

# FDF Guidance on 'Allergen'-Free & Vegan Claims

## “ Foreword

*The FSA warmly welcomes the FDF's work to improve the clarity of allergen information provided to consumers. Getting this right is essential to ensure that food is safe for people living with food allergy or intolerances. This new guidance makes clear the requirements for free-from claims for egg and milk, and it also contains important clarifications about vegan labelling, which will help prevent shortcuts and other claims inadvertently leading people with food hypersensitivity to make the wrong food choices. It is very important that industry continues to make sure food hypersensitive consumers are informed and protected.*

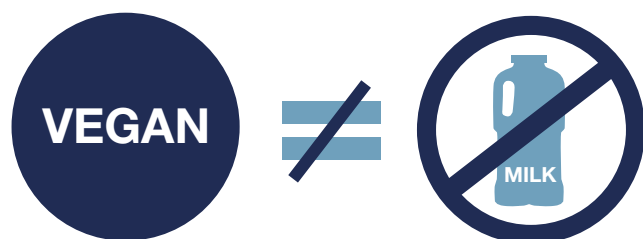
**Heather Hancock**, Chairman of the Food Standards Agency (FSA)



## Consumers should not rely on a 'vegan' logo if they have milk, fish, crustacean, mollusc and/or egg food allergies

A food product labelled as 'suitable for vegans' may not be appropriate for certain allergic consumers due to unintentional cross-contact with allergenic ingredients of animal origin.

There is a clear risk to allergic consumers who treat 'vegan' claims and allergen absence claims (e.g. milk-free) as equivalent, and this has potential serious health implications. It is therefore important that allergic consumers do not automatically assume that products labelled as 'vegan' are suitable for them and are the same as those with an allergen absence claim (e.g. fish-free).



'Allergen'-free and vegan are separate claims. Each communicates different information and are aimed at different consumer groups. Only 'allergen'-free claims can be used as food safety information by consumers.

Depending on a product's intended consumer(s) (e.g. 'vegans'; 'milk allergic'; 'egg allergic'; or multiples of these), its marketing and the claims on the label, the food's composition, manufacturing practices, and controls in place need to be appropriate for them.

## If it doesn't say 'allergen'-free, do not assume it is!

Furthermore, it is not always fully understood that the term 'dairy' refers only to milk and milk-based products. A product labelled as 'dairy-free' may still include egg ingredients, making it unsuitable for egg-allergic consumers, as well as vegans. It is clearer for the consumer to see the specific allergen term (i.e. milk-free). A generic 'allergen-free' claim that doesn't specify the allergenic ingredient should be considered a misleading statement.

Further supporting information is available from the [Food Standards Agency website](https://www.foodstandards.gov.uk).

## 'Allergen'-Free/Free-From = a food allergen absence claim (safety)



Food allergic consumers, such as those allergic to milk and/or egg, need to be able to reliably avoid the allergen that affects them for their own safety.

At present, there is no legal definition of what constitutes 'Allergen'-Free / Free-From (except for gluten-free) and making such claims is not mandated in legislation. These claims are therefore used on a voluntary basis, however, are regulated in accordance with General Food Law requiring the provision of safe food. A 'Free-From' allergen claim is an absolute claim and must ensure the absence\* of the allergen and should only be used following a rigorous risk assessment of the ingredients, process and environment of the product's whole supply chain. Finished product testing should be performed to verify the efficacy of these controls.

\*In practice, for 'Free-From' allergen claims, 'absence' is the scientific demonstration on an on-going basis that the specified allergen in the food is at a level that ensures safety, taking into account the most sensitive limit for a recognised and clinically relevant laboratory test method. The [FDF/BRC Guidance on "Free-From" Allergen Claims](#) (Nov 2015) provides further detail.

***Manufacturers' labels must not say or suggest 'Allergen'-Free unless the food is assured to be absent of the specified allergen***

## Vegan = a dietary suitability claim (composition)



Vegan consumers choose not to consume products that intentionally use ingredients of animal origin (e.g. meat, fish, crustaceans, molluscs, milk, eggs and honey). This can be for varied reasons, such as ethical, environmental, and/or nutritional. Food labelled as 'vegan' should not be made from or with the aid of animals or animal products. In certain cases, due to manufacturing processes, a vegan product may be unsuitable for allergic consumers who react to certain animal ingredients (e.g. milk) and a suitable precautionary allergen labelling statement should therefore be used (i.e. 'may contain milk'). Precautionary allergen labelling is voluntary and should only be used after a thorough risk assessment and where the risk of unintentional allergen presence is real and cannot be removed. There is no legal definition of the term 'vegan' in UK or EU law, however General Food Law requires food to be safe and for its labelling or other presentation to not mislead consumers. General food labelling falls under the remit of the Department for Environment, Food and Rural Affairs (Defra) and they still intend to develop updated guidance on vegan and vegetarian labelling, however, to date limited progress has been made. Under the EU Food Information to Consumers (FIC) Regulation (which is also Retained EU Law in Great Britain), the European Commission also intends to adopt an Implementing Regulation on voluntary food information related to suitability of a food for vegetarians and for vegans [Article 36(3)].

The 2021 Joint FoodDrinkEurope (FDE), European Vegetarian Union (EVU) and EuroCommerce [statement](#) shares that *'The potential and unintended presence of non-vegan or non-vegetarian substances should not be an obstacle to labelling a product as vegan or vegetarian, provided that such contamination takes place despite a careful production process that complies with best practices'*. The [Vegan Society's](#) vegan trademark can also be applied to foods carrying a 'may contain' statement about animal allergens, providing the manufacturer strives to minimise cross-contamination from animal products as far as is reasonably practicable.