

Updates to the Food Standard Agency's Technical Guidance on Food allergen labelling and information requirements under the EU Food Information for Consumers Regulation No. 1169/2011

Summary of stakeholder responses

18 June 2020

Introduction

The Food Standards Agency (FSA) carried out a consultation from 23 January to 6 March 2020 on proposed updates to our Allergen Labelling Technical Guidance principally to reflect the requirements of the Food Information (Amendment) (England) Regulations 2019 on the labelling of prepacked for direct sale (PPDS) food along with other technical/drafting updates.

The consultation sought views on:

- Proposed updates to the Technical Guidance to reflect the new legal requirements for the labelling of PPDS food and other technical/drafting changes set out in the table in Annex C of the consultation covering document.
- The approach to determining whether food is PPDS and therefore subject to the new requirements set out in the flowchart in Annex B of the consultation covering document and whether this should form part of the updated Technical Guidance.

Developments Since Consultation Launch

The consultation advised that updates to the guidance would apply in England and were expected to apply in Wales and Northern Ireland. The views and comments of stakeholders in England, Wales and Northern Ireland were therefore invited. Since the consultation, equivalent legislation has been enacted in Wales and Northern Ireland.

The Regulations will change the way in which food businesses in England, Wales and Northern Ireland are required to provide allergen information on PPDS food from 1 October 2021. From that date PPDS food must have, on the package or a label attached to the package, the name of the food and an ingredients list with any of the 14 allergenic ingredients mandated by legislation that are present in the food emphasised on that list.

The Technical Guidance will therefore, as envisaged, apply to England, Wales and Northern Ireland and reflect the requirements of the following legislation:

- [The Food Information \(Amendment\) \(England\) Regulations 2019](#) (SI 2019 No. 1218)
Laid: 5 September 2019 / Coming into Force: 1 October 2021
- [The Food Information \(Wales\) \(Amendment\) \(No. 2\) Regulations 2020](#) (2020 No. 80)
(W. 67) Laid: 17 March 2020 / Coming into force: 1 October 2021
- [The Food Information \(Amendment No. 2\) Regulations \(Northern Ireland\) 2020](#)
Made: 5 May 2020 / Coming into operation: 1 October 2021

The Technical Guidance has also been reformatted to meet new FSA format and accessibility criteria.

The Summary of Responses

The FSA is grateful to stakeholders who took the time to respond to the consultation and sets out in summaries of the comments received by area in the table in Annex A below with the FSA's responses provided on the last column of the table.

A summary of changes to the original proposals including those resulting from stakeholder comments to the consultation is set out in Annex B.

A list of stakeholders who responded can be found in Annex C.

Annex A: Summary of comments

Technical Guidance

Area	Respondents	Summary of Comments	Response
Scope / Consistency	Greggs British Retail Consortium Compass Catering Ltd Northern Ireland Food Managers Group Environmental Health Officer Rhondda Cynon Taf County Borough Council Wales Food Standards and Labelling Group	<ul style="list-style-type: none"> Important that the FSA works collaboratively with the devolved countries to ensure there is a consistent approach which will help businesses that operate across the UK. If the same introduction date is planned for Northern Ireland and Wales, then reference to England should be removed. 	The FSA has worked closely with its colleagues in Wales and Northern Ireland and those in Food Standards Scotland throughout. Since the consultation, equivalent legislation has been enacted in Wales and Northern Ireland so the Technical Guidance will, as envisaged, apply to England, Wales and Northern Ireland. Legislative references in the Technical Guidance have been updated and references to England have been removed.
Intended Audience, Purpose of the Guidance and Legal Status of the Guidance	E.H. Booth and Co Ltd STS Food Safety Cambridgeshire & Peterborough Trading Standards Service Public Health Company Ltd Individual Gloucestershire County Council Trading Standards UK Hospitality	<ul style="list-style-type: none"> FSA should clarify the legal status of the guidance. The Technical Guidance is not statutory guidance, but there should be a statement that if a business does not follow this guidance (which is the FSA's advice on how the law applies) then they should be able to justify their different approach. It would be helpful to explain that the failure to give allergen information is a criminal offence, whilst the other parts of the legislation would be enforced through Improvement Notices. 	<p>This section has been amended to align with the Government Code of Practice on Guidance and the FSA statement of compliance with the Regulators Code and taking into account stakeholders comments..</p> <p>The focus of the Technical Guidance is to provide guidance on allergen labelling requirements rather than their enforcement.</p>

	Coeliac UK	<ul style="list-style-type: none"> • The status of the text in the grey and white boxes is not clear. They may contain a plain statement or explanation of the law or interpretative advice and recommended practice. • Draft guidance states that individuals who occasionally provide food at charity events or voluntary cake sales do not need to follow the requirements. It is less clear what the expectation is for charities and community food providers. Organisations such as this should be encouraged to follow the guidance as best practice. • Guidance should cover foods provided free of charge by church groups such as funerals, community dinners etc. where the food has been prepared by volunteers. 	<p>However, Paragraph 102 provides an indication of the maximum penalty under the Food Information Regulations 2014 and equivalent legislation relating to Wales and Northern Ireland.</p> <p>‘Best Practice’ boxes have been coloured green and ‘Example’ boxes are coloured grey to clearly distinguish them from the main text and each other.</p> <p>In the section entitled “Intended audience” readers are now signposted to the FSA’s online guidance on providing food at community and charity events and a new footnote has been included to provide other relevant references.</p>
General Background on Allergens	Reading Scientific Services Cambridgeshire & Peterborough Trading Standards Service Food and Drink Federation Leon Coeliac UK	<ul style="list-style-type: none"> • The milk and sesame examples are not equivalent. 8mg of milk protein is equivalent to 22mg of Skimmed Milk Powder which is much less than a teaspoon. If these examples are used they should be equivalent. • Coeliac disease is both a genetic and autoimmune disease triggered by eating gluten. The reaction is not the same as an allergic reaction not going into anaphylactic shock but will result in symptoms. 	<p>Amended wording but not including these specific amounts (as this could be misconstrued to be threshold information for a milk allergen) but to align the amounts more closely.</p> <p>Amended wording.</p>

<p>Main Allergen Labelling Changes</p>	<p>Nandos Elior UK Public Health Company Ltd Individual Leon UK Hospitality Bidfood Coeliac UK</p>	<ul style="list-style-type: none"> • Labelling prepacked for direct sale (PPDS) foods in a similar way to prepacked foods does not remove the risk of confusion for consumers. • PPDS labelling may discourage consumers from asking staff for information, or provide a false sense of security, thus reducing dialogue between customers with foods allergies and catering staff. 	<p>The new legislation transfers to the label, allergen information for prepacked for direct sale food. When the FSA board made this policy recommendation to Ministers it stated it “did not mean other protections could fall away. It considered it essential to have informed staff in catering premises who could answer customer queries around allergen content”. It also stated “It is especially important to get across to food allergic and intolerant consumers that no single measure is error-proof, and to help them understand how to keep themselves safe.”</p> <p>https://www.food.gov.uk/sites/default/files/media/document/minutes-may-2019-board-meeting.pdf</p> <p>The FSA will provide information for consumers in the run up to 1 October 2021 to help them understand the new requirements.</p>
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The fourteen allergens (Annex II allergens)	Norfolk County Council EETSA Individual	<ul style="list-style-type: none"> • Consider use of Irish/US spelling of “whiskey” rather than the English/Scottish spelling, “whisky”. • There is a reference to Regulation 579/2012 which amended Regulation 607/2009. The latter was repealed by Regulation 2019/33 so by implication Regulation 579/2012 has been repealed. 	<p>Wording has been altered</p> <p>References to this repealed legislation have been removed from the guidance.</p>
Part 1: Guidance for businesses providing prepacked food	Reading Scientific Services Individual Chartered Environmental Health Practitioner Holroyd Howe Individual TSNW Cambridgeshire & Peterborough Trading Standards Service Food and Drink Federation Caterlink Ltd Coeliac UK	<ul style="list-style-type: none"> • Welcome expansion of section clarifying use of the phrases ‘gluten free’ and ‘very-low gluten’. When gluten free oats are used in a gluten free product, the word "oats" would still need to be declared and emphasised as the product will still contain some gluten. • Support removal of sentence ‘The use of the generic term ‘may contain nuts’ to cover both nuts and peanuts is permitted if the risk of contamination is from both foods.’ Useful for those with specific nut allergies to know whether the ‘may contain’ statement refers to peanuts or specific named nuts. • Suggest text amended to “Allergen information for cereals and nuts must specify the cereal (e.g. Wheat) or the nut (e.g. Almond). This is because there are people who may be allergic or sensitive to only one cereal or one nut and not all cereals or all nuts”. • To support the ‘Cereals containing gluten’ section (paragraphs 30 – 33) there should be a signpost and link to ‘FDF Gluten Labelling Guidance: Best Practice for Prepacked Foods which Include or Exclude Cereals Containing Gluten (June 2019)’. 	<p>Amended wording</p> <p>Following several incidents, the FSA has altered this wording to better reflect the legislation.</p> <p>Amended wording for clarity.</p> <p>Added to resources section</p>

		<ul style="list-style-type: none"> • The following paragraph from the current guidance has been omitted from the draft and should be retained: “Ingredients which are or have been derived from cereals containing gluten will need to be emphasised within the ingredients list. This will make clear for those with an allergy to specific cereals to avoid such food; for example: ‘Codex wheat starch’; ‘barley malt extract’. • Guidance indicates that all eggs need to be declared when used as an ingredient or a processing aid unless exempt but there are no such exemption. • Where there is a single ingredient food which uses a common dairy term it is an understandable approach to not have to indicate the allergen (‘Milk’) on the label. However this is not stated in the FIC and the guidance should state more clearly that this concession is restricted to single ingredient foods. Suggest a closed list is provided. • Example refers to sulphites. FSA should consider providing an example of the use of barley in beer e.g. ‘Beer that has been specially manufactured to be gluten free, but has been produced using a gluten containing malt (barley), 	<p>This paragraph was removed in error and has been reinserted.</p> <p>Amended wording</p> <p>This is supported by European Commission Notice 2017/C 428/01 of 13 July 2017 relating to the provision of information on substances or products causing allergies or intolerances as listed in Annex II. This notice states that “where a food is sold under a name such as ‘cheese’, ‘cream’ which clearly refers to one of the allergens listed in Annex II (e.g. milk) and for which it is not required to bear a list of ingredients pursuant to Article 19(1), point (d) of the Regulation, the allergen in question does not have to be indicated on the label.”</p> <p>Suggested example not included as it combines the issues of sulphites, gluten and products that do not require an ingredients list</p>
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		must have a statement on the label such as: 'Contains: Barley'.	and is covered in Part 1 of the guidance.
Part 2: Guidance for businesses providing non- prepacked food	Reading Scientific Services Individual Northern Ireland Food Managers Group STS Food Safety Individual Cambridgeshire & Peterborough Trading Standards Service Public Health Company Ltd Individual Allergy UK Gloucestershire County Council Trading Standards UK Hospitality Coeliac UK	<p>The following wording in the guidance is different to that in the sign on the FSA website: 'Food Allergies and Intolerances: Before you order your food and drinks please speak to our staff if want to know about our ingredients'</p> <ul style="list-style-type: none"> • Food business operators who elect to provide allergen information orally via staff members must ensure that the information is accurate and up to date. 	<p>Wording has been aligned to the FSA sign.</p> <p>Agreed. This is covered in the guidance.</p>

<p>Part 3: Guidance for businesses providing food prepacked for direct sale</p>	<p>Norfolk County Council EETSA Reading Scientific Services Individual Northern Ireland Food Managers Group Pret a Manger Chartered Trading Standards Institute British Retail Consortium Anaphylaxis campaign E.H. Booth and Co Ltd Holroyd Howe Association of Convenience Stores Limited Nandos British Sandwich and Food to Go Association TSNW Cambridgeshire & Peterborough Trading Standards Service NSF International SOFHT Environmental Health Officer Elior UK Caterlink Ltd Public Health Company Ltd</p>	<ul style="list-style-type: none"> • Pleased to see best practice examples throughout the consultation document for food businesses. • How will consumers understand that products will fall within the scope of the legislation and need to be labelled during peak times when they are prepared in advance and that during off-peak times when the food is made to order it would fall outside the scope of the legislation and not require labelling? • When PPDS foods required labelling consumers may believe that when PPDS foods are labelled, and some non-prepacked foods are not, that the ones that are not labelled will be allergen free. • Customers should have a means of identifying the differences between pre-packed and PPDS food. FSA should consider a means of letting customers know that PPDS foods are not the same as manufactured foods. • Some fries contain gluten in the coatings. How will the consumer understand that a burger that has been prepared seconds before they place their order will have full ingredients, yet the exact same burger prepared at their request moments afterwards or ordered by distant selling will not have a full ingredients label? This has the potential for confusion. • Indicating that PPDS rules apply to moveable/temporary stalls where the food is packed by the same business is a good and pragmatic one for micro and small businesses. 	<p>Comment noted.</p> <p>FSA will provide information for consumer in the run up to 1 October 2021 to help them understand the requirements.</p>
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	<p>Individual Leon Allergy UK Hull CC Rhondda Cynon Taf County Borough Council Food Service Allergen Management Ltd Cornwall Council Trading Standards Gloucestershire County Council Trading Standards UK Hospitality Bidfood Coeliac UK Wales Food Standards and Labelling Group McDonald's Restaurants Ltd TSSE Individual The Nationwide Caterers Association</p>	<ul style="list-style-type: none"> • The guidance indicates that PPDS food which is offered for sale from moveable and/or temporary premises made by the same FBO are included in the scope of the PPDS requirements. However, this principle does not apply to static premises which must all be on the same premises/site. Suggest that guidance is amended on other premises, if the food is offered for sale by the same food business who packed it". This would allow a larger store with multiple smaller stores in the vicinity to prepare food on the larger site and distribute to the smaller ones. • The definition of same premises and same site should be expanded to include local sites trading under the same name. The FSA should consider this to reflect hub kitchens and retail units that are not in the same building complex but under the same trading name and local site management. • FSA should expand on what partially enclosed means in terms of packaging. In fast food chains burgers may fall within scope but fries may not due to the packaging enclosing the food only partially. • The example used of the cling filmed food appears to meet the definition of prepacked. All the requirements appear to be fulfilled whether disposable or non-disposable tableware is used. Therefore, this is a potentially confusing example. • The example about the whole cake is confusing. Do cafés display cakes in boxes to be sold by the slice? 	<p>The guidance on what is considered to be the same site is intended to accommodate transfers of packaged food within the same food businesses on the same premises/site such that the requirements for PPDS rather than prepacked foods apply, given the proximity of the activities undertaken by the same food business.</p> <p>Parts 1 and 3 of the guidance provide material on what constitutes "prepacked food". The key test is whether or not the contents of packaging - whether full or partial - can be altered without opening or changing the packaging.</p> <p>As the example was felt by some stakeholders to be unhelpful it has been removed.</p> <p>As the example was felt by some stakeholders to be unhelpful it has been removed</p>
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Glossary	Reading Scientific Services Pret a Manager SOFHT	<ul style="list-style-type: none"> • FSA should consider adding in definition of coeliac disease. 	Wording amended

	Public Health Company Ltd UK Hospitality Coeliac UK	<ul style="list-style-type: none"> • Non-prepacked foods: it would be useful to include bakery counters selling pastries etc in the examples. • Foods should not be considered PPDS if the consumer cannot get access them and have to engage in dialogue with the business to be served, giving them opportunity to ask. 	<p>Wording amended</p> <p>There is no distinction in legislation around the specific part of an establishment from which a food is sold.</p>
References and Resources	British Retail Consortium Food and Drink Federation	<ul style="list-style-type: none"> • Support removal of references to 2013 BRC Guidance on Allergen Labelling previously endorsed by FDF. This guidance is no longer up to date, hosted by the BRC and has now been superseded by other resources. 'Best Practice' still refers to this guidance. • Suggest that reference to the November 2015 BRC/FDF Guidance on "Free-From" Allergen Claims is included. • The following publications should be included in the 'References and Resources' of the updated FSA guidance: <ul style="list-style-type: none"> ○ FDF Guidance on 'Allergen'-Free and Vegan Claims (February 2020) ○ FDF Gluten Labelling Guidance: Best Practice for Prepacked Foods which Include or Exclude Cereals Containing Gluten (June 2019) ○ BRC & FDF Guidance on "Free-From" Allergen Claims (November 2015) • Reference to the BRC Guidance on Allergen Labelling have been removed, but it is still referenced in the Best Practice box. Removal of these references is not supported 	<p>Reference to guidance in Best Practice Box removed.</p> <p>A reference to this guidance has been included in References and Resources section.</p> <p>References to this guidance have been included in References and Resources section.</p> <p>Reference to guidance in Best Practice Box removed. Reference to BRC guidance reinstated</p>

		as the BRC guidance, although several years old, is still applicable.	indicating that it is no longer supported by FDF.
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Flowchart: Approach to determining whether food is PPDS and subject to the new requirements (Annex B in Consultation Document)

Respondents	Summary of Comments	Response
Norfolk County Council EETSA Food and Drink Federation Greggs Pret a Manger Tesco Chartered Trading Standards Institute SOFHT Gloucestershire County Council Trading Standards Trading Standards Officer Leon Gary Lewis British Retail Consortium Helen Groves Northern Ireland Food Managers Group	<ul style="list-style-type: none"> Flowchart is clear and user friendly. Support its inclusion in the Technical Guidance. FSA should consider providing a quick guide to assist in determining whether a product is PPDS such as the flow diagram in Annex B. Flowchart is helpful for readers, businesses and enforcement authorities to clearly understand what is defined as PPDS. Could this be extended to cover the labelling requirements of 'prepacked, 'prepacked for direct sale' and loose foods' and provide examples of labelling required beyond the allergen labelling requirements. Risk of cross contamination is not addressed in the flowchart. 	<p>The majority of the stakeholders that made comments in this area felt that the flowchart was helpful and should be included in the Technical Guidance so the FSA will be including the flowchart in the Technical Guidance.</p> <p>The purpose of the flowchart is to help readers determine whether or not food is PPDS and therefore whether it is subject to the new requirements.</p>

Other Comments

Legislation requiring labelling of PPDS food / Scope / Impact

Respondents	Summary of Comments	Response
<p>Elior Leon TSNW CIEH Association of Convenience Stores Limited TSSE Compass Catering Ltd The British Sandwich and Food to Go Association NSF International The Nationwide Caterers Association Merlin Entertainments Group</p>	<ul style="list-style-type: none"> • Food allergic consumers face uncertainty around presence of emerging food allergens such as kiwi, banana, onion and garlic so support listing full ingredients information to ensure that allergic consumers can make informed decisions. • FSA should consider exemptions for small and micro businesses as requiring small and micro businesses to provide an ingredient list is onerous. Catering business will incur additional costs of utilising the services of relevant labelling experts, IT labelling systems etc. • The FSA should consider the definition of PPDS so that only products self-selected by customers are PPDS food. • FSA should consider the impact assessment. It states it would take one working day to for SMEs to familiarise themselves with new legislation and 1.5 working days for medium and large businesses. As different businesses will have different structures this means that some will need more time to familiarise themselves with full ingredient labelling and the guidance. 	<p>Comments noted</p> <p>These issues were considered in the Government Consultation on amending allergen information provisions contained within domestic food information legislation for food prepacked for direct sale and in the Government's Response to that consultation.</p> <p>The message that was put forward by stakeholders, was that there should be consistency in the requirements on businesses with regards to the labelling of PPDS food, holding all FBO's to the same standard. There was a concern from some SMB's that by not being held to the same standard, consumers may feel that their products could be regarded negatively or unsafe in comparison to larger businesses. Additionally, local authorities were concerned that any exemption based on business size would create difficulties for enforcement officers.</p>

	<ul style="list-style-type: none"> • Providing allergen information orally may result in human error so written allergen information should be mandatory. This would help consumers to make an informed choice that is suitable for their allergies and reduce pressure on individual members of staff. Young people do not always ask for allergen information, so food businesses should proactively offer written information. 	<p>Guidance will be made available to assist businesses so as to prepare for the introduction of the new PPDS labelling requirements on October 2021.</p> <p>Comments noted</p>
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Wider Labelling Guidance

Respondents	Summary of Comments	Response
Compass Catering Ltd Food and Drink Federation TSNW Chartered Environmental Health Practitioner Food Safety Allergen Management Ltd Elixir Holroyd Howe Leon Chartered Institute of Environmental Health Northern Ireland Food Managers Group National Craft Butchers	<ul style="list-style-type: none"> • The Technical Guidance should provide examples of the format of the labelling to be applied to PPDS foods or signpost to this information. • Ingredient and allergen labelling are a new process for many food businesses. Additional guidance to enable food businesses to ensure compliant labelling along with examples is needed to train food businesses selling PPDS foods. • FSA should consider next stages in the implementation process to start working with stakeholders on advice and support for small businesses. These companies will require a significant amount of support. • The Guidance does not sufficiently acknowledge that foods other than the 14 listed in the FIC have the potential to cause allergic reactions. Further advice for businesses on this would be of benefit. 	<p>Comments noted. The FSA notes stakeholders' calls for wider guidance and will be working with industry and Local Authorities to explore options for further guidance and support.</p>

	<ul style="list-style-type: none"> • Further training / guidance should be provided to ensure a consistent approach to advice is given by Local Authorities. 	Working with Local Authorities to establish what guidance is needed going forward.
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Provision of Voluntary Information

Respondents	Summary of Comments	Response
UK Hospitality CIEH Leon British Retail Consortium Chartered Environmental Health Practitioner Allergy UK Cambridgeshire & Peterborough Trading Standards Service British Sandwich and Food to Go Association Greggs Holroyd Howe British Frozen Food Federation STS Food Safety Nandos Compass Catering Ltd Anaphylaxis Campaign NT Assure Individual SOFHT	<ul style="list-style-type: none"> • Precautionary allergen statements are voluntary food information (FIC Article 36(3)(a)). Technical guidance needs to state this. • Voluntary use of precautionary allergen labelling is relevant to all foods and guidance should cover all food whether prepacked, non-prepacked or PPDS. • FSA should consider producing precautionary labelling guidance which is practical and achievable for small businesses. • By its nature voluntary labelling can lead to variation from one manufacturer to another. This leads to confusion for consumers on what they should include on the label. • The technical guidance does not address the use of voluntarily labelling for PPDS foods which may be produced in establishments (e.g. supermarkets, catering establishments) where the ability to control the environment and allergens introduced by customers is limited. 	Wording in Part 1 of the guidance has been moved to earlier in the guidance to indicate that the use of such statements is voluntary and applies to all foods and updated to better reflect the wording in Article 36 of the FIC. Comments noted.

<p>Environmental Health Officer Food and Drink Federation Caterlink Ltd Public Health Company Ltd Individual Hull CC The Nationwide Caterers Association Bidfood National Craft Butchers Coeliac UK Manchester City Council Individual</p>	<ul style="list-style-type: none"> • FDF guidance is more applicable in larger scale environments rather than caterers. The technical guidance should set out how cross contamination risks should be assessed, indicate what the risk assessment entails and what a significant risk is. • Menus can change daily therefore changing the potential risk profile of allergen ingredients used, making it very difficult to undertake a formal allergen risk assessment process to determine the use of voluntary labelling due to the changing nature of the risk. • Guidance discourages the use of voluntary allergen statements and should instead emphasise that if there is a risk of cross-contamination this should be made clear with a statement. • There will be an increase in ‘May contain’ statements as manufacturers and businesses assess the risk unless there is further clarity provided on how a significant risk of cross contamination is defined/demonstrated. • It would be beneficial if the document included best practice guidance establishing the order in which allergens should be declared as part of the voluntary information, e.g. the order in which allergens are listed in EU FIC. • FSA should revisit the guidance on voluntary allergen labelling for ‘Gluten-free’ foods as it is misleading to provide precautionary allergen labelling for gluten free foods since Regulation (EU) No. 828/2014 which sets specific levels for foods described as ‘Gluten-free’. 	
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Other

Respondents	Summary of Comments	Response
Individual Individual	<ul style="list-style-type: none">• Organophosphorus insecticides are leading to greater food hypersensitivity in the general population.• Pesticides - has ignored the sensitisation and autoimmune triggering effects of pesticides and fails to require their presence to be declared on food labels.	Comments noted

Annex B: Summary of changes

Summary of changes made to the consultation draft of updated technical guidance in the light of comments received

A summary of the updates proposed in the consultation can be found Annex C of the [consultation document](#). The following table details the changes made to the [consultation draft of updated technical guidance](#) issued on 23 January 2020 in the light of comments received in response to the consultation.

Area	Paragraph number	Description of change	Change type
Complete Document	N/A	The guidance has been updated throughout to bring it in line with the latest FSA guidance format. All references to Scotland have been removed throughout the document as Food Standards Scotland is now the public sector food body for Scotland. The format of best practice and example boxes has been updated throughout the document to increase clarity.	Format
Title page	N/A	Wording simplified in line with FSA guidance requirements	Drafting improvement
Revision history and Summary	N/A	Revision history has been updated. Summary wording has been removed from a table and made clearer to increase accessibility.	Drafting improvement
Introduction	Paragraph 2 in draft and final version. Paragraph 5 and 19 in draft and final version.	PPDS wording from this paragraph has been removed in terms of explaining what non-prepacked food is. Although PPDS is a form of 'non-prepacked food', given this is a non-exhaustive list of 'non-prepacked food' then it does not necessarily need to include PPDS as it caused some confusion. The wording "bread sold without wrapping in bakery shops" has replaced the PPDS wording. "Precautionary allergen" wording has been replaced with "Voluntary" to reflect the wording of the Regulations and detail in	Drafting improvement

		Paragraph 19. The word “meaningful” has been added to the wording on risk assessments as what is appropriate will depend on the size of the business. Voluntary statements have been moved into practice box.	
Intended Audience	Paragraph 7 in draft and final version	Wording updated to better reflect legislation including addition of footnote with legislative references.	Drafting Improvement
Legal Status of the Guidance	Paragraph 11 in draft and final version	Best Practice identified in green box. Example grey shaded box identified.	Format
General Background on Allergens	Paragraphs 12 & 13 in draft. (Paragraph 13&14 in final version)	Further wording on Coeliac disease has been added following consultation responses that further clarification is helpful that legal requirements do not just apply to ingredients that trigger anaphylaxis.	Drafting Improvement
Main Allergen Labelling Changes	Paragraphs 16 in draft (Paragraph 17 in final version) Paragraph 18 in final version Paragraph 19 in consultation draft	Footnote updated to reflect the new legislation for Northern Ireland and Wales. References to England have been removed due to new legislation for Wales and Northern Ireland being laid since the consultation. Paragraph removed as this is strictly not within FSA policy remit and there are no exemptions within FIC or FIR on this basis.	Drafting Improvement
The fourteen allergens	Paragraphs 22 in draft and final version.	Spelling altered to “Whisky” following consultation responses.	Drafting Improvement
Ingredients and processing aids excluded from the 14 allergens in Annex II	Paragraphs 25 in draft and final version Paragraph 26 in consultation draft.	Wording added “for example - fully refined soya oil” added following consultation response. Paragraph removed from the guidance as it contained references to previously repealed legislation following response to the consultation.	Drafting Improvement

	<p>Paragraph 70/71 in draft Paragraph 26 in final version.</p>	<p>The wording has been moved from Part 1 of the guidance on prepacked foods due to several comments we received stating that this wording applies to all types of foods and so should be moved. “Precautionary allergen” wording has been replaced with “Voluntary” to reflect the wording of the Regulations in Article 36. The word “meaningful” has been added to the wording on risk assessments as what is appropriate will depend on the size of the business. Two paragraphs have been combined and references to general food law removed from the guidance to increase clarity on legislative reference. The best practice guidance link has been moved into a box.</p>	
<p>Part 1: Guidance for businesses providing prepacked food</p>	<p>Paragraph 27 in draft</p> <p>Not in consultation draft Paragraph 31 in final version</p> <p>Paragraph 33 in draft Paragraph 32 in final version</p> <p>Paragraph 36 in draft Paragraph 35 in final version</p> <p>Paragraph 51 in draft Paragraph 50 in final version</p> <p>Paragraph 62 in draft Paragraph 59 in final version</p>	<p>The paragraph indicating the types of business this part of the guidance applies to has been removed due to the type of food being the test for the labelling requirements, not the type of business.</p> <p>Reinserted from the original version of the technical guidance as this was omitted from the consultation version.</p> <p>Wording from the example in the consultation has been altered to replicate the legal requirements making clear no other statements are permitted. The example box text has been moved into the main paragraph following several consultation comments.</p> <p>Removal of the standard reference to exemptions earlier in the document as there are none for egg.</p> <p>Reference added to food additives legislation to make it clear this is the basis for this wording.</p> <p>Reference specifically to Article 21 following a consultation response.</p>	<p>Drafting Improvement</p>

	<p>Example box after paragraph 66 in draft - paragraph 64 in final version</p> <p>Example box after paragraph 72 in draft - after paragraph 67 in final version</p>	<p>Legal requirements removed from the example box and merged with this paragraph following a consultation comment.</p> <p>Example box wording made clearer regarding the legal requirements following consultation comments.</p>	
<p>Part 2: Guidance for businesses providing non- prepacked food</p>	<p>Paragraph 73 in draft</p> <p>Paragraph 74 in draft – Best Practice box after paragraph 69 in final version</p> <p>Example box after paragraph 79 in draft – after paragraph 73 in final version</p> <p>Paragraph 80 in draft Paragraph 74 in final version</p> <p>Example box after paragraph 83 in draft – Best practice box after paragraph 77 in final version)</p> <p>Example box after paragraph 88 in draft- after paragraph 82 in final version</p> <p>Paragraph 83 in final version</p>	<p>The paragraph indicating the types of business this part of the guidance applies to has been removed due to the type of food being the test for the labelling requirements, not the type of business.</p> <p>New Best Practice box with text moved from earlier paragraph</p> <p>Wording in example box aligned to current FSA guidance materials following consultation comments.</p> <p>Wording altered slightly following consultation comments.</p> <p>Figure 2 - Example allergen matrix updated to accessible format and placed in best practice box.</p> <p>Example box wording updated following consultation comments.</p> <p>Footnote added for clarity following several responses to the consultation. Wording altered to “at the moment of delivery” to better reflect legislative requirements.</p>	<p>Drafting Improvement</p>

Part 3: Guidance for businesses providing food prepacked for direct sale	<p>Paragraph 92 in draft.</p> <p>Paragraph 95 in draft Paragraph 88 in final version</p> <p>Example box after paragraph 97 in draft - after paragraph 90 in final version)</p> <p>Example box after paragraph 98 in draft</p> <p>Example box after paragraph 101 in draft</p>	<p>The paragraph indicating the types of business this part of the guidance applies to has been removed due to the type of food being the test for the labelling requirements, not the type of business.</p> <p>Reference to England removed. New best practice box with text moved from earlier paragraph.</p> <p>Added Flowchart on “what is PPDS food” following consultation responses supporting this. Example box wording updated to increase clarity of examples following responses to the consultation.</p> <p>Non disposable plate example box removed following number of comments indicating that this was confusing as this was not prepacked for direct sale food.</p> <p>Whole cake example box removed following number of comments indicating that this was a confusing example.</p>	<p>Drafting Improvement</p>
Glossary	<p>N/A</p>	<p>Addition of “Coeliac Disease” and reordered to be in alphabetical order following consultation responses.</p>	<p>Drafting Improvement</p>
References and Resources	<p>Paragraphs 104-112 in final version</p>	<p>References to guidance added following consultation comments.</p>	<p>Drafting Improvement</p>
Relevant Legislation	<p>Paragraphs 113-123 in final version)</p>	<p>Legislative references added to reflect current legislation.</p>	<p>Drafting Improvement</p>

List of respondents

1. Allergy UK
2. Anaphylaxis Campaign
3. Association of Convenience Stores Limited
4. Belfast City Council
5. Bidfood
6. British Retail Consortium
7. British Frozen Food Federation
8. British Sandwich and Food to Go Association
9. BVC Group
10. Cambridgeshire & Peterborough Trading Standards Service
11. Caroline Benjamin
12. CaterBuy Ltd
13. Caterlink Ltd
14. Chartered Institute of Environmental Health
15. Coeliac UK
16. Kitchen Conversation
17. Compass Catering Ltd
18. Consultant (Individual)
19. Cornwall Council Trading Standards
20. Chartered Trading Standards Institute
21. E.H. Booth and Co Ltd
22. East of England Trading Standards Association (EETSA)
23. Individual (EHO)
24. Individual (EHO)
25. EHO Manchester
26. Elix UK
27. Food and Drink Federation
28. Food Service Allergen Management Ltd
29. Gloucestershire County Council Trading Standards
30. Greggs
31. Holroyd Howe
32. Hull CC
33. Individual
34. Individual
35. Individual
36. Individual
37. Individual
38. ISS Facility Services
39. Lancashire County Council
40. LBA Safety
41. Leon
42. Manchester City Council
43. Martin Thomas Butchers
44. McDonald's Restaurants Ltd
45. Meridian Foods Ltd
46. Merlin Entertainments Group
47. Nando's Commercial
48. National Coordinator TS Wales
49. National Craft Butchers
50. Nationwide Caterers Association
51. Norfolk County Council Trading Standards
52. North Yorkshire County Council
53. North Yorkshire County Council
54. Northern Ireland Food Managers Group
55. NSF International
56. NT Assure
57. OLIO
58. Pelican Procurement
59. Pizza Pasta & Italian Food Association
60. Pret
61. Public Health Company Ltd
62. Reading Scientific Services
63. Rhondda Cynon Taf County Borough Council
64. Society of Food Hygiene and Technology (SOFHT)
65. STS Food Safety
66. Tesco
67. Tesco
68. Trading Standards North West Food Liaison Group (TSNW)
69. Trading Standards South East Ltd (TSSE)
70. UK Hospitality
71. Individual (Writer on Allergy)
72. Wales Food Standards and Labelling Group