

FSA 22-06-07 Annex C – Summary of PAL research and consultation findings

A paper that discusses the feedback from businesses and consumers on the application and interpretation of PAL.

Workstream objective

Gain feedback from business and consumers on to better understand the application and interpretation of PAL and gather evidence which will assist us to further consider the potential for developing policy interventions.

Workstream approach

The FHS policy team and Science and Evidence Team have worked together to commission 3 pieces of research.

The outputs of this work, along with the findings of the Enhanced Learning workstream, and further input for stakeholders such as the FHS Programme Expert Panel, have been used to inform the 3 PAL workstreams (and associated activities) set out in the main paper:

Key research findings

1. Social science study with food businesses:

A qualitative study was undertaken with 60 SMEs, including food businesses from each key food business sector, to explore experiences, interpretations, and views of PAL:

Smaller food businesses reported a general lack of understanding of their responsibilities, and of the distinction between the regulatory requirements of general allergen labelling (mandatory) and PAL (voluntary).

- This was found across SMEs and in all sectors, though food manufacturers, institutions, and retailers had a better understanding while small/micro business and caterers reporting a lower understanding.

For SMEs, PALs are often applied because businesses are not sure that their food is without any cross-contamination risk following risk management actions, including cleaning and segregation, because without allergen testing there is no validation.

- This uncertainty increased through the supply chain with food businesses often taking suppliers PAL labels at face value and passing the information on to consumers.
- In establishments serving non-prepacked food, the risk of cross-contact was seen by participants as almost inevitable, due to the wide variety of ingredients used and the busy nature of kitchens.

SMEs tend to think about allergen risk management and communication, including the use of PAL, in the context of wider food hygiene practices and especially microbiological risk management.

- Certain food hygiene practices that also help to reduce allergen cross-contact were commonly adopted. However, food delivery, storage, and serving are all weaker spots of allergen cross-contamination management.

SMEs typically have a high level of confidence in their allergen cross-contact management practices, despite them rarely being preceded by a thorough risk assessment of where key allergen cross-contact points are.

- Informal heuristics often shaped decision making and practice in relation to allergenic ingredients, with peanuts, gluten, milk, and eggs readily coming to mind and being perceived as 'riskier' than other allergenic ingredients (especially celery and lupin).

Food business identified a range of barriers to the adoption of PAL.

- Poor knowledge of PAL; a lack of common standards for risk analysis and easy an inexpensive means of measuring thresholds; limited expertise and confidence in decision making around cross contamination management (greater for caterers); and practical issues.

2. Social science research with consumers:

A qualitative consumer perception study with 30 people with FHS:

People vary widely in how they appraise the risk posed by food products provided with a PAL or precautionary allergen information, driven by differences in severity of response, length since diagnosis, health status, personality, and other factors.

- There is a widespread assumption that PAL is mandatory: people often assume that if a product does not include a PAL notice, it has been determined that it is without cross-contamination risk (i.e., a risk assessment has been carried out). This may lead to some people taking on more exposure risk than is comfortable or safe for them.

Although most people are aware of PAL, understanding of what it is meant to communicate is low and determining cross-contamination risk when eating can often be a highly stressful experience.

- In general, people judge PAL not as communications meant to benefit the public, but as legal 'cover' for businesses in the case of accidental consumer harm.
- PAL is widely judged to be 'confusing' and vague. Some were not even aware that PAL communicates cross-contamination risk.

Consumers want to know who PAL is for.

- Consumers want more information about who messaging is for: whether it is for people with serious hypersensitivities, people with mild hypersensitivities, or people avoiding certain ingredients for lifestyle reasons or dietary preferences rather than health risk.

3. The PAL "may contain" consultation:

Consisting of an online portal, 15 workshops (with representatives from trade bodies, large food businesses, local authorities, scientists and academics), and detailed emailed qualitative responses from 30 stakeholders.

2459 online responses to the consultation were received: 84% of these were consumers (97% of which had or cared for someone with an FHS); and 11% were food businesses (there were at least 30 responses from each key food business sector).

Theme One - Provision of Information to Consumers. The aim was to gain views on the consumer preferences in respect to PAL wording and format, and the potential for the provision of additional information e.g., via an app or website:

There was strong support for the standardisation of PAL on prepacked foods.

- “Not suitable for consumers with an allergy to [allergen]” is the preferred statement – 68% thought it effective (and preferred by both businesses and consumers). Only 47% found “may contain” effective.

There was a lack of support for the provision of additional information on why a precautionary allergen label was applied to become standard practice, but it was recognised that it should be information individuals can request.

- Whilst understanding why consumers might wish to know more detail, there were a range of practical issues identified and (with exception of consumer advocacy groups), stakeholders also challenged the idea such information would help consumers make better food choices.

Theme two - Advice and Training for Food Businesses. The aim was to consider impact of current provision of advice and guidance on PAL application and the potential need for additional material:

All businesses said that they undertook training specifically on allergen management and labelling, though specific training on PAL labelling was less common.

- Training provision was from a variety of sources, with in-house training the most common approach for larger businesses, and through trade organisations and membership bodies for smaller businesses.

Only 25% of respondents thought that there was adequate advice provision currently. There was generally a good awareness of FSA materials, but not the new PAL guidance.

- At workshops, stakeholders emphasised that local authorities are the trusted source of advice on the ground – and FSA activity should focus on helping them to provide it.

Theme three - Ensuring Compliance. The aim was to gain views on how PAL Should be applied and regulated including legal interpretation of current regulations:?

Most stakeholders supported FSA legal interpretations of FICR (Food Information Consumer Regulations) and were in favour of amendments to FICR for greater clarity.

- There was strong agreement with the legal interpretation that there could be a breach of FICR if: a PAL does not specify the allergen; a PAL and ‘Free-from’ are both used on a label; if a PAL is applied without assessing unavoidable risk of cross-contamination.

Theme four - Standards for Risk analysis of Allergen Cross-contamination. The aim was to identify options to increase consistency in the assessment and management of the risk of allergen cross-contact.

Stakeholders supported standardising risk-analysis (the steps which food businesses take to assess, control and communicate any allergen cross-contact), but also recognised how challenging this is given the variability within and between food sectors.

- 93% support for standardising information regarding the risk of allergen cross-contamination within supply chains and 81% for setting a standard for allergen levels to guide PAL application for prepacked foods.