

Allergen aspects of the Food Information Regulation

– how will this affect the food service sector?

FATC – Southampton, October 2013

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Food Standards Agency

Overview

- What is the Food Standards Agency's remit?
- Impact of food allergy
- Changes to current legislation
- Guidance and training for the food service sector
- Next steps

FSA Remit and responsibilities

About the FSA

- Independent government department responsible for food safety and hygiene across the UK
- Work with businesses to help them produce safe food, and with Local Authorities to enforce food safety and labelling regulations
- Vision of ‘Safer food for the nation’
- Aim to ensure that
 - food produced or sold in the UK is safe to eat,
 - consumers have the information they need to make informed choices about where and what they eat
 - regulation and enforcement is risk-based and focussed on improving public health

FSA responsibilities in relation to food allergy

- Food allergen labelling legislation
- Guidance and training for food businesses
- Advice for consumers, industry and enforcement officers
- Science and evidence to underpin policy development

Impact of food allergy

Why is food allergy information important in catering?

- Food allergy affects 1-2% of the adult population and around 5-8% of children in the UK
- Coeliac disease (gluten intolerance) affects around 1% of the UK population
- This equates to around 2 million people in the UK whose food choices are dictated by their allergy or intolerance – and their choices can influence where the family or group of friends will eat
- People with food allergies and intolerances who are trying to avoid certain foods still have reactions on occasions – and around 3/4 of these happen when they are eating out

The impact of food allergy



The symptoms can include:

- rashes (usually very itchy)
- tingling sensation in the mouth
- swelling of the lips, tongue, face and throat
- difficulty breathing
- diarrhoea
- vomiting
- abdominal cramps
- and on rare occasions anaphylaxis

The importance of getting it right

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Student spent three days on life-support machine after eating 'nut-free' cake that actually contained 55% peanuts

By DAILY MAIL REPORTER

PUBLISHED: 01:43, 11 June 2012 | UPDATED: 02:22, 11 June 2012

Comments (114) | Share

Doctor's daughter almost died after eating a 'nut free' cake that actually contained 55 per cent peanuts.

19-year-old Preethi Koshy, 22, suffered an allergic reaction from the cake and spent three days on a life support machine.

The bakery has now been fined £7,500 after pleading guilty to selling the contaminated food.



Curry killed my daughter: Father tells of heartbreaking moment he saw his 13-year-old die of takeaway allergy

- Teenager had peanut allergy and suffered from asthma
- Medics fought for four hours to save her

By EMILY ALLEN
UPDATED: 12:54, 20 October 2011

Comments (49) | Share

The father of a schoolgirl who suffered a severe allergic reaction after eating a curry has told of the heartbreaking moment he realised she was going to die.

Molly Dyer, 13, of Whitefield, Bury, Greater Manchester, went into an acute anaphylaxis and suffered a severe asthma attack after eating a chicken tikka masala, an inquest heard.

Friends had ordered the curry from the Shapaz Takeaway in Whitefield while Molly and her mother Meryl were out shopping.



Teenage girl with nut allergy killed by a takeaway curry

By DAILY MAIL REPORTER

UPDATED: 12:45, 24 November 2010

Comments (59) | Share

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A teenage girl with a peanut allergy died after she had a fatal reaction to an Indian takeaway.

Emma Egerton, 18, who was home alone in Sale, Greater Manchester, called 999 and left the door open for the ambulance crew as soon as she realised the dish contained nuts. But she was already unconscious when paramedics arrived and was pronounced dead in hospital later that night.



How much can people react to?



Increasing doses of peanut for use in a challenge test

Nøhede. P <http://www.euoprevall.org/Publications/Lay/Lay.html>

Food Information for Consumers Regulation 1169/2011

- main changes to allergen labelling

Article 1- Scope

- Covers business operators at all stages of food chain concerning provision of information to consumers:
 - Food intended for the final consumer
 - Foods delivered by mass caterers
 - Foods intended for supply to mass caterers
- Also applies to catering services provided by transport leaving from the EU Member States
 - airline catering

EU list of allergens (Annex II)

Peanuts

Nuts

Milk

Soya

Mustard

Lupin

Eggs

Fish

Shellfish

Molluscs

Cereals
containing
gluten

Sesame

Celery

Sulphur
dioxide

Article 9 - mandatory particulars

- 9(1)c - Any **ingredient** or **processing aid** listed in Annex II, or derived from a substance or product listed in Annex II causing allergies or intolerances, used in the manufacture or preparation of a food and still present in the finished product, even if in an altered form
- 9(2) - The specified allergenic foods to be indicated with words and numbers - they may **additionally** be expressed by means of pictograms or symbols

Articles 12&13 – clarity & legibility

- For **prepacked** foods, mandatory information to appear directly on package or label attached to it
- Mandatory food information to be available and easily accessible for all foods
- Mandatory information to be marked in a conspicuous place, be easily visible, clearly legible and, where appropriate, indelible. It should not be hidden, obscured, detracted from or interrupted by other written or pictorial matter

Allergy Advice Boxes and 'Contains' Statements

- The current use of such advice boxes and statements is voluntary - they are not part of the legal labelling requirements - and they will no longer be allowed after December 2014
- This is because repeating the mandatory information in a different format to that specified in the legislation is not allowed – for food allergens, the information has to be in the ingredients list, and with the allergenic ingredient being emphasized

Article 14 – distance selling

- In the case of foods offered for sale by means of distance communication, mandatory food information to be available **before** purchase is concluded and to appear on the material supporting the distance selling or be provided through other appropriate means clearly identified by the food business operator
- All mandatory information to be **available at the moment of delivery**

Article 44(1) – national measures for non-prepacked foods

- Where foods are offered to sale to the final consumer or to mass caterers without pre-packaging, or where foods are packed on the sales premises at the consumer's request or pre-packed for direct sale, the **provision of the information about allergenic ingredients is mandatory**

Article 44(2) – National measures for non-prepacked foods

- Member States **may** adopt national measures concerning the **means** through which the allergen information is to be made available and, where appropriate, the form of expression and presentation
- The UK is intending to introduce a national measure to enable the oral provision of allergen information for non-prepacked foods

What are non-prepacked foods?

- Foods sold loose – eg market stalls
- Foods sold retail without pre-packaging – eg bakeries, deli counters, sandwich bars
- Restaurants and cafes
- Institutional catering (schools, hospitals etc)
- Catering on modes of transport

When do these new requirements come into effect?

- The European legislation was published at the end of 2011 but **businesses have until 13 December 2014** before they have to comply with the allergen labelling and information provisions
- National legislation providing the enforcement powers is being produced shortly
- **Businesses need to start planning for this as soon as possible**

What does this mean for the food service sector?

What does this mean for the food service sector in UK?

- Businesses **must** provide information on Annex II allergens used as ingredients in dishes
 - saying that you do not know if an allergenic food ingredient is present, will no longer be allowed
 - nor can you say that all the foods could contain certain allergenic ingredients
- Information has to be placed in a conspicuous place, be easily visible, clear and legible
- Oral provision will also be permitted, but needs to be **consistent** and **verifiable**, if challenged.
- Signposting to oral information is required

Key questions to think about?

- Which ingredients do you use in a dish?
- Which allergenic foods are used in other dishes?
- How do you store ingredients?
- What shared equipment do you use?
 - Spoons, serving tongs, chopping boards, woks, baking trays
- Do you know what allergy information is provided on ingredients you buy in?
- How are you going to make sure that your staff are able to provide accurate and consistent allergen information?

Some different ways caterers could meet the new requirements

- Provide written information for each item listed on menus or blackboards – eg *'this dish contains peanuts and milk'*
- Have folders available to customers that contain recipes or product specification spreadsheets from catering suppliers for every dish being offered
- Provide information as part of a discussion with customers
- **BUT** if adopting this approach, caterers must also have a notice on the menu, blackboard etc saying that allergy information is available from staff

Guidance and training


Guidance for businesses

- Guidance is being produced and will be published together with the national legislation
- Agency is considering producing simple leaflets for SME businesses explaining the new requirements
- Agency website, see:

<http://www.food.gov.uk/policy-advice/allergyintol/label/>

E- learning (being updated)



Cymraeg 

The impact of food *allergy*

Home

In the factory

In the restaurant

In the body

On the label

Talking to customers

Welcome to the Food Standards Agency's food allergy online training.

This has been developed by the Agency for enforcement officers but it might also be of interest to anyone wanting to learn more about food allergy.



Quick links

- [About food intolerances](#)
- [Food allergy facts](#)
- [Know the law](#)
- [About this training](#)
- [Resource section](#)

In the factory



Visit the factory to learn more about the manufacturing processes that should be followed when working with allergenic ingredients.

Read more

In the restaurant



Visit our restaurants to learn more about identifying allergenic ingredients in dishes typically found on Chinese, Indian, Deli and Mediterranean menus.

Read more

In the body



Learn more about the physical reactions.

On the label



Take a look at how food packaging should be labelled.

Talking to customers



Learn more about interacting with allergenic customers.

In the restaurant

Visit our interactive restaurants to learn about identifying allergens in dishes typically found on the menu when eating out. Each restaurant has three dishes for you to choose from. The dishes have a list of allergens. Click on the allergens that you think would be found in the dish.

For the complete text, or if you don't have Flash installed, click on the information buttons instead.

Chinese

Visit our restaurant to test yourself on the three Chinese dishes.

[Interactive](#)[Information](#)

Indian

Test yourself on the three Indian dishes at our Indian restaurant.

[Interactive](#)[Information](#)

Mediterranean

Test yourself on the three Mediterranean dishes.

[Interactive](#)[Information](#)

Deli Counter

Visit our deli to test yourself on the three dishes.

[Interactive](#)[Information](#)

Next steps

Next steps for the FIR

- Finalise the UK laws to provide enforcement powers via Statutory Instruments
- Finalise details in guidance outlining obligations on food businesses under the Food Information Regulation
- Update E-learning module for food industry
- Provide advice for consumers

What is the Agency going to do to help caterers?

- Ongoing engagement with the catering sector between now and December 2014
- Considering development of training resources for use by catering businesses, in addition to e-learning module – including working with catering colleges
- Develop and disseminate information and advice, including via trade bodies and journals
- This conference is one part of this process

Informing consumers

- Agency will also be engaging with consumers (and with the health professionals who help them manage their condition) to explain what will be changing and what information they should expect to see
- Agency will stress the importance of allergic consumers talking to catering businesses and explaining about their allergies

**Thank you for listening
– any questions?**

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