesses it may be much easier to provide allergen information orally. This only applies to non-prepacked food for direct sale (PPDS) food. Customers must be able to obtain the information orally.

- 8.4.2 If the allergen information is provided orally then at the point at which the customer orders the food the business must provide a written notice or clearly visible label that indicates that allergen information is available from a member of staff. It may be effective to assign responsibility for the provision of allergen information to a member of staff, such as the duty manager in a restaurant or the person in the delivery van.

provided orally then at the point at which the customer orders the food the business must provide a written notice or clearly visible label that indicates that allergen information is available from a member of staff. It may be effective to assign responsibility for the provision of allergen information to a member of staff, such as the duty manager in a restaurant or the person in the delivery van.

- 8.4.3 It is also suggested that staff to refer to the 'Allergen Ingredients List' and the 'Allergen Providing Oral Information' could be used for this purpose.

information should be available for staff to refer to in a consistent form and the "Allergen Providing Oral Information" could be used for this purpose.

- 8.4.4 When non-prepacked food for direct sale (PPDS) food is sold via distance selling, such as food takeaways or internet, the same level of allergen information must be provided to the consumer, this may be done via a website or in a catalogue. The allergen information must be available to the customer before they make their purchase.

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9. Further Actions Checklist

To help to ensure that all allergen products are correctly declared

of Allergens present in your food

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- 9.1 make sure that you clean your hands and surfaces every time;
- 9.2 keep a copy of the allergen information on labels of pre-packed foods for example, sauces, dressings, etc;
- 9.3 keep ingredients in their original packaging where possible, or keep a copy of the labelling information in a safe place (either on paper or stored electronically);
- 9.4 ensure that containers are clearly labelled where ingredients are delivered in bulk and then transferred into smaller containers;
- 9.5 make sure that your staff are aware of where allergen information is stored;
- 9.6 ensure that the allergen information is kept up to date (for example, if recipes are changed or products are replaced);
- 9.7 always check delivery notes that what was delivered is what was ordered, ensure that the correct allergen information is provided with the order;
- 9.8 make sure that allergen information is kept up to date;
- 9.9 check that the food is the same brand that is normally used, as different brands might have different ingredients;
- 9.10 if you know you are working with someone with an allergy, make sure work surfaces and equipment are thoroughly cleaned and wash your hands thoroughly before preparing food.

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