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**FSA explains
PPDS changes for
businesses**
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Michael Wight



Deputy Director, Head of Food Safety Policy

Michael Wight is Deputy Director of Food Safety Policy in the Food Standards Agency (FSA). With a short break in 2010, Michael has been with the FSA since its formation in 2000 having been in the Ministry of Agriculture (now DEFRA) before that. He has extensive experience in food and agriculture policy development and EU negotiations. He has also negotiated at international level in FAO/ WHO Codex, leading the UK delegation at Codex Alimentarius Commission and served on the Codex Executive Committee. His current role encompasses food safety policy development and regulation.

Agenda:

- Welcome, introductions and house keeping
- Background to the campaign for 'Natasha's Law' from Natasha Allergy Research Foundation (NARF)
- What are the new rules for PPDS food?
- What you need to do to comply
- Greggs share learnings and examples for smaller businesses
- The Nationwide Caterers Association – 'voice of business'
- Live Q&A session with our expert panel
- Where to get more information and guidance
- Close



Arvind Thandi



Team Leader – Food Hypersensitivity

Arvind leads work on the implementation of the PPDS changes as well as other priority policy projects in the Food Hypersensitivity programme in the FSA.

She joined the FSA in August 2020 and has also worked in other Government departments including Defra, Cabinet Office and Ministry of Justice.

Current rules on allergen labelling – ‘prepacked’

Regulations implemented since 2014 specify:

- Prepacked food is:
 - packed by one business and supplied to another business; or
 - that is packed by the same business at a different site.
- Prepacked food must be labelled with a full ingredients list with any of the 14 major allergens emphasised in the ingredients list.



Current rules on allergen labelling – ‘non-prepacked’

Any food that is not prepacked is considered ‘non-prepacked’.

For non-prepacked food:

- Food businesses currently have a choice in how they provide allergen information on the 14 major allergens.
- For example, it can be provided in a written form, verbally or a combination of the two.
- It’s important to signpost people to where they can obtain allergen information.



PPDS – Pre 1 October 2021

Prepacked food



Food packed by one business and supplied to another business or packed by the same business at different site.

Prepacked for direct sale (PPDS) food



Food which is packaged at the same place it is offered or sold to consumers and is in this packaging before it is ordered or selected.

Non-prepacked food



Any food that is not in packaging or is packaged after being ordered by the consumer.

PPDS – After 1 October 2021

Prepacked food



Food packed by one business and supplied to another business or packed by the same business at different site.

Prepacked for direct sale (PPDS) food



Food which is packaged at the same place it is offered or sold to consumers and is in this packaging before it is ordered or selected.

Non-prepacked food



Any food that is not in packaging or is packaged after being ordered by the consumer.

What is PPDS food?

Food that is packed **before** being offered for sale by the same food business to the final consumer:

- I. on the same premises; or
- II. on the same site*; or
- III. on other premises if the food is offered for sale from a moveable and/or temporary premises (such as marquees, market stalls, mobile sales vehicles) if the food is offered for sale by the same food business who packed it.

It **does not** include food packed at a consumer's request, food not in packaging, or food in packaging that can be altered without opening or changing the packaging.

*In this instance 'site' refers to a building complex such as a shopping centre or airport terminal in which the same food business operates from more than one unit within the building complex.

Packaging definition applying to PPDS food

Food is considered 'prepacked' when it is put into packaging before being offered for sale and:

- the food is fully or partly enclosed by the packaging;
- the contents cannot be altered without opening or changing the packaging; and
- the food is a single item (consisting of the food and its packaging) that is ready for sale to the final consumer.

Examples of PPDS packaging

PPDS food includes food packaged as follows:

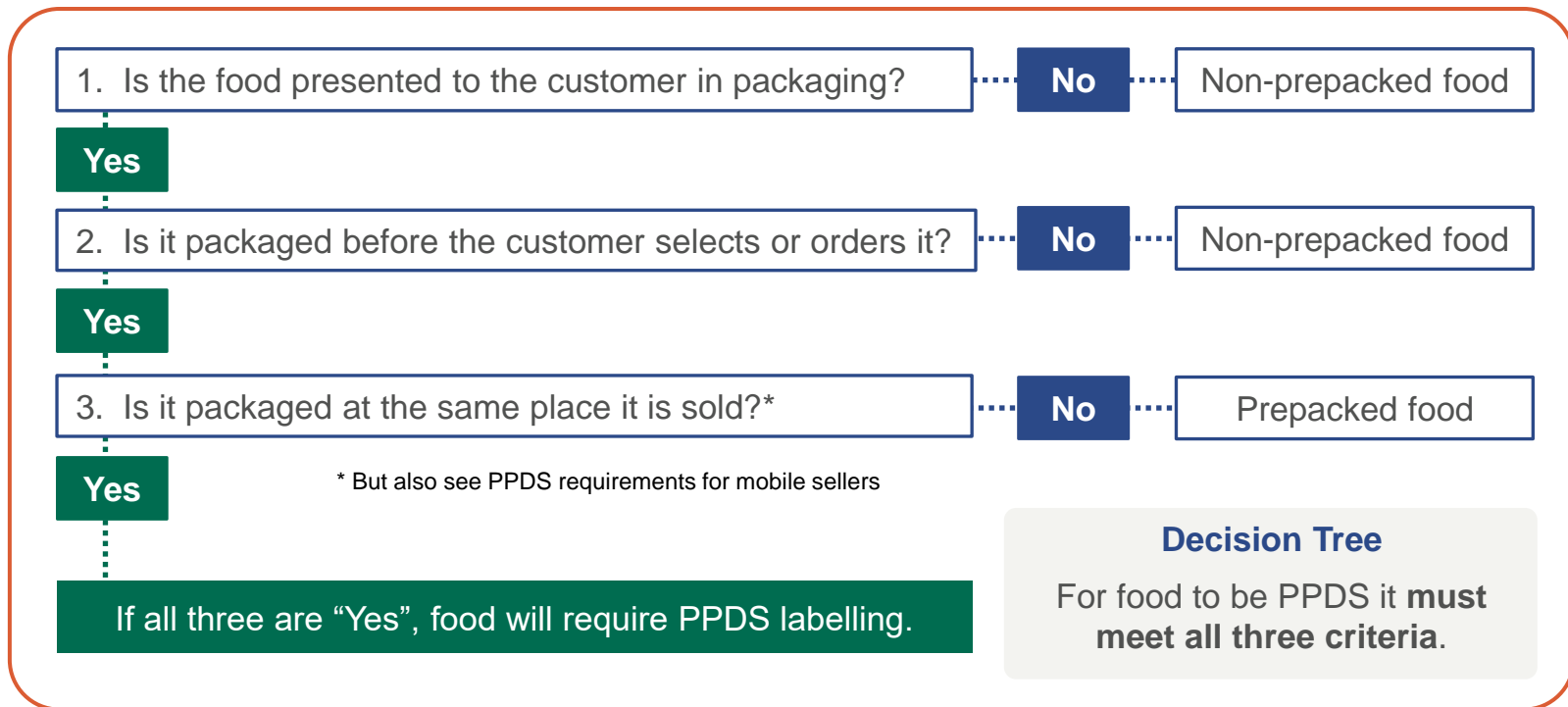
- any food completely packaged in cling film
- bread placed in a paper bag with the bag folded over or twisted to encase the bread
- sweets contained in a plastic bag that is tied with a knot or sealed

Packaging for PPDS food does not need to be sealed to meet this definition, it can include, for example:

- bags that are folded over or twisted
- boxes that have tabs to shut them

Help with what food is PPDS

Our [Allergen & Ingredients Food Labelling Decision Tool](#) helps you identify the type of food your business provides and the allergen labelling requirements.



Examples of what is PPDS

The following are examples of what foods are PPDS:



Sandwiches (packaged by the food business and sold or offered from the same premises)



Bakery products (packaged before a customer selects them)



Fast food (wrapped or packaged before a customer selects or orders it)



Supermarket products (produced and packaged in store, such as pizzas, rotisserie chicken, pre-weighed and packed cheese and meats and baked products)

Examples of what is not PPDS

The following are examples of what foods are not PPDS:



Food not in packaging (loose)



Food packaged at the customer's request



Pre-packed food (packaged at a different premises)



Distance sales (e.g. foods ordered online)

Distance selling

The new labelling requirements **do not** apply to PPDS food sold by means of **distance selling**, such as food which is purchased through telephone / internet.

Businesses selling PPDS food this way will need to ensure that mandatory allergen information is available to the consumer **before they purchase** the product and also at the **moment of delivery**.



What is the change for PPDS food?

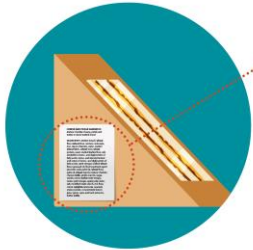
From 1st October 2021, **PPDS food must display** the following information, either on the package or on a label attached to the package:

- **the name of the food** and;
- an **ingredients list including the 14 mandatory allergens**

The 14 mandatory allergens within the food must be emphasised every time they appear in the ingredients list.

For example, the allergens in the food can be listed in CAPITALS, **bold**, in **contrasting colours** or underlined.

Labelling – name of the food



CHEESE AND PICKLE SANDWICH

Mature Cheddar cheese, pickle and butter in sliced malted bread

INGREDIENTS: Malted bread (**wheat** flour (**wheat** flour, calcium carbonate, iron, niacin, thiamin), water, malted **wheat** flakes, **wheat** bran, **wheat** protein, yeast, malted **barley** flour, salt, emulsifiers (mono- and diglycerides of fatty acids, mono- and diacetyl tartaric acid esters of mono- and diglycerides of fatty acids), spirit vinegar, malted **wheat** flour, rapeseed oil, flour treatment agent (ascorbic acid), palm fat, **wheat** flour, palm oil, **wheat** starch), mature Cheddar cheese (**milk**), pickle (carrots, sugar, swede, onion, **barley** malt vinegar, water, spirit vinegar, apple pulp, dates, salt, modified maize starch, rice flour, colour (**sulphite** ammonia caramel), onion powder, concentrated lemon juice, spices, spice and herb extracts), butter (**milk**).

- Where names are prescribed in law they must be used. This mainly applies to food containing certain seafood, fish, and meat ingredients.
- Customary names which are commonly understood can be used, such as ‘BLT sandwich’.
- Must be descriptive and inform the customer of the true nature of the food.

Supporting information on FSA website:

[Labelling guidance for prepacked for direct sale \(ppds\) food products](#)

Labelling – ingredients list

- The list of ingredients shall be headed by a suitable heading which consists of or includes the word 'ingredients'.
- It shall include all the ingredients of the food, in descending order of weight, as recorded at the time of their use in the manufacture of the food.
- If the product contains any of the 14 allergens they must be clearly highlighted on the listed ingredients.
- The allergens can be in bold type, CAPITAL letters, contrasting colours or underlined. Alternative allergen statements, such as 'Contains: wheat, egg and milk' are not permitted.

CHEESE AND PICKLE SANDWICH

Mature Cheddar cheese, pickle and butter in sliced malted bread

INGREDIENTS: Malted bread (fortified **wheat** flour (**wheat** flour, calcium carbonate, iron, niacin, thiamin), water, malted **wheat** flakes, **wheat** bran, **wheat** protein, yeast, malted **barley** flour, salt, emulsifiers (mono- and diglycerides of fatty acids, mono- and diacetyl tartaric acid esters of mono- and diglycerides of fatty acids), spirit vinegar, malted **wheat** flour, rapeseed oil, flour treatment agent (ascorbic acid), palm fat, **wheat** flour, palm oil, **wheat** starch), mature Cheddar cheese (**milk**), pickle (carrots, sugar, swede, onion, **barley** malt vinegar, water, spirit vinegar, apple pulp, dates, salt, modified maize starch, rice flour, colour (**sulphite ammonia caramel**), onion powder, concentrated lemon juice, spices, spice and herb extracts), butter (**milk**).

Supporting information on FSA website:

[Labelling guidance for prepacked for direct sale \(ppds\) food products](#)

Labelling – format and font

- The information must appear on the package or on a label attached to the package.
- Must be easily visible and clear to read.
- On the outside of the product and not obscured in any way.
- Must not be difficult to read due to poor lettering or colour contrast.
- The ingredients list has to be a minimum font size where x-height is 1.2mm or more. If products have a packaging surface less than 80 cm², in which case the x-height can be reduced to 0.9mm.
- Labels can be handwritten as long as they meet the requirements of being easily visible and clear to read.



Supporting information on FSA website:

[Labelling guidance for prepacked for direct sale \(ppds\) food products](#)

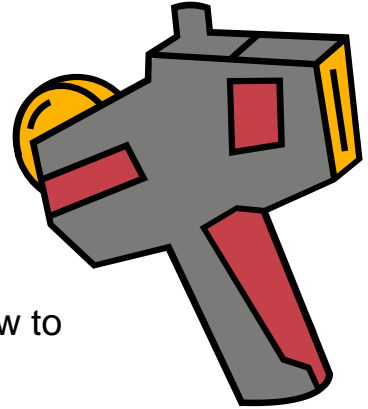
Labelling – practical considerations

Handwritten labels

- Labels can be handwritten as long as they meet the legal font size requirements and are easily visible and clear to read.

Printed labels

- There are multiple options businesses could consider when deciding how to label their PPDS products.
- Software solutions or labelling programmes with printers could be used as well as pre-printed packaging.
- Businesses may want to proactively plan for any incidents such as malfunctions, taking account of their business model. For example, they may wish to consider having some pre-printed labels to use in these circumstances that accurately describe the allergens and ingredients.





Information from suppliers

- Food businesses and their suppliers already have an obligation to ensure that accurate ingredient and allergen information is passed to consumers.
- Suppliers are legally responsible for passing on accurate information on ingredients and allergens to other food businesses.
- Food businesses should also ensure that they have processes in place to update this information should they change suppliers or when ingredients change.

Advisory or Precautionary Allergen Labelling (PAL)

- Voluntary information about the unintentional presence of allergens, usually from unavoidable cross-contamination, can also be provided.
- This often appears as ‘**may contain...**’ or ‘**not suitable for...**’ statements.
- For PPDS food, FSA advises these types of statements are best placed on the label.
- But for PPDS foods, operators can also communicate this information differently e.g. verbally by staff or in writing with signs on display.



Advisory or Precautionary Allergen Labelling (PAL)

- This information should only be provided if a real risk of allergen cross-contact has been identified following a thorough risk assessment.
- Precautionary allergen information from ingredient suppliers must be passed on to the consumer.
- The use of precautionary allergen labelling when there is not a real risk, could be considered misleading food information.



- Information on how to carry out a risk assessment is in the FSA's 'Safer Food Better Business' guidance
- Food Drink Europe (FDE) has produced [best practice guidance on voluntary application of precautionary allergen labelling](#)

Illustrative example 1 – Who does PPDS affect?



Question: I have a deli bar. Customers can order a freshly filled baguette that we then put into packaging. Do we need to add a label to this?

Answer: If you make the baguette to order and put it in packaging after a customer orders it, you do not need to label the baguette with ingredient and allergen information. You must provide information about the allergens present in the baguette either orally or by means of a menu, ticket or sign.

However, if you prepack the baguettes in anticipation for lunchtime rush, then this would be PPDS.

Illustrative example 2 – Who does PPDS affect?



Question: I am a home baker and bake cakes to order for individuals. Do I need to comply with PPDS?

Answer: No. The cakes are made to order so are not packed before the consumers orders them. If your cakes are sold through distance selling (such as over the internet or by telephone) allergen information must be available before the cakes are ordered and when they are delivered. This will not be affected by the new regulations.

Illustrative example 3 – Who does PPDS affect?



Question: We are a school. At lunch time food is plated on demand, do we have to list all ingredients? As we already do for the 14 allergens.

Answer: If you are plating freshly cooked food (not prepacked before the point that it is ordered) there is no need to list ingredients.

You must be able to provide information, in writing or orally, on the presence of any allergens in the food you are serving. Any food that is packed on the same site before being ordered by the student will need to provide:

- The name of the food, and;
- An ingredients list with allergens emphasised on its packaging or a label fixed to its packaging.

Due to the varied nature of each food business model, we encourage all food businesses to review the PPDS guidance and obtain business specific advice from their local authority.



Steve Lewis-Adie



Policy Manager - Regulatory Policy Team in Wales

Steve has worked within the Regulatory Policy Team in Wales for over a year, working on amending legislation due to EU exit, labelling and common frameworks. Seconded from his substantive post of Auditor of Local Authority Food and Feed Official Controls.

A Trading Standards Officer and former Head of Environmental Health and Trading Standards Services at a Welsh Local Authority.

Who will enforce the new PPDS requirements?

Local Authority roles and responsibilities

- Local Authorities in Wales and District Council's in Northern Ireland will enforce the new PPDS requirements, as will Port Health Authorities where applicable.
- In England, District Councils in the area of a County Council won't have the power to enforce the new PPDS rules. Therefore, County Council's, Metropolitan District Council's, Unitary Authorities and London Borough's will enforce.
- District Councils may still have a role in terms of providing advice and guidance, though matters requiring enforcement will need to be escalated to County Councils.

Supporting Guidance:

[The Food Information \(Amendment\) England Regulations 2019](#)

[The Food Information \(Wales\) \(Amendment\) No.2 Regulations 2020](#)

[The Food Information \(Amendment No.2\) Regulations Northern Ireland 2020](#)



Local Authority enforcement approach

- Food Business Operators can obtain advice and guidance from LAs and via published FSA guidance.
- Where LAs find the PPDS allergen labelling requirements are not being complied with, they should take a proportionate and risk-based approach to enforcement.
- LAs will take account of, amongst other things, the seriousness of any non-compliances and the attitude/willingness of the food business to correct any problems.
- That is to say, LAs should take a graduated, proportionate approach based upon the Food Law Code of Practice and their Enforcement Policies.

Supporting Legislation:

[Food Law Code of Practice England](#)

[Food Law Code of Practice NI](#)

[Food Law Code of Practice Wales](#)



Assessing allergen compliance

- Assessing allergen compliance is a fundamental part of every food standards and food hygiene intervention, where relevant, including for low-risk businesses where alternative enforcement strategies may be used and when conducting non-official controls.
- In some areas Environmental Health Officers will undertake this work as part of their food hygiene assessment, and in other areas, Trading Standards Officers may undertake this work as part of their food standards assessments in relation to food composition and labelling.
- So, whether you are visited or contacted by Environmental Health or Trading Standards you can expect to discuss allergens and PPDS.

Supporting Documents:

[Food Law Code of Practice England](#)

[Food Law Code of Practice NI](#)

[Food Law Code of Practice Wales](#)

What will an inspection include?

During an inspection, LA officers may cover the following areas:

- Are any foods impacted by the new PPDS requirements?
- Are they labelled correctly? (name of the food, ingredients list, emphasised allergens)
- How do you make or package these foods? (equipment, areas, packing lines used)
- How are you cleaning equipment, areas etc. to prevent cross contamination?
- How do you prevent cross contamination during storage and processing?
- What allergen and ingredient information you receive from your suppliers
- Your record keeping, needed for traceability purposes if allergens are subsequently found to be contained within a product and a product recall is needed.





Local authority enforcement options

- Local authorities follow the Food Law Code of Practice and their local Enforcement Policies.
- Enforcement options include issuing advice and guidance, warnings, simple cautions and in the most serious cases prosecutions. Fines for breaching the allergen requirements of PPDS can be unlimited.
- In addition, LAs may serve a Food Information Regulations Improvement Notice for any non-compliances with the PPDS requirements. Notices will include what is wrong; why; what you need to do and by when. Breaching a Notice is an offence.
- LAs will decide what course of action to take based on the merits of each case.

Supporting Legislation:

<https://www.legislation.gov.uk/ukxi/2014/1855/contents/made>

<https://www.legislation.gov.uk/wsi/2014/2303/contents/made>

<https://www.legislation.gov.uk/nisr/2014/223/contents/made>





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**Resources and
Guidance**
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Resources

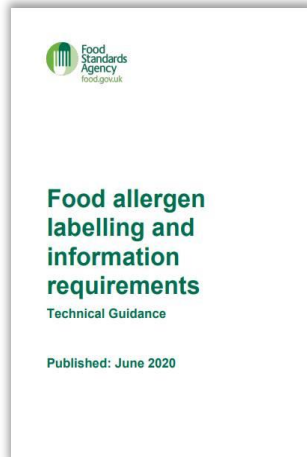
Published guidance and training

Technical Guidance

[Food allergen labelling and information technical guidance](#)

Food Allergy Training

[Allergy training for food businesses](#)



Cytraeg 
The impact of food allergy

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

Study the modules and pass the tests to get a continuing professional development (CPD) certificate. This training has been developed by the Agency for enforcement officers. However, it might also be of interest to food business operators, those involved in selling or producing food or anyone wanting to learn more about food allergies.

Step 1: Study the modules

There are six modules to study, each with a test. These modules cover

- Module 1:** current and incoming rules and legislation
- Module 2:** the effects that allergies have in the body
- Module 3:** considerations of allergies in the factory
- Module 4:** how allergenic ingredients should be displayed on the label
- Module 5:** identifying allergens in example of dishes in the restaurant
- Module 6:** how food businesses should be providing consumers with allergen information about the non-prepacked food they serve

Step 2: Register and complete the tests

Once you have registered and are logged into the site you will be able to access the tests, either by clicking on the banner at the bottom of each module page, or via your CPD dashboard.

Quick Links

- [About this training](#)
- [Find out about food sensitivities](#)
- [Food allergy facts](#)
- [Resource section](#)

Information, support and useful links

Further advice on how best to be prepared can be found on the FSA website:

www.food.gov.uk/PPDS

Questions on PPDS can be sent to the FSA:

PPDS@food.gov.uk

Please contact your local authority to obtain advice specifically for your business.



Food Information Amendments outlining PPDS rules for each nation:

[The Food Information \(Amendment\) \(England\) Regulation 2019](#)

[The Food Information \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020](#)

[The Food Information \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020](#)

[The Food Information \(Scotland\) Amendment Regulations 2021](#)



