



UK Food Information (Amendments) Regulation 2019 (*Natasha's Law*) Overview

"...Help protect consumers by providing potentially life-saving allergen information on the packaging" FSA 2021

Panache South & Panache Consultancy



Jon Rook
Managing Director, Panache South

30+ years experience within the Catering and Hospitality industry, specifically within the Higher Education sector
CIEH registered food safety trainer



Niccola Boyd-Stevenson
Managing Director, Panache Consultancy

Founding partner of Panache Consultancy - highly experienced foodservice professional with 30+ years experience of in-house or outsourced catering & cleaning services

- One of UK's leading independent catering and facility management consultancy companies
- Number 1 ranking catering consultants on the LUPC consultant's framework

Food Allergies

In the UK, it is estimated that
1-2% of adults & 5-8% of children
have a food allergy

This equates to around
2 million people
living in the UK with a food allergy

This figure does not include those with food intolerances

Food Allergies

'Allergy is the most common chronic disease in Europe. Up to 20% of patients with allergies live with a severe debilitating form of their condition, and struggle daily with the fear of a possible asthma attack, anaphylactic shock, or even death from an allergic reaction.'

— The European Academy of Allergy and Clinical Immunology (EAACI)

Course overview

1. Current Legislation Overview
2. Why are the UK food information amendments 2019 (Natasha's Law) being introduced?
3. Current & the new legislation- What are the changes?
 - Prepacked and PPDS
 - Take away & distance selling
 - Labelling requirements
4. Enforcement & Penalties
5. Practice Implementation -What does this mean for my business/department?
6. Communication
7. Further Resources
8. Help and Support
9. Questions

1. Current Legislation

- Food information to consumers (FIC) Regulation (EU) No 1169/2011
- The Food Information Regulations 2014 (England) (*and parallel FIR regulations in Northern Ireland, Scotland and Wales*)
- 14 key allergens communicated with customers, written or verbal with clear signposting (annex 2 of EU FIC)
- Information – accurate, consistent, verifiable
- Applies to allergens intentionally added
- Managing cross contamination of allergens required as part of your HACCP
- ‘May contain’ falls under voluntary information

1. Current Legislation

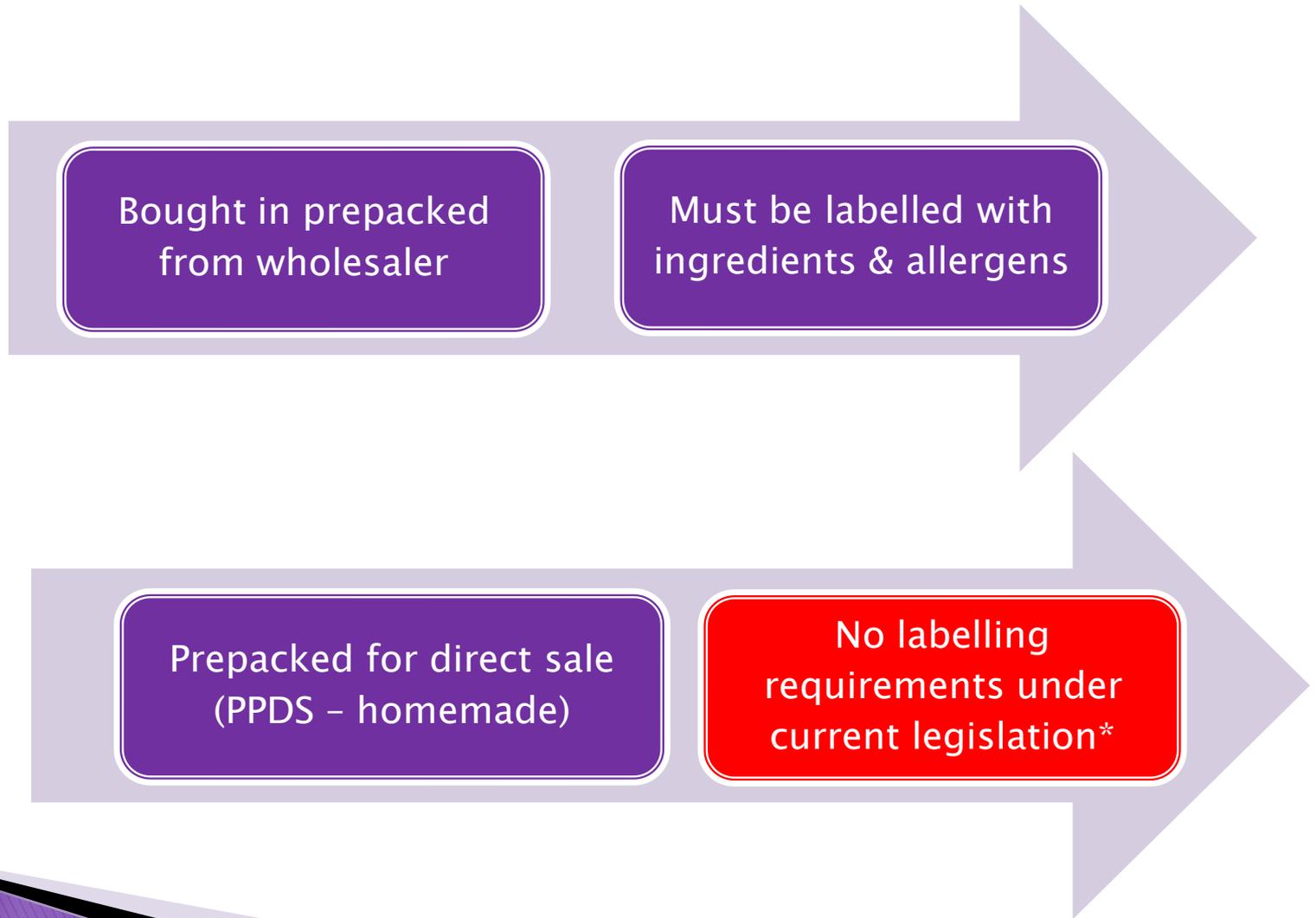
- Food information to consumers (FIC) Regulation (EU) No 1169/2011/
The Food Information Regulations 2014 (UK)
- Specifically regarding Prepacked foods:
 - Applies to wholesale food which is 'brought in' in prepackaged for retail sale (e.g. from a sandwich supplier). Must label the ingredients & allergens
 - Does not apply to foods which are 'Prepacked Foods for Direct Sale' (PPDS) those made on site and then wrapped for sale that day

2. Why are the UK food information amendments 2019 (Natasha's Law) being introduced?



- The change follows the death of 15 year old Natasha Ednan-Laperouse, in July 2016
- Natasha suffered an allergic reaction to a Pret A Manger baguette containing sesame
- At an inquest into her death a coroner described Pret's allergen labelling as "inadequate"
- Legislation was amended by the government in September 2019 & will apply to all food prepared & packed for future sale from 1st October 2021

3. Current requirements



3. NEW requirements

Bought in prepacked
from wholesaler

Must be labelled with
ingredients & allergens

Prepacked for direct sale
(PPDS – homemade)

Must be labelled with
ingredients & allergens

3. What are Prepacked Foods?

Prepacked products refers to **any food put into packaging before being placed on sale:**

- Food is prepacked when it:
 - Is either **fully or partly** enclosed by packaging
 - **Cannot be altered without opening** or changing the packaging
 - Is ready for sale
- Prepacked foods must have an ingredients list present on the packaging
- Allergens must be emphasised each time they appear on the ingredients list

3. What are 'Prepacked Foods for Direct Sale' (PPDS)?

- PPDS depends on **whether**, **where** and **when** it is packed in relation to the point it is offered for sale

These include:

- Foods packed **on the same premises/site*** from which they are being sold
- Any food that is in the **packaging before it is ordered or selected**

3. What are 'Prepacked Foods for Direct Sale' (PPDS)?

EXAMPLES *(from FSA)*

- Sandwiches & bakery products which are packed on site **before a consumer selects or orders them**
- **Fast food packed before it is ordered**, such as a **wrapped burger under a hot lamp** where the food cannot be altered without opening the packaging
- Products which are prepackaged on site ready for sale, such as **pizzas, rotisserie chicken, salads and pasta pots**
- **Burgers and sausages prepackaged by a butcher** on the premises ready for sale to consumers
- **Samples of cookies given to consumers for free** which were packed on site

3. What are 'Prepacked Foods for Direct Sale' (PPDS)?

EXAMPLES *(from FSA)*

- Foods packaged and then sold elsewhere by the same operator at a market stall or mobile site
- PPDS food provided in **schools, care homes or hospitals** and other similar settings will also require labelling
- **Vending**
 - If **homemade items are used in vending**, they must be individually labelled with allergens
 - A notice on the machine will signpost customers to where to obtain a refund should the product contain an allergen they cannot eat once it has been purchased

3. Which foods are NOT PPDS?

- Loose items (fruit, veg, sweets, other loose foods that are not in packaging)
- **GOODS MADE TO ORDER IN FRONT OF YOU** (even if it is subsequently put into packaging to give to the customer)
- This extends to for example, a **sandwich/baguette on display, not in packaging, that is then packaged to give to a customer: This is loose food**
- Hot soup already in a lidded container **IS** PPDS, hot soup served into a container **IS NOT**
- PPDS food sold by means of **distance selling**, such as food which can be purchased over the phone or on the internet
- ✓ Allergen information must still be provided but this can be done through other means, including orally or written with clear signposting
- ❖ PPDS food does not cover food packed by one business and supplied to another business for sale (for example a pork pie packed by business "A" and sold by business "B" at a farmer's market) this is prepacked food

3. Distance selling/Take away

- Such as food which can be **purchased over the phone or on the internet**
- Article 14 FIC Act
- The new labelling requirements **do not** apply to PPDS food sold by means of distance selling
- Businesses selling PPDS food this way need to ensure that mandatory allergen information is available to the consumer before they purchase the product and also at the moment of delivery

3. PPDS Labelling - Content

- PPDS food will have to clearly display the following information on the packaging:
 - the name of the food
 - full ingredients list- In descending weight order
 - with allergenic ingredients emphasised EVERY TIME THEY APPEAR IN THE LIST (for example in **bold**, *italics* or a different colour)

INGREDIENTS
Water, Carrots, Onions, Red Lentils (4.5%) Potatoes, Cauliflower, Leeks, Peas, Cornflower, Wheat flour, Cream (milk), Yeast Extract, Concentrated Tomato Paste, Garlic, Sugar, Celery Seed, Sunflower Oil, Herb and Spice, White Pepper, Parsley
ALLERGY ADVICE
For allergens, see ingredients in bold

3. PPDS Labelling - Content

- Use an **allergy advice statement** on the product label to explain how allergens are emphasised within the ingredients list

For example:

- *'Allergy advice: for allergens, see ingredients in bold'*

or

- *'Allergy advice: for allergens, including cereals containing gluten, see ingredients highlighted in blue'*

3. PPDS Labelling - Content

- Where the name of the product consists of a **single ingredient** (e.g. bag of peanuts or a box of eggs) & clearly refers to the presence of a substance or product causing allergies, further indication of the presence of the allergen substance is not required
- However, where the name of the food is less familiar you may wish to include a contains statement; e.g. Tahini paste(contains sesame)

3. PPDS Labelling - Formatting

- All written mandatory allergenic information should be
 - **easily visible**
 - **clearly legible**
 - **not obscured** in any way e.g. not hidden under a flap or across a fold or crease
 - Indelible (cannot be erased)
- Consider the mode of emphasis
 - Is it **sufficiently visible**?
 - Is it readable for those with visual impairments?
 - E.g. consider individuals with **colour blindness when using contrasting colours**

3. PPDS Labelling - Formatting



- A minimum font size where the x-height is 1.2mm or more should be used where labelling surface is 80cm² or more
- A minimum font size where the x-height is 0.9mm or more should be used where the labelling surface is less than 80cm²

Food.gov.uk/food –allergen labelling technical guidance

3. PPDS Labelling - Formatting

- Where the food packaging or container's largest surface area is less than 10cm² (e.g. a single portion sachet of sauce), **the ingredients list** can be omitted provided that the ingredients information is provided by other means or made available at the consumer's request

(Article 16(2) of regulation (EU) No.1169/2011)

- In such cases, the presence of any of the 14 Allergens must be indicated by the word 'contains...' followed by the name of substance or product (e.g. Contains: celery, fish)



3. Summary

- The law has now been extended to include products made on the premises as well as 'bought in'
- If you wrap/ package food for **direct sale** then the law applies (PPDS)
- **PPDS** -Any food that is in the **packaging before it is ordered or selected**
- Requires labelling Including the following information:
 - full ingredients on a (in weight order- descending)
 - Allergies must be **bold/ highlighted** or underlined
 - Allergies must be highlighted every time they appear
 - Use an allergy advice statement on the product label to explain how allergens are emphasised within the ingredients list

4. Enforcement

- Authorised food officers at **Local Authorities** have responsibility for **official controls relating to allergens**
- Many parts of the UK have **2 tiers of local government**:
 - county councils
 - district, borough or city councils
- In some parts of the country, **there's just 1 (unitary) tier of local government** providing all the local services. The 3 main types are:
 - unitary authorities in shire areas
 - London boroughs
 - metropolitan boroughs
- **The enforcement responsibility can be devolved to these different councils**

4. Penalties

- Failure to comply with The Food Information (Amendment) (England) Regulations 2019 (*and parallel FIR regulations in Northern Ireland, Scotland and Wales*) will be a **criminal offence and can lead to a criminal prosecution**
- A person convicted of an Allergen offence under the FIR 2019 **will be liable to an unlimited fine** (Decided by a magistrate on a case-by-case basis)

4. When are the UK food information amendments 2019 (Natasha's Law) being introduced?

- Effective from 1st October 2021
- England, Wales and Northern Ireland
- *Similar arrangements to follow in Scotland to ensure a consistent UK-wide approach at a similar time*

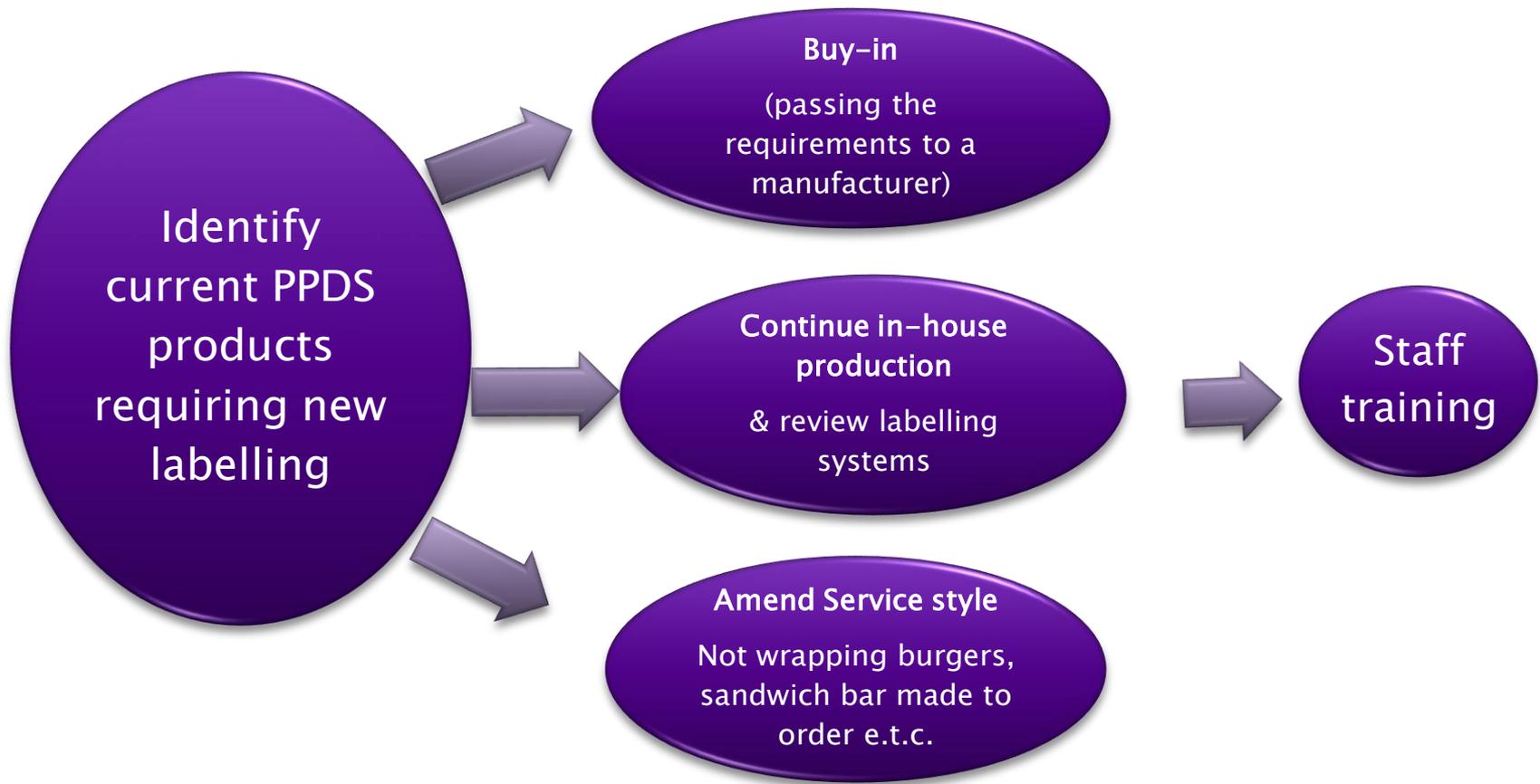
5. Practical Implementation

Initial concerns from caterers...

Cost implications of time and creation of labels

- Potential 'human error' with onsite labelling
- Especially for:
 - catering operations where ingredients change daily
 - smaller businesses that may do labelling by hand

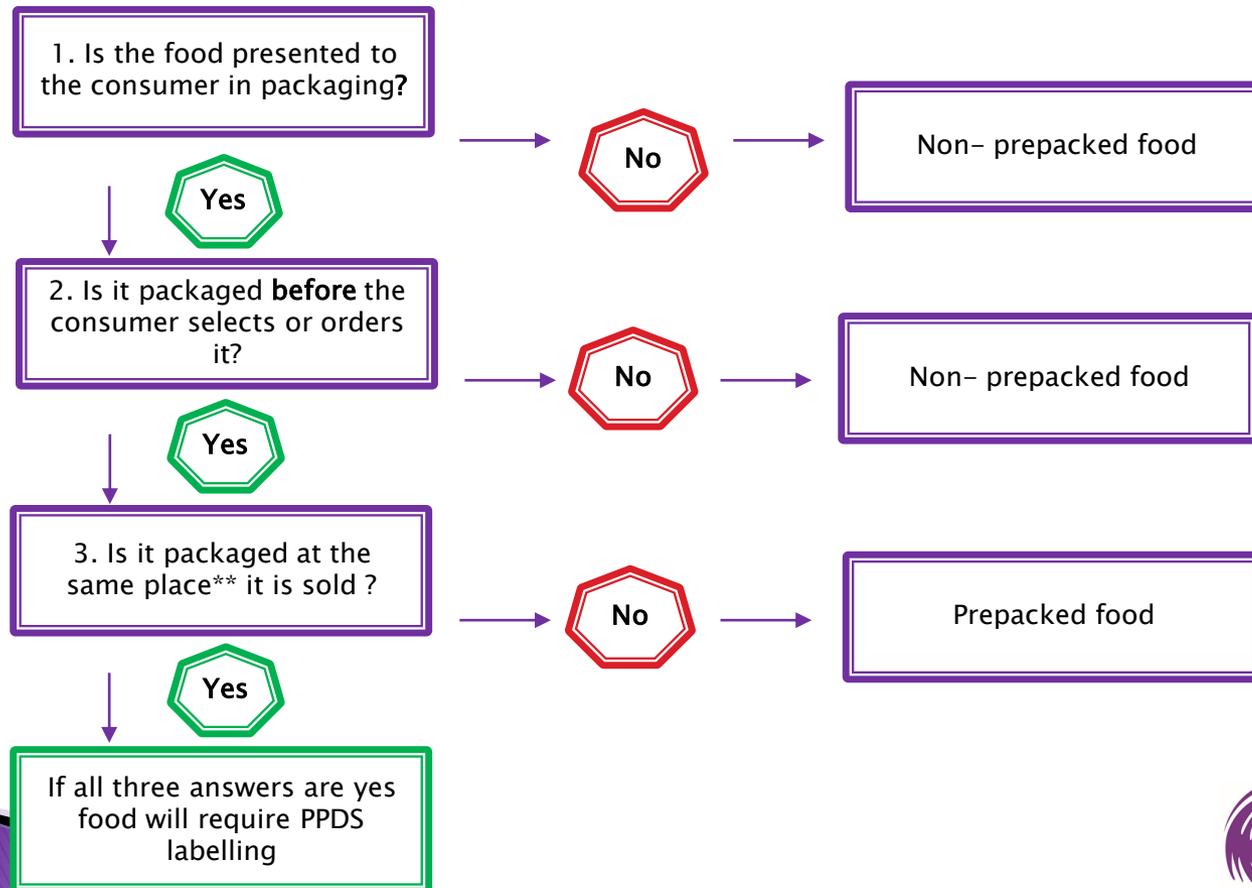
5. Practical implementation



5. Practical implementation

- Checking if your business sells PPDS food - FSA has an Allergen & Ingredients food labelling tool:

- <https://www.food.gov.uk/allergen-ingredients-food-labelling-decision-tool>



5. Practical implementation

- Once you have a defined list of PPDS products:
 - **Choose the labelling platform** – there are a number of suppliers
 - **Discuss & communicate** – the new rules with your staff via training
 - **Trial** before 1st October
 - **Review communication methods with customers** - let them know of the changes
 - **Have a back up plan**

6. Communication - What will we need to do?

- Review information from suppliers
 - Ensure that suppliers provide you with the necessary information to meet your obligations

- Review Kitchen to front of house procedures
 - Identify key personnel? – Allergy champions
 - Staff training – what is/is not PPDS? What are the new rules?
 - Review kitchen & service processes to ensure PPDS is always labelled correctly/accurately
 - Introduce robust monitoring & reviews for labelling of PPDS

6. Communication - What will we need to do?

- What about my written information/records?
 - Don't forget your procedures for non PPDS foods and allergen awareness & other communication methods-review current allergen signage & menus- does it conflict with the new requirements?

- Records
 - Must be kept to demonstrate due diligence

7. Further resources

- FSA has allergen and ingredients food allergen labelling tool
<https://www.food.gov.uk/allergen-ingredients-food-labelling-decision-tool>

- FSA has provided technical guidance – food allergens and labelling technical guidance
<https://www.food.gov.uk/document/food-allergen-labelling-and-information-technical-guidance>

- The specific requirements are based on the following articles:
 - Article 8 on responsibilities
 - Article 9 on mandatory particulars
 - Articles 12 & 13 on availability and presentation of mandatory particulars
 - Article 21 on labelling of certain substances causing allergies or intolerances
 - Article 14 on distance selling

- [Natasha Allergy Research Foundation \(narf.org.uk\)](http://natashaallergyresearchfoundation.org.uk)

8. Help & Support

- Panache South & Panache Consultancy offer food safety auditing and training nationwide
- If you would be interested in discussing how we can support your business/department, please contact us via our website

www.panacheconsultancy.co.uk

Or

Email: services@panacheconsultancy.co.uk

- Preferential rates for LUPC/TUCO members
- Any Allergy work we will donate 15.5 % of our fees to [Natasha Allergy Research Foundation](#)

9. Any questions?

Thank You!