

### FA/09: Food information for consumers

#### 1.0 Introduction

- 1.1 On the 13<sup>th</sup> December 2014 a new piece of European legislation known as the EU Food Information for Consumers Regulation (EU FIC) came into force. It changed the way in which allergen information appears on food labels which are pre-packed, sold loose or served in eating establishments has changed.
- 1.2 Such changes provide information on food allergens which is clear and more consistent; thereby making it easier for consumers to make a safer choice when purchasing food.
- 1.3 From this point on any reference to '*allergen x*' may be applied to any of the fourteen common food allergens as identified in EU FIC Annex II.

#### 2.0 Allergen labelling on brought-in products

- 2.1 Food manufacturers are not legally obliged but may choose to provide an allergy-advice statement, for example *Allergy Advice: for allergens including cereals containing gluten, see ingredients in bold*. Where these statements are included they will direct people to the ingredients listing.
- 2.2 All food manufacturers/suppliers should now have applied such changes in the way that they label foods in compliance with such legislation; however individual businesses have the flexibility to decide how this is done.
- 2.3 The new legislation revoked the need for an allergy-advice box, for example '*contains allergen x*', and for this reason information on allergens must be included within the ingredients listing.
- 2.4 Food labelling and information must be in the language of its intended destination, for example any food destined for the UK market must be in English.

#### 3.0 Allergen listing

- 3.1 Allergens must be declared on the ingredients listing where provided, and if it is not obvious from the name of the ingredient, there will be a clear reference to the name of the allergen appearing next to the name of the ingredient.
- 3.2 Allergenic ingredients must be emphasised by the use of a contrasting font or type, for example; **bold**, *italic (or other font)*, underlined, **background colour**, **text colour** or **CAPITALISED**.
- 3.3 Examples of how allergens may be listed are as follows:
  - casein as; 'casein (**milk**)'
  - tofu as; 'tofu (**soya**)'
  - gingelly oil; as 'gingelly oil (**sesame**)'
  - arachis oil; as 'arachis oil (**peanut**)'
  - frangipane; as 'frangipane (**almond**)'
  - albumin as; 'albumin (**EGG**)'

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3.4 If an allergen has been used in the preparation of a particular food and the food does not require an ingredients list then the presence of an allergen should be indicated using the term '*contains allergen x*'. For example, a bottle of wine does not have an ingredients listing; however if sulphites have been used it requires a '*contains sulphites*' statement.

### 4.0 Advisory labelling and cross-contamination warnings

4.1 Food manufacturers may choose to use a phrase such as '*may contain allergen x*' to show that there is a possibility of small amounts of an allergen in a food because it has entered the product accidentally via cross-contamination during the production process.

4.2 There is no legal requirement to state on a label that a food may accidentally contain small amounts of an allergenic ingredient, but many manufacturers label their products in this way to warn potential consumers of the risk.

4.3 It is paramount that food handlers understand that different manufacturers are able to choose different phrases to advise of allergen cross-contamination risks. Such phrases may be as follows:

- '*may contain allergen x*';
- '*made on equipment that also processes allergen x*'; or
- '*made in a factory that also handles allergen x*'

4.4 The afore-mentioned phrases describe how the risk arises, but in no way indicate the severity of the risk and for this reason none of the warnings should be read as being more or less serious than the other.

### 5.0 Reference to gluten

5.1 The voluntary '*contains gluten*' statements are to be phased out; however there will be reason to look for cereal containing gluten within the ingredients listing, for example; wheat, barley, rye and/or oats.

### 6.0 Non-compliance of food labelling requirements

6.1 Where packaged foods do not comply with afore-mentioned requirements then they shall be rejected at point of delivery and/or isolated from the food chain.

6.2 Any shortfalls in such information shall be reported with immediate effect to a line-manager and subsequently to the officer acting on behalf of the appropriate purchasing department.

### 6.0 Allergen information for non-prepacked foods

6.1 Generally non-prepacked foods are exempt from labelling; however information on allergenic ingredients must be provided under EU FIC.

6.2 Food business operators must provide information if any food/ingredient listed in Annex II of EU FIC is used in the preparation of foods supplied; however this does not apply to such ingredients being present through cross-contamination.

6.3 In cafes and restaurants food business operators may present such information on a menu, chalk board, ticket or could be provided verbally by a competent member of staff as well as other formats. Information must be clear, conspicuous, visible, legible and not obscured.

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- 6.4 If information is to be supplied by a competent member of staff then it will be necessary to make it clear that such information can be obtained by asking a member of staff by way of a notice, menu header/footer statement, ticket or label that can be easily seen by customers.
- 6.5 Food business operators cannot state that they do not know whether or not a food contains an allergen as listed in Annex II of EU FIC and deny knowledge, nor may they state that all their foods contain allergens.
- 6.6 Allergen information must be specific to the food, complete and accurate.
- 6.7 Information on any of the identified allergens (Annex II EU FIC) used in foods must be made available to the end consumer or to mass caterers. Incorrect, inaccurate and incomplete information in respect to allergenic ingredients used in foods sold non-prepacked or prepacked for direct sale would be deemed as a breach of the EU FIC.
- 6.8 A food business operator cannot refuse to provide allergen information on foods served, nor give the wrong information on a menu or through verbal means.

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V3	June 2019	Graham Day; Health & Safety Adviser	Graham Hakes; Senior Health & Safety Adviser