

Consultation on changing allergen information laws for food prepacked on the premises where it is sold: Overview

January 2019

Please note: This document is a summary of the full consultation document which should be referred to for more detail. The consultation questions can be found here: <https://consult.defra.gov.uk/agri-food-chain-directorate/consultation-on-amending-allergen-information>

1. Introduction

We are launching this consultation on proposed changes to allergen labelling requirements for foods which are prepacked for direct sale (PPDS).

General background on food hypersensitivity

In the UK, it is estimated that 1-2% of adults and 5-8% of children have a food allergy. This equates to around 2 million people living in the UK with a food allergy, but this figure does not include those with food intolerances.

There is no cure for food allergies and intolerances. The only way to manage the condition is to avoid food that makes the person ill. Therefore, it is very important that consumers are provided with accurate information about allergenic ingredients in products to allow them to make safe food choices.

2. What is PPDS?

Put simply, prepacked for direct sale (PPDS) foods are foods that are packed on the same premises from which they are being sold, before they are offered for sale.

These might include for example, a packaged baguette from a sandwich shop made by staff earlier in the day, or a salad made and packaged in the kitchen of a café and then placed on a shelf for customers to purchase.

Important distinctions: what is not PPDS?

Foods that aren't prepacked, such as loose items sold without packaging (e.g. fruit) and meals served in a restaurant or café are not PPDS. Neither are foods that are:

- freshly prepared and wrapped **after** the consumer has placed their order, for example a sandwich or burger that is made and wrapped to order.
- pre-prepared but not prepacked, for example a sandwich or slice of pizza made in the morning and displayed behind a counter in anticipation of the lunchtime rush and subsequently wrapped for the consumer on ordering.

These foods are not PPDS and therefore fall outside of the scope of this consultation.

3. Why focus on PPDS?

Currently, PPDS foods are not required to carry labels on the packaging. The allergen information must be readily available, including through indications to ask a member of staff, and information on allergens can be given in person by the food business operator when asked.

We want to make the rules clearer so consumers are more aware of any allergenic ingredients in the PPDS food they purchase.

4. Policy options

Through this consultation we are seeking views on different options to improve the provision of allergen information to consumers for PPDS foods.

Options do not need to be considered as exclusive and may be combined or applied to different sizes of businesses in a two tier approach.

Non-regulatory option

Policy option 1 – Promote best practice

This option would not require a legislative change. Instead, it would require additional activity to promote best practice around communicating allergen information. This would involve encouraging businesses and consumers to review their knowledge, skills and actions to ensure a safer environment for consumers.

Regulatory options

Policy option 2 - Mandate “ask the staff” labels on packaging of PPDS foods, with supporting information for consumers in writing

This option would require “ask the staff” about allergens labels on all PPDS products. When asked about allergenic ingredients, staff would have to provide supporting information in writing upon request, before the food was purchased.

Policy option 3 - Mandate name of the food and allergen labelling on packaging of PPDS foods

This option would require PPDS foods to have a label on the packaging to tell the consumer the name of the food and which of the 14 allergenic ingredients specified in law the product intentionally contains.

Policy option 4 - Mandate name of the food and full ingredient list labelling, with allergens emphasised, on packaging of PPDS foods

This option mandates PPDS foods to have a label naming the food and listing the full ingredients with allergens emphasised on the packaging.

Labelling will include:

- a. the name of the food
- b. the list of ingredients
- c. any of the 14 allergenic ingredients specified in law or processing aids derived from them used in the manufacture or preparation of a food and still present in the finished product, even if in an altered form, would be emphasised to stand out from the other ingredients in the list, for example in a bold typeface.