UPDATE ON FSA’S WORK ON FOOD HYPERSENSITIVITY AND THE IMPLEMENTATION OF THE ALLERGEN LABELLING REVIEW OUTCOMES

Report by Rebecca Sudworth

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1. Summary

1.1 This paper provides an update on current and planned activities for food hypersensitivity and the implementation of new rules for foods prepacked for direct sale (PPDS) following the Government’s Allergen Labelling Review and discussion at the Board meeting on 19 June 2019.

1.2 The Board is asked to:

- **review** the outline work plan below and progress made; and
- **comment on** the priorities and proposed approach in taking forward the FSA’s work on food hypersensitivity and allergen labelling.

2. Introduction

2.1 At its June meeting, the Board emphasised the importance of this area of work, seeing it as a strategic priority for the FSA. The Board requested an update from officials on their work on food hypersensitivity at each subsequent meeting. The FSA’s Director of Policy (Rebecca Sudworth) confirmed that the FSA Executive Team would have continuous oversight of the subject, ensuring that expertise from across the organisation would be drawn upon when needed.

2.2 On 26 June 2019, following the Chair’s letter setting out the Agency’s conclusions and advice on the review on allergen labelling of PPDS, the then Secretary of State for Environment, Food and Rural Affairs announced plans for new legislation. Parallel legislation is planned for Northern Ireland, Scotland
and Wales. This secondary legislation will introduce a requirement for full ingredients listing, with allergenic ingredients emphasised. Food businesses will have a two year transition period to make the necessary changes to meet the requirements of the new rules, which will be enforced from Autumn 2021. Local authorities will need to consider how the new rules will be enforced and what resources will be needed to do so.

2.3 Officials met with industry and local authority representatives in August for an initial discussion on interpretation of PPDS foods in order to inform quick-start guidance on the new rules, and subsequently technical implementation guidance for food businesses and local authorities.

2.4 The FSA’s work on allergens has now been established as a formal FSA Programme under the direct oversight of the Executive Management Team, with Rebecca Sudworth, Director of Policy as the Senior Responsible Owner.

2.5 As workstreams develop, the FSA will have a better understanding of what is required from a resource perspective. FSA resourcing to support successful delivery of its objectives is currently under review. Successful delivery of the objectives will ultimately be dependent on the resources available to local authorities.

2.6 The table below shows the range of work already in train, planned or under consideration, grouped by theme. Officials are working at pace shaping current and future work into a comprehensive strategic framework for discussion with the Board. This will include a review of the evidence base and the development of appropriate outcome measures through which progress can be judged. Officials continue to work closely with colleagues across central and local government, Food Standards Scotland, the devolved administrations, external stakeholders and representative groups.
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| **Shape and prioritise longer-term strategy** | • Executive management team meeting to agree vision, objectives and key workstreams (September 2019).  
• Consult stakeholders on vision objectives and key workstreams (October/November 20219).  
• Outline strategy, with vision, objectives and clear outcome measures will be presented to Board (December 2019).  
• FSA-wide programme governance structure including funding strategy in place for 2020 and beyond (December 2019). |
| **Deliver outcome of Allergen Labelling Review** | • The Defra Statutory Instrument was laid before Parliament on 5 September 2019 and will come into force in Autumn 2021. The SIs in Northern Ireland, Scotland and Wales have yet to be laid but are scheduled to come into force within the same timescale.  
• Quick-start guidance to give clarity to FBOs on whether they are affected by this change and to support local authorities in their engagement with businesses is being published alongside the Statutory Instrument.  
• Engagement with FBOs, consumers and representative organisations to communicate new requirements and prepare for implementation is ongoing and will continue throughout 2019).  
• Prepare and publish technical implementation guidance for food businesses and local authorities (December 2019/January 2020).  
• Commission, review, refresh and release allergy e-learning module by June 2020.  
• Feed into working groups and other relevant communication routes with local authorities in order to maintain good communication and to monitor implementation. |
<p>| <strong>Initiate project to deliver ‘near miss’ reporting tool</strong> | • A scoping exercise has been undertaken to review current reporting mechanisms for near-miss reactions. Options are being considered on the best way to implement. |</p>
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<td>Publish revised ‘Safer Food Better Business’ (SFBB) guidance for FBOs</td>
<td>• SFBB has been revised to incorporate the changes for PPDS foods. This is due to be published at the end of September 2019.</td>
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<td>Consolidate guidance for local authorities and publish a new aide-memoire to ensure clear and consistent approach to inspection</td>
<td>• Work on this is at an early stage and will be taken forward in consultation with local authorities before the end of 2019.</td>
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| Prioritise and commission future research programme in support of longer-term strategy | • The Science Council met to discuss this on 27 June and a Science Council Working Group has been established. The Working Group met on 12 September to finalise its terms of reference, which include planning for a horizon scanning exercise to help inform future FSA research priorities.  
• FSA’s economists are developing a cost of illness model including assessment of the economic burden of food hypersensitivity. A paper introducing the model will be discussed at the September Board.  
• Commissioning of social science research to provide a baseline measurement of business understanding of the new requirements for PPDS. The study will also provide a measure of business uptake and understanding of allergen labelling rules in general to inform a post-implementation review of the food information regulations (by December 2019). |
| Deliver ongoing research programme | • On-going engagement with industry, enforcement agencies, representative bodies, consumers and affected families to inform future strategy and implementation of outcome of Allergen Labelling Review.  
• Preparations being made for the next industry leadership group meeting scheduled for November 2019.  
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|                                     | • Parliamentary reception - key event to raise awareness within Parliament of FSA work on allergy and food intolerance (October 2019).  
  • Takeaway Expo – key trade event at which FSA will take a stand to promote the new PPDS rules and broader messages on allergy and food intolerance (November 2019). |