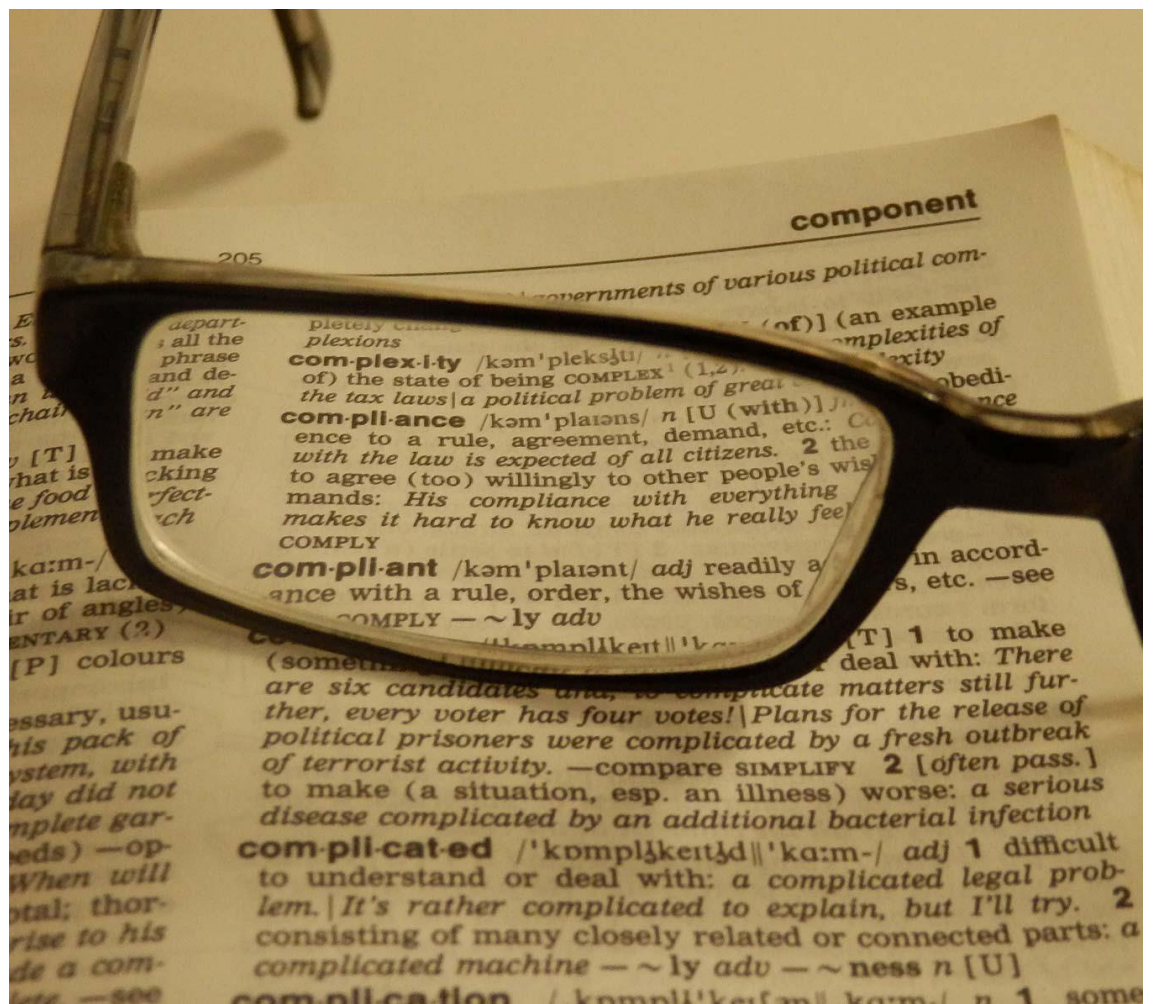




# Qualitative Research on the Provision of Allergy Information to Consumers for Foods which are not pre-packed

Prepared for FSA  
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# 1 Executive Summary

## Background

- 1.1 In October 2012, PSI and IFF Research were commissioned to undertake research to provide baseline information on business practices two years prior to the introduction of new EU Food Information for Consumers Regulation (EU FIC) No.1169/2011 that will apply from December 2014. Under the new regulation, food businesses must inform consumers if any of 14 allergens have been added as ingredients or processing aids to foods not pre-packed. These allergens are: peanuts, tree nuts, milk, soya, mustard, lupin, eggs, fish, molluscs, crustaceans, cereals containing gluten, sesame seeds, celery and sulphur dioxide (at levels above 10mg/kg, or 10 mg/litre).
- 1.2 Building on evidence from the baseline survey, the FSA required further research to be undertaken to explore the following issues in more detail:
  - Levels of understanding of the new legislation;
  - How easy or difficult it will be for businesses to comply;
  - What changes businesses plan to implement in order to comply with the regulations;
  - What particular challenges or difficulties they anticipate;
  - What support they would like to receive from the FSA and what specific tools may help them to comply.

## Methodology

- 1.3 The study was qualitative in nature and was conducted in two phases; an initial element that comprised in-depth telephone interviews with five stakeholder organisations followed by six focus groups with food businesses operating in a range of sectors.

## Findings

### Information currently provided

- 1.4 Nearly all businesses reported providing allergen information, most often in relation to nuts, gluten, eggs and dairy. These ingredients were highlighted as representing what were perceived as the most common allergies and therefore the most commonly requested information.
- 1.5 Methods used to inform people of allergens in their food differed by sector. Many of the caterers and retailers provided no written information. Instead they only provided information orally, although there were examples of written information provided on websites, menus and labels. Schools and hospitals, by contrast, tended to have written information - often in the form of recipe books in their kitchens to which everyone can refer when necessary.
- 1.6 Participants were asked when they provided. Among the caterers and retailers most oral provision was reactive, with information provided 'only if they ask'. Businesses such as mobile chefs, event caterers and guesthouse owners tended to take a more proactive approach as their customers tend to warn in advance of any dietary requirements, including allergies. In these instances meals are adapted to ensure allergens are not present. Similarly, schools, care-homes and hospitals always approach new pupils' parents, patients or clients at the outset to gather information about allergies. Those with allergies are then provided with menu options which fully meet their needs and they would be warned against meals with allergens.



## Awareness and understanding of new regulations

- 1.7 Very few of the individuals who attended the focus groups were aware of the legislation regardless of whether employed in the catering, retail or institution sectors or whether in England or Wales. Those who had heard of the legislation did not appear to have detailed knowledge.
- 1.8 Once described during the focus groups, the legislation seemed to be well understood, and perceived as straightforward and 'common sense' in terms of what needs to be done. Nevertheless, there was recognition of some of the implications of the legislation which was seen as 'a big shift' compared with current practices. Participants didn't underestimate the potential scale of change required in their businesses. There was an appreciation of the need to be much more aware of ingredients which they had not previously looked out for. Other changes to approach which were cited included taking more care when receiving items from suppliers.
- 1.9 While there was understanding of many aspects of the legislation, businesses did express some concerns and uncertainty:
- There were instances of businesses not knowing what some of the allergens were.
  - Given the importance of being able to find out precise ingredients from suppliers, participants queried whether suppliers were subject to the same changes in law. This was raised by businesses that imported foods from abroad in particular.
  - The issue of cross contamination was also raised – businesses were unclear about how to use 'may contain' labels in addition to providing information on deliberate ingredients given that they are not permitted to say they do not know which ingredients are present.
  - Businesses asked whether every single member of staff need to know every ingredient in every meal (this was identified as a problem where staff only work a few hours or don't speak English well).
  - When first hearing the legislation described, participants were concerned as they interpreted it as requiring them to provide detailed written lists of all allergens in all meals on labels and menus. Participants were relieved to hear there was flexibility in how the information could be communicated and that oral information was still permitted.

## Changes required

- 1.10 All food businesses in attendance at the focus groups recognised that they would need to make some changes to their working practices to ensure compliance. Broadly, the three main areas that businesses identified as being in need of modification or review were:
- Staff training
  - The provision of allergen information to customers
  - Recording and auditing allergen information
- 1.11 There was a general consensus among businesses that some new or initial training would be required in order to ensure that staff are familiarised with the detail and requirements of the legislation. Specifically, there was broad agreement that businesses would need to: raise awareness of legislation among staff in general; inform staff of the 14 allergens; direct staff on how they can access allergen information; and train staff as to how they should impart allergen information to customers or clients. It was generally considered that such training would be provided internally and be delivered by business

owners or managers and that the cost to these businesses would primarily be a time-related cost as opposed to an 'out of pocket' expense.

- 1.12 Changes were also identified as necessary in relation to communicating allergens information to customers and clients. All food businesses participating in the research confirmed that they would need to put new signage in place that either provides relevant allergen information or instructions on how customers can obtain allergen information. There was a desire among the food businesses to minimise business liability by providing explicit written information on the allergens contained in their foods via updated menus, fixed signage in display counters, information packs or sheets, company websites and social media. It was nevertheless acknowledged that difficulties could arise in communicating allergens information to customers with a poor command of English.
- 1.13 The third main area of change related to the need to audit and record accurate ingredient information within the foods sold by businesses. The participating food businesses identified the need to record allergen information provided by manufacturers, although most businesses reported that they already do this at least to some extent. It was identified that businesses may need to renegotiate their existing contracts with suppliers to ensure that they obtain this information from their suppliers.

### Support required

- 1.14 Few of the participating food businesses had received any training or support to prepare them for the introduction of the legislation.
- 1.15 The most common types of support tools the participating food businesses would like to help them comply with the new legislation were both online and hard copy versions of guidance, to be used mainly as a comprehensive reference tool for management level staff.
- 1.16 Although some of the suggested tools were considered less popular (e.g. online E-learning modules, YouTube videos, and DVDs), these were not completely dismissed as useful, with many making suggestions as to how they could be adapted or made more practicable for business purposes.
- 1.17 Beyond what might be included in the suggested support tools, participants also requested more information about what to do if somebody reacts adversely to allergens; clarification on liability through the supply chain; information on how businesses would be assessed on their compliance; and case studies which provide examples of good practice in other food businesses.

### Response to FSA materials

- 1.18 Three example materials already produced by the FSA were disseminated among the groups. The three materials were:
- Think Allergy Poster;
  - Food Allergy: What you need to know leaflet
  - The Provision of Allergen Information for Non Pre-packed Foods – Voluntary Best Practice Guide.
- 1.19 The simplicity of the Think Allergy Poster was well received and it was felt that the use of illustrations helps to cut across any language barriers among staff and customers. It was generally envisaged that the poster would be displayed in areas visible to both staff and customers in order to act as a reminder to staff about the allergens legislation and their responsibilities.
- 1.20 The Food Allergy: What you need to know leaflet was seen as a step up from the Think Allergy Poster in terms of the detail covered and was largely seen as the type of resource that businesses would be most inclined to use and disseminate widely among their staff at training meetings. Specific elements





such as the '7 tips on food allergy' were seen as particularly useful and act as a useful bitesize introduction to food allergies.

- 1.21 The main positive aspect of the Voluntary Best Practice Guidance was its comprehensiveness and it was felt necessary that the FSA make such a detailed resource available owing to the legal requirement to comply with the new allergens legislation. The sector specific information contained in the guidance was deemed particularly useful as it was felt most forms of guidance are too generic, although the level of detail covered in the guide meant that its readership would be limited to managerial level staff.

## Conclusions

- 1.22 Levels of awareness of the new legislation remained low across participating businesses of all types and even those with some awareness were uncertain about the timing of its introduction.
- 1.23 However, once explained, initial reaction to the legislation was broadly positive with businesses participating in the focus groups accepting the reasons for its introduction.
- 1.24 While the legislation was fairly easy to understand, it was generally recognised that it would not necessarily be easy to comply. There was also some confusion about certain aspects of the legislation on which businesses would like further clarification.
- 1.25 All participating businesses recognised that they would need to make some changes to their working practices to ensure compliance. These centred around three key areas: staff training; communication; and recording and auditing systems
- 1.26 Business would welcome a range of support from the FSA and were receptive to the three example materials already produced by FSA.

## Recommendations

- 1.27 Many businesses appear to be unprepared for changes which come into force in December. There is a need for the FSA to further publicise the introduction of the legislation so that businesses are aware they only have until the 13<sup>th</sup> December to ensure that they are fully compliant. How this is achieved is not clear although a two pronged advertising campaign targeting both businesses and the general public (similar to those used for food safety issues) was suggested.
- 1.28 Participating businesses hoped that EHOs would start off less rigorously in their inspections from December and that they would adopt a more advisory or consultancy role to help businesses adapt.
- 1.29 Reflecting the low level of awareness of the legislation, very little training or support has taken place regarding the new legislation and its impact. There is an opening for FSA to take the lead in developing and delivering such allergens training.
- 1.30 There were a number of areas where businesses sought reassurance or further clarification. Understanding these will help FSA to anticipate the kinds of questions and misunderstandings which might arise when the legislation is introduced and should help inform content of communications. These issues included supplier obligation, cross contamination and use of 'may contain' labels, cascading information to different levels of staff and EHO assessment.
- 1.31 There were also a number of areas related specifically to staff training where businesses were unsure about their obligations under the new regulation or expected some difficulties in complying. These are issues the FSA may need to address in future marketing and communications. This includes

uncertainty about where responsibility lies in terms of agency staff or casual workers, concerns over effectively communicating to staff for whom English is not their first language and uncertainty about the level of cascading of information required.

- 1.32 In terms of effectively providing allergens information to customers and clients, businesses would benefit from advice and support on how best to communicate with those speaking little or no English. A strong concern for some was also how to provide information without spoiling the aesthetics of the menu. Clear guidance from FSA is therefore required on the use of acceptable symbols, keys and other graphics.
- 1.33 There is also a need for more guidance from the FSA around how and to whom information should be given for those businesses catering for particular client groups to whom it is not possible to directly communicate allergens information (for example children in schools; patients in care homes or hospitals suffering from conditions such as Alzheimer's or Dementia). These businesses seek reassurance that providing information to relatives or carers is the best / only way by which to deal with this issue.
- 1.34 Online and hard copies of guidance were deemed essential. There was also a positive reaction to a number of other support tools including online Q&As, hard copy leaflets for SMEs, posters, training materials in different languages, phone apps and workshops on content.
- 1.35 The responses of the groups when considering how the materials would be used suggest that there is a clear focus for each of the materials: the poster is likely to be used as a quick reference for all staff and used to familiarise staff with the symbols used for foods; the leaflet would be used to assist staff training; and the voluntary best practice guidance would be read by management level staff and be kept on site for reference.





## 2 Introduction

### Background, aims and objectives

- 2.1 The Food Standards Agency (FSA) is an independent government department responsible for food safety and hygiene across the UK. It works with businesses to help them produce safe food, and with local authorities to enforce food safety regulations. In pursuit of its vision of 'safer food for the nation', the FSA aims to ensure that food produced or sold in the UK is safe to eat, consumers have the information they need to make informed choices about where and what they eat and that regulation and enforcement is risk-based and focused on improving public health.
- 2.2 In October 2012, PSI and IFF Research were commissioned to undertake research to provide baseline information on business practices two years prior to the introduction of new EU Food Information for Consumers Regulation (EU FIC) No.1169/2011 that will apply from December 2014<sup>1</sup>. Under the new regulation, food businesses must inform consumers if any of 14 allergens have been added as ingredients or processing aids to foods not pre-packed – see Box 1.
- 2.3 The quantitative baseline study of 1,666 food businesses found levels of awareness of the new EU legislation to be fairly low at one in five businesses.
- 2.4 In summary, the baseline study also found:
  - Among businesses which sold each of the ingredients, information provision varied greatly according to the allergen. Reasons given for this disparity in information provision included: customer demand does not require information on the full range of allergens (30 per cent) and that the business focussed only on the more common allergens (31 per cent).
  - Methods used to inform consumers - one fifth of businesses only provided information verbally, two thirds provided information both verbally and in writing, six per cent provided only written information and seven per cent provided no allergen information.
  - Storing and auditing information - in order to provide accurate information to consumers, businesses need to know the ingredients they sell in meals and products. Overall, half the food businesses surveyed 'always' checked or audited ingredients from their suppliers or wholesalers; 21 per cent sometimes checked; and 27 per cent never checked. Reasons for not checking included: established relationships with suppliers that they largely trust and not having the means or resources to verify whether information about the ingredients is correct. Familiarity with allergens documentation.
  - Training among owners/managers and their staff - one third (34 per cent) of business owners/managers had received some form of training. Two thirds of business owners/managers had either read allergen related documentation or received formal training.
  - The vast majority of food businesses also provided allergen training for their new staff – 78% provided 'formal' training. Just 8% of businesses said that no training was provided. Training was supported by a range of materials including the FSA voluntary code of conduct.
  - Support - the most widely preferred sources of information were: hard copy booklets or documents; online documentation; or face to face delivery of information or advice. Smaller proportions of food businesses also expressed interest in receiving information in the form of case studies, by means of a DVD or via workshops/ seminars.

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<sup>1</sup>[www.foodbase.org.uk//admintools/reportdocuments/825-1508\\_Baseline\\_study\\_report\\_allergy\\_info\\_Aug\\_29\\_2013.pdf](http://www.foodbase.org.uk//admintools/reportdocuments/825-1508_Baseline_study_report_allergy_info_Aug_29_2013.pdf)



### Box 1: Food labelling and legislation

Current food labelling regulations (2003/89/EC) require that all pre-packed foods (including alcoholic drinks) must clearly declare any of the following 14 allergens on the label if used as an ingredient or processing aid, these include:

- cereals containing gluten (wheat, rye, barley, oats, spelt, kamut and their hybridised strains)
- crustaceans
- molluscs
- eggs
- fish
- peanuts
- lupin
- soybeans
- milk
- nuts (almond, hazelnut, walnut, cashew, pecan, Brazil, pistachio, macadamia, Queensland)
- celery
- mustard
- sesame seeds
- sulphur dioxide and sulphites (at more than 10 mg/kg or 10mg/litre.)

Currently there is no requirement for food businesses to provide this information for either non pre-packed foods or pre-packed foods for direct sale. Pre-packed foods for direct sale are foods that have been packed on the same premises as they are being sold where customers can, in principle, speak to the person who made/packed the foods to ask about ingredients. Non pre-packed foods are sold 'loose', including, for example: foods sold loose from a delicatessen counter (e.g. cold meats, cheeses, quiches, pies and dips); fresh pizza; fish; salad bars; bread sold in bakery shops; in a catering environment - meals served in a restaurant or from a takeaway.

At the end of 2014, the new EU Food Information for Consumers Regulation (EU FIC) No.1169/2011 will require food businesses to provide information on the 14 food allergens in non pre-packed or pre-packed foods for direct sale. The new requirements will apply to all food businesses at all stages of the food chain, including: food intended for the final consumer, food delivered by mass caterers and food intended for supply to mass caterers. The EU FIC was published in December 2011 and provided a three year transition period to allow food businesses to take necessary actions in order to comply with the provisions, at which point they will be mandatory.

Information can be supplied on chalk boards, tickets in cabinets, on menus or provided verbally by an appropriate member of staff. If the information is to be provided orally by a member of staff then it is necessary to make it clear that the information can be obtained by asking a member of staff by means of a notice, menu, ticket or label that can easily be seen by customers. It is not enough to say that all foods may contain allergens. Nor can staff say they do not know or are unsure. Any oral information provided must be accurate, and verifiable upon challenge. The provision of information or instructions on how to obtain information is mandatory and should be provided upfront without the customer first having to ask.

- 2.5 In terms of the potential impact on food businesses, although around half of those who were aware of the legislation felt that it would be 'easy' to comply with the regulations, 90% of businesses aware of the new law acknowledged that they would need to make at least one of the following changes: request more information from contractors; provide more staff training; provide information on a wider range of allergens and a wide range of meals/products and be more stringent in record keeping. Furthermore, follow up qualitative interviews suggested there was some confusion about what the new legislation involves and what measures will actually need to be taken.
- 2.6 During the baseline allergen survey, only food businesses which were aware of the new EU legislation were asked whether they perceived the legal changes as likely to pose difficulties. It was not known how difficult those businesses who are not aware of the new regulations would find complying with the new requirements.
- 2.7 The FSA therefore required further research to be undertaken to explore the following issues in more detail with a cross-section of food businesses both aware and not aware of the new allergens legislation:
- Levels of understanding of the new legislation;
  - How easy or difficult it will be for businesses to comply and exactly why they feel this;
  - What they plan to do to comply with the regulations;
  - What particular challenges or difficulties they anticipate;
  - What support they like would like to receive from the FSA and what specific tools may help them to comply.

## Methodology

- 2.8 The study was qualitative in nature and was conducted in two phases; an initial element that comprised in-depth telephone interviews with stakeholder organisations followed by focus groups with food businesses operating in a range of sectors.

## Stakeholder interviews

- 2.9 A total of five in-depth telephone interviews were conducted in December 2013 with a range of trade organisations that will have a key role in supporting businesses in complying with legislation.
- 2.10 The FSA supplied us with a list of possible contacts.
- 2.11 Stakeholders were consulted individually rather than collectively through a focus group approach due to the fact that they are not sufficiently clustered geographically. Moreover, arranging a time that would have been suitable to a small number of targeted organisations would have been extremely difficult.
- 2.12 The in-depth discussion guide was semi-structured and covered the following areas:
- What changes, if any, their member organisations have already started to make in order to meet the requirements on the legislation;
  - The type of support they have given their members to make themselves compliant;
  - The challenges or difficulties they anticipate businesses to make themselves compliant;
  - The type of support they and their member would like to receive from the FSA in relation to the new regulation.



- 2.13 The guide is included in the Appendices.
- 2.14 The findings from this phase of the research are interleaved with findings from the discussion groups with food businesses throughout the report.

### Focus groups with food businesses

- 2.15 A total of six focus groups with a range of different food businesses were held between 4<sup>th</sup> February and 20<sup>th</sup> February 2014.
- 2.16 The rationale for a focus group approach was that they enable participants to interact with each other and spark discussions which can lead to better exploration of ideas than are possible in individual in-depth interviews. This was of particular importance when considering how FSA may provide future support. Focus groups are also particularly effective at exploring reactions and attitudes towards stimulus materials. With information to show on the new requirements as well as the testing of specific tools to help businesses comply with regulation this further strengthened the rationale for a focus group approach.
- 2.17 Each discussion group lasted 90 minutes and included food businesses that had **not participated** in the quantitative baseline study. Businesses were approached for the research on the basis of the broad sector within which they worked and the number of staff employed.
- 2.18 The sectors of interest were:
- Retail: butchers, bakers, fishmonger, delis and general retail
  - Catering: restaurants, cafes, hotels, pubs / bars and contract caterers
  - Catering within institutions: hospitals, nursing homes, nurseries, primary and secondary schools
- 2.19 Sectors were defined using specific SIC codes. These definitions are included in the Appendices.
- 2.20 The research was deliberately focused on smaller retailers and caterers as the baseline survey showed that they were less likely to be aware of the legislation and to have policies / practices in place.
- 2.21 A detailed screener was used to capture this information as well as to ensure businesses sell or serve **non** pre-packed food (or pre-packed food for direct sale).
- 2.22 Focus groups were organised in four different UK regions to allow for a good geographical spread of businesses.
- 2.23 The profile of businesses involved in the research is included in the table below.

Group	Size	Broad Sector	Location
1	Fewer than 5 employees	Food Retail	St Albans
2	Fewer than 5 employees	Mix of Food Retail and Food Catering	Cardiff
3	3 – 25 employees	Food Retail	Birmingham
4	Fewer than 7 employees	Food Catering	Birmingham
5	5 – 25 employees	Food Catering	London
6	N/A	Institutions	London

2.24 Recruitment was predominantly through cold calling using Experian's established business database. As their Business Database is based primarily on Yellow Pages and Thomson Directory entries, Experian's coverage of (very) small establishments is good. In fact, at the small end, Experian counts can exceed "official" population statistics such as Office for National Statistics' (ONS) Inter-Departmental Business Register (IDBR), since a lot of very small firms fall below the VAT/PAYE radars (and are therefore not picked up by ONS). VAT/PAYE status is a non-issue for Yellow Pages, Thomson Directories, etc.

2.25 The focus group discussion guide was semi-structured and covered the following areas:

- Summary of the current level and type of information currently provided by businesses about allergens;
- Businesses understanding and reaction to a detailed description of the allergens legislation;
- Changes that businesses will need to make to ensure compliance and the relative ease or difficulty of these required changes;
- Support required from the FSA to help businesses meet the requirements of the regulation (including specific support tools and an evaluation of existing FSA voluntary best practice guidance).

2.26 The guide is included in the Appendices.

### 3 Information currently provided about allergens

- 3.1 This chapter describes the extent to which allergen information was currently provided by the businesses participating in the group discussions and how such information was provided. All findings relate to reported practices by businesses participating in the focus groups.

#### Information currently provided

- 3.2 Businesses were initially asked whether they provide any allergy information. Nearly all indicated that information is provided, most often in relation to nuts, gluten, eggs and dairy. These ingredients were highlighted as representing what were perceived as the most common allergies and therefore the most commonly requested information. This is consistent with the baseline survey findings which also indicated that the most widely presented information related to nuts, gluten and eggs, but also fish and sesame seeds.
- 3.3 Schools, care-homes and hospitals always approach new pupils' parents, patients or clients at the outset to gather as much detailed information as possible about allergies. Those with allergies are then provided with menu options which fully meet their needs. So, again, ensuring no 'relevant' allergens are present was seen to preclude the need for information provision beyond a guarantee that the produce is safe for those particular customers/patients/pupils.

#### How information about allergens is provided

- 3.4 Methods used to inform people of allergens in their food differed by sector. The majority of food caterers and retailers provided no written information. Instead they only provided information orally, although there were examples of written information provided on websites, menus and labels – often though labels only highlighted the allergens perceived as more common, such as gluten, nuts or dairy rather than taking a more comprehensive approach. Schools and hospitals on the other hand tended to have written information - often in the form of recipe books in their kitchens to which everyone can refer when necessary – these list all ingredients not just the most common allergens.
- 3.5 Rather than indicating added ingredients, there were several instances of respondents using ingredient free labels such as 'gluten free'. This approach was used as a marketing strategy which was described as successful and popular.

#### When information about allergens is provided

- 3.6 Participants were asked when they provided information to get an idea of whether it was reactive or proactive in approach.
- 3.7 Among the caterers and retailers most oral provision was reactive, with information provided 'only if they ask'. There were, however, examples of proactive information provision – for example one business owner said that he always tells all of his customers that his salad contains nuts even if they do not ask.
- 3.8 Institutions and other specific business types such as mobile chefs, event caterers and guesthouse owners tended to take a more proactive approach as their customers tend to warn in advance, as they make their booking, of any dietary requirements, including allergies. So, in these instances meals are adapted to ensure allergens are not present. Similarly, schools, care-homes and hospitals always approach new pupils' parents, patients or clients at the outset to gather information about allergies. Those with allergies are then provided with menu options which fully meet their needs and they would be warned against meals with allergens.



*“During induction the school will find out if the child has an allergy...typically there are enough choices that most allergens can be accommodated within the menus, however with more gluten, dairy and egg allergies that can’t be accommodated... we have to work with parents to figure out an alternative for them.”*

**Primary School Group Catering Manager, Institutions**

*We have a line on every menu ‘if you have an allergy please inform the catering staff,’ but we go and see them because a lot of our patients are short stay so it’s easier to go and ask them ‘what can you eat?’ “*

**Hospital Catering Manager, Institutions**

- 3.9 Provision of information and methods used differed according to business sector but did not differ between participants from Wales and England.

## 4 Awareness and understanding of EU Food Information for Consumers Regulation (EU FIC) No.1169/2011

- 4.1 This chapter explores current awareness and understanding of the new legislation as well as describing a number of initial questions and concerns that were raised by businesses upon hearing a detailed description of the new legislation.

### General awareness of new allergens legislation

- 4.2 Very few of the individuals who attended the focus groups were aware of the legislation regardless of whether employed in the catering, retail or institution sectors or whether in England or Wales. Those with some awareness, one of whom had attended a conference about the new legislation, were unclear about the timing of its introduction and how soon they needed to be fully compliant.

### Understanding of new allergens legislation

- 4.3 Once described during the focus groups, the legislation seemed to be well understood, and perceived as straightforward and 'common sense' in terms of what needs to be done.
- 4.4 There was recognition of some of the implications of the legislation which, as described by one caterer, means 'the onus is on you as the caterer' to inform customers or at least make it clear that the information is available verbally on request. This was seen as 'a big shift' compared with current practices. None of the focus group participants expressed the view that they were already fully compliant and will not have to make any changes.
- 4.5 Participants did not underestimate the potential scale of change required in their businesses and it was acknowledged that while the legislation was fairly easy to understand, it would not necessarily be easy to comply.
- 4.6 Businesses listed a variety of challenges they would face and these discussions highlighted the extent to which participants understood what was expected of them and the nature of the changes that may be needed in terms of business processes and practices. These challenges are the focus of chapter 4. There was an appreciation of the need to be much more aware of ingredients which they had not previously looked out for – examples given included celery and mustard which were perceived as 'new', which several caterers indicated they would not, in the past, have considered informing customers about. Other changes to approach which were cited included taking more care when receiving items from suppliers.

*"We already have trouble because we import a lot of products from Italy as they do not list product contents, especially things like salami, you will not get a detailed explanation of what is in these"*

#### **Food Retail, Fewer than 5 employees**

- 4.7 One guesthouse owner noted how much care needs to be taken, citing the example of a guest with a gluten intolerance who was able to eat one brand of baked beans but not another. A café owner was similarly recently surprised to learn that gluten is an ingredient in products she would not previously have checked – including in coffee syrups and jelly beans. One caterer said she would 'watch the chef more carefully now'.
- 4.8 While there was understanding of many aspects of the legislation, businesses did express some concerns and uncertainty as set out in the next subsection.



## Questions and clarifications requested

4.9 In terms of anticipating the kinds of questions and misunderstandings which might arise from food businesses when the legislation is introduced, it is instructive to highlight the main issues which the focus group participants raised when they first heard the detailed description of the legislation. A range of questions were asked and comments made during the course of the discussions, these included:

- Businesses indicating they simply did not know what some of the allergens were.
- Given the importance of being able to find out precise ingredients from suppliers, participants asked whether suppliers were subject to the same changes in law. This was raised by businesses that imported foods from abroad in particular (with a degree of scepticism as to the likely consistency of cross-border compliance and enforcement).
- The issue of cross contamination was also raised on a number of occasions – businesses were unclear about how to use 'may contain' labels in addition to providing information on deliberate ingredients given that they are not permitted to say they do not know which ingredients are present.
- Businesses asked whether every single member of staff need to know every ingredient in every meal (this was identified as a problem where staff only work a few hours or do not speak English well).
- When first hearing the legislation described, participants were alarmed as they interpreted it as requiring them to provide detailed written lists of all allergens in all meals on labels and menus. The group moderator fielded many of these sorts of questions and the participants were very relieved to hear there was flexibility in how the information could be communicated and that oral information was still permitted.



## 4 Changes required

- 4.1 Regardless of the level of their existing knowledge, all food businesses participating in the research were made fully aware of the legislation and provided a detailed explanation of what the regulation entailed. Participating businesses were then asked to consider what changes, if any, they would need to make to ensure that they were compliant.
- 4.2 All businesses in attendance at the focus groups recognised that they would need to make some changes to their working practices to ensure compliance. Although these varied according to business type and size there were three main areas that businesses identified as being in need of modification or review which were:
- Staff training
  - The provision of allergen information to customers
  - Recording and auditing allergen information
- 4.3 Additionally, businesses mentioned a number of other measures they may need to implement to reduce the risk of being found in breach of the legislation. These changes, along with the broad areas listed above are discussed in turn in this chapter and are reported according to the perceived level of cost (financial and time) to the business.

### Staff training

- 4.4 According to the businesses that participated in the focus groups, the legislation was expected to bring about greatest change in the area of staff training with implications for financial and time costs to the business.
- 4.5 There was a general consensus among the businesses that some new or initial training would need to be devised and delivered to ensure that staff were up-to-speed with the detail and requirements of the legislation. There was broad agreement that businesses would need to;
- Raise awareness of the legislation among staff (both existing and new), provide background information about the legislation and explain how it will impact on day to day working practices.
  - List out the 14 allergens and inform staff about the foods or meals in which they are contained with a particular emphasis on the lesser known allergens.
  - Tell staff how they can access allergen information (for example by asking a more senior member of staff or consulting written documentation such as recipes or meal specifications) and explain how and when this information will be updated.
  - Train staff as to how they should impart allergen information to customers or clients (either verbally, by referring customers to any written documentation, or a mixture of the two). Most importantly they recognise that they will need to ensure that staff understand that it will not be sufficient to simply advise a customer that they do not know whether a food or meal contains a certain allergen or state that it may contain an allergen, but instead go away and check for a definitive answer in these instances.

*"My concern is a member of staff getting it wrong, or just saying 'I think so.'"*

**Food Retail, Fewer than 5 employees**



*"The kitchen staff are going to have to be very aware of what they are using. Chefs will have to understand the legislation and be clear that they cannot mix oils. "*

**Institutions**

### Delivering training to staff

- 4.6 As mentioned above, initially businesses will need to ensure their staff are apprised of the legislation and understand its impact on their day-to-day working practices. Therefore some businesses anticipated the need for a designated introductory training session to be delivered either internally by more senior staff at the business or through professional bodies such as Allsafe or local authorities.
- 4.7 Support through external bodies was identified in particular by institutions (schools and hospitals) reflecting existing relationships with such organisations in terms of support and training on other food safety issues.

*"Allsafe come out and do training on-site and they're endorsed by the FSA."*

**Institutions**

- 4.8 Similarly, other institutions stated they would ensure that their chefs in particular would receive training on allergens and that they would send them on specialised dietetic courses.
- 4.9 Other businesses stated they would provide hard copy written information about allergens to staff in the form of staff manuals, handbooks or leaflets. For some, providing written information to staff was seen to be a tangible means by which to guarantee against any staff knowledge gaps because they would have definitive guidance in black and white against which to constantly refer.

*"I'd produce a staff manual, so you'd be covered. I'd give staff literature for back-up."*

**Food Catering, 5-25 employees**

- 4.10 Linked to this, several businesses made reference to more comprehensive versions of menus or information packs that would contain all the necessary allergen information for all foods and meals served at that site. It was thought that more detailed menus or 'Bibles' to which they came to be referred, could be kept in the kitchen or behind the counter just for staff use as and when they need to check ingredient or allergen information. Likewise among some institutions, it was felt that the information that staff – particularly kitchen staff – would require about each meal could be contained in specially designed information packs made up of meal specifications.

*"Within each school every Kitchen Manager will need to have all the meals provided with allergen information. I'll give them information packets."*

**Institutions**

- 4.11 In addition to the introductory training as discussed above, food businesses also considered regular training or updates to staff – potentially at staff meetings - as and when modifications are made to the legislation and / or to cover any changes to the foods sold or served at that site.

*"I'd provide a quarterly or six monthly training package or as and when we change recipes."*

**Food Retail, 3-25 employees**



- 4.12 Less commonly mentioned were training audits or assessments but these were seen by some businesses to be a robust way by which to ensure that staff are sufficiently knowledgeable about the legislation. Moreover, training assessments were perceived to be a means by which to demonstrate compliance among staff to an Environmental Health Officer (EHO) or during an inspection.
- 4.13 The methods used to train staff on allergens so far discussed have included those which are predominantly fixed or scheduled in their delivery e.g. specific training courses, staff meetings or hard copy guidance against which staff can always refer. However some businesses, typically those in the catering sector, indicated that they would train or inform staff about allergens using slightly more ad hoc approaches.
- 4.14 Generally these businesses expected to update staff on a daily basis or as and when specials changed and thought that the most effective way of doing this would be at the pre-service brief which would also detail allergen information for all new meals and dishes.

*"I'd brief staff before every service because menus will change."*

**Catering, 5-25 employees**

- 4.15 However, not all businesses taking part in the focus groups recognised the need for a review or the implementation of additional staff training and these were typically the micro-sized independents or family run businesses. These businesses felt that because the owner would always be present they would not need to provide specific training about allergens given that they would be on-hand to help staff out or address queries as and when they arise.

*"It's not problematic for me; it's just me, my husband and two other staff here."*

**Food Retail, 3-25 employees**

*"I'd always make sure there is one person on shift who knows enough about the legislation to avoid prosecution."*

**Food Catering, Fewer than 5 employees**

*"I'm in my shop 60 hours a week. We all run small businesses, we know our products."*

**Food Retail, Fewer than 5 employees**

### Perceived difficulties in training staff and areas for clarification

- 4.16 There were a number of areas related to staff training where businesses were either still slightly unsure about their obligations under the new regulation or expected some difficulties in complying. These are discussed below.
- 4.17 Particularly among event catering businesses, there was some uncertainty about where responsibility lies in terms of ensuring that additional staff hired on an event basis are sufficiently trained on allergens. These businesses felt there was a need for clear assignment of responsibility in these cases and a requirement that agencies would provide staff who had basic awareness and understanding of



legislation which these businesses could 'top-up' with specific information that related to the food they serve.

- 4.18 There were additional concerns among event catering businesses arising because they do not have a fixed pool of staff and hire on an event by event basis. As a consequence there would be considerable duplication of training if the staff supplied by the agency were not the same from one event to the next.

*"It depends on the level of staff turnover and whether you have to tell all your staff i.e. seasonal or casual staff."*

**Food Retail, 3-25 employees**

- 4.19 Other businesses hiring casual or seasonal staff e.g. students during vacations, shared concerns about the rate of staff turnover and the level of repeat training required. This was expected to be a significant cost to the business, both financially and in terms of time.

*"We'd all have to stay behind and do the training and that's a cost to me – bigger companies can afford this. I can't afford to shut the shop and train, but at the same time I can't afford for them [staff] not to be trained enough."*

**Food Retail, Fewer than 5 employees**

- 4.20 A number of businesses raised the issue of staff for whom English is not their first language and ensuring that they understand the legislation in the first instance, but moreover understand it sufficiently so that they are able to accurately communicate information to customers or clients. This was a considerable concern for businesses operating in the catering sector who reported recruiting high levels of staff whose first language is not English.

*"There are lots of foreign staff in catering and the first thing they say to you when they come in is 'You give me a job?' How can I get them to understand the allergens legislation?"*

**Food Catering, Fewer than 7 employees**

*"We've got a lot of foreigners in the kitchen and it's hard enough to get them through their Level 2 Food Safety."*

**Food Catering, Fewer than 5 employees**

- 4.21 However, as the previous quote illustrates, this is not a problem that is specific to just allergens training and as such not all businesses were overly concerned about training staff whose first language is not English given that they have to overcome this issue when it comes to other food hygiene and safety issues. Nevertheless, these businesses did generally recognise that the training would be more involved when it comes to public facing staff as they will need to be able to understand the legislation and also provide the correct information to customers and clients.
- 4.22 One participant working for a nursery said that because they have a duty of care to their clients, they would seek out training providers or interpreters who could deliver training in their native language so they could be certain that these staff comprehend the legislation and what is required of them.
- 4.23 Among the larger businesses included in the research, there was general uncertainty about the level of cascading of information required and what proportion of staff would need to know the ins and outs of the legislation. There was a concern as to how the level of cascading might impact on an EHO's perception of whether a business is compliant.

### Associated time and financial cost

- 4.24 With the exception of some operating within the institutions sector, participating businesses generally considered that the resource required to train staff would be provided internally and that training would be delivered by business owners or managers. This meant that the main cost to these businesses was seen to be that of time (as opposed to financial).
- 4.25 Smaller businesses, but not micro-sized businesses, felt that the time cost to their business would be considerable because it will mainly fall to one person i.e. the manager or owner to train all the staff at the expense of undertaking other day to day tasks. Additionally, in some cases, it was anticipated that this training would need to take place outside of normal working hours, thus adding to the overall working day.

*“Staff training will be the most difficult – finding the time and money to conduct the training.”*

#### **Food Catering and Retail, Fewer than 5 employees**

- 4.26 It was certainly the case that some of these businesses felt hard done by compared to the bigger companies or chains which are perceived to have greater resource at their disposal to put to such training.
- 4.27 However other participants considered that the greatest expense when it came to training would be the initial outlay - getting staff up to speed on the legislation - after which updating and staff as and when required would be more manageable.

*“The cost will be the initial outlay – we shall be compliant by the end of the year and then after that staff will be used to the legislation.”*

#### **Institutions**

- 4.28 Others pointed out that the time and financial costs of training would depend a great deal on the level of staff turnover at the business and therefore it would be difficult to gauge the real cost to the business.
- 4.29 However those micro-sized businesses, who mentioned they did not anticipate the need for a review of existing or the implementation of additional staff training naturally expected that there would be little cost to them in this respect, given that they only employ very few staff (if any) and that they envisage being on-site at all times.

*“It’s not an issue, when you operate on a micro scale you can control costs.”*

#### **Food Retail, 3-25 employees**

### Providing information to customers

- 4.30 Secondary to staff training in terms of the scale of change required to be compliant with the new allergens legislation was the work needed around communicating allergens information to customers and clients.
- 4.31 All businesses that participated in the research confirmed that they would need to put new signage in place that either provides customers or clients with relevant allergen information or at the very least, instructions on how customers can obtain allergen information. Whilst businesses already provided information about some allergens as and when requested, they felt this new signage was needed to make them more aligned to the requirements of the new legislation.



- 4.32 Initially, businesses felt that signage instructing customers on how to obtain allergen information would be sufficient to comply with the legislation. However, after further discussion, many businesses decided that providing explicit written information on the allergens contained in their foods was a more suitable way of demonstrating compliance with the legislation and reducing the risk of potential legal action from a customer. The desire to minimise business liability appeared to be the key concern for the food businesses participating in the research, marking a shift away from the baseline survey findings which found that protecting their reputation was the priority for most businesses,

*“If you have everything written down then it means you are covered.”*

**Food Catering, 5-25 employees**

- 4.33 This train of thought was in direct opposition to one of the bodies interviewed as part of the stakeholder phase who explained that it would have to be up to a customer or client to ask about the allergens or ingredients used in a meal because menu specifications or recipes can change on too frequent a basis to allow for up-to-date written information.

*“It has to be up to the customer to ask – you cannot make a declaration on a menu as the ingredients in a meal change hour by hour. The only way, in practical terms, is to verbally ask the chef.”*

**Stakeholder**

- 4.34 However, the same body also acknowledged that the flexibility around how information can be provided to customers does have the potential to cause confusion as to what is the best way to provide information and that clear guidance from the FSA must be provided.

- 4.35 The common methods by which businesses propose providing allergen information to customers include:

- Menus
- Fixed signage including chalkboards and tickets in display counters
- Information packs or sheets
- Company websites
- Social media (typically Facebook)

### Providing information to customers whose first language is not English

- 4.36 In the same way that the participating businesses considered how best to train their staff for whom English was not their first language, the participating businesses also deliberated on how they could effectively communicate allergens information to customers with English not as their first language.
- 4.37 The use of symbols was regarded as an effective way by which to overcome such difficulties and communicate the necessary information to these types of customer. However businesses recognised that the success, or rather accuracy of this would rely on the standardisation of symbols to ensure that information is provided in a consistent way from one business to another. Indeed some businesses taking part in the research suggested that there was scope for the FSA to design and implement a standardised key for universal application.

*“Symbols would work better for people with reading difficulties or those for whom English is not their first language.”*

**Food Catering, 5-25 employees**

*“Whatever symbols or colour coding we use to stand for different allergens they have to be consistent otherwise someone might think ‘Oh that’s red – I’ve had something red before so that’s ok’”.*

**Food Catering, 5-25 employees**

*“Perhaps the FSA could come up with some standardised allergens symbols.”*

**Food Catering, 5-25 employees**

### Providing information to customers who are otherwise unable to engage

- 4.38 Discussing how best to convey information to customers for whom English is not their first language also prompted food businesses to reflect on customer or client groups who are less able to engage or understand exactly the information that is being presented to them.
- 4.39 For institutions, the provision and communication of allergen information appeared less straightforward because of the types of people they serve. Those working for or on behalf of schools recognised that it would not be enough to list out allergen information in the daily menus that children accessed because of their limited understanding and that such information would have to be sent home to parents. Therefore, menus would have to be prepared well in advance to allow for weekly or even monthly menu information to be printed out and disseminated to parents or guardians.

*“I’m putting together cheat sheets for parents with all the allergens listed across the top and then all the meals we’ll serve that week down the side. Then we’ll tick which meals contain which allergens”.*

**Institutions**

- 4.40 Similarly, those working in care homes – particularly with patients suffering from conditions such as Alzheimer’s or Dementia – questioned how best they could comply with the legislation given the difficulties around ensuring comprehension among their client group. Although this scenario is in theory no different to that faced by schools, it seems there is a definite need for some guidance from the FSA around how and to whom information should be given for those businesses catering for particular client groups to whom it is not possible to directly communicate allergens information. At the very least, these businesses seek reassurance that providing information to relatives or carers is the best / only way by which to deal with this issue.

### Providing information without compromising aesthetics or business ethos

- 4.41 The use of symbols was also seen as an acceptable compromise among those businesses, especially in the catering sector, for which aesthetics is paramount. Whilst a number of restaurants would prefer to have information in writing, those who considered themselves ‘high-end’ or minimalist in their design were concerned that this would compromise their business ethos and be to the detriment of the overall dining experience. Therefore a ‘neat’ key or index was deemed a possible solution by which to provide the necessary information without cluttering or depreciating the appearance of their menu.

*"It will spoil the look of the menu and the dining experience. We don't want to be sticking this stuff [allergens information] on our menu – I want it to look nice."*

**Food Catering, Fewer than 5 employees**

*"I'd use symbols and an index for the symbols rather than text because I don't want to have to add lots more signage. Less is more for me. I also have to think about the tourists that come in and whether they would understand."*

**Food Catering, 5-25 employees**

- 4.42 As per the case with staff training, a number of businesses, particularly those in the catering sector, also mentioned more detailed menus or 'Bibles' that could be made accessible to clientele as and when required. In the same way that staff could refer to these more comprehensive menus if they are unsure about the allergens contained in any dish, so customers could ask to have sight of a more detailed specification so that they could have as much information at their disposal as possible when deciding their meal choice. This would also mean that standard menu presentation would not suffer as these menus would only be brought out upon individual request.

*"I would even hand the detailed menu to the customer."*

**Food Catering, 5-25 employees**

- 4.43 For some businesses, providing information about allergens in menus meant that ultimately, responsibility for ensuring that the client or customer chooses an appropriate food item would lie exclusively with the customer. Allergen information provided in black and white would allow the customer to choose on the basis of predetermined information and remove the risk of 'mis-recommendation' by a staff member (as some businesses feared would be perceived to be the case should a customer go on to have an allergic reaction).

*"I'm going to have all the [allergen] information on the menus so the customer can see it themselves. That's the only way to do it."*

**Food Catering, Fewer than 5 employees**

- 4.44 Updating websites and or social media pages were also mentioned by participants as possible ways by which to impart allergen information. Several businesses that participated in the research were aware of a number of chains that already display allergen information on their websites and cited some in particular e.g. McDonalds as being useful examples against which to refer going forward.

### Potential for 'marketing' the allergens legislation

- 4.45 In addition to providing specific allergen information about the foods they sell or serve, a few businesses saw their role as educating the public more generally about the introduction of the legislation.

*"I'm going to hand out leaflets with an explanation of the legislation and how they [customers] can get more information."*

**Food Retail, Fewer than 5 employees**



- 4.46 Some participants questioned whether the FSA would be advertising the introduction of the legislation more widely to the general public so the public can know what to expect come December 2014.
- 4.47 A small number of businesses in the retail and catering sector recognised the potential to put a positive spin on the arrival of the legislation and considered it an opportunity by which to market themselves as 'allergen friendly'. This was seen to be particularly important as the public become more aware of the legislation and raise their expectations of the type and level of information food businesses should be providing.

### Providing allergens information verbally

- 4.48 Although there was less inclination to provide information to customers verbally, this was not the case for all business types. Particularly among participating micro-sized businesses, the feeling was that they would be comfortable giving information verbally because they are confident about what ingredients are contained in the meals that they prepare and because the owner or manager (and inevitably the individual responsible for recipe design) would be on site at all hours. Therefore, there would be no need to sit and list all the ingredients when a customer can simply ask them in person.
- 4.49 Additionally, a few micro-sized or family run businesses mentioned that they simply do not have the time to sit down and list out all the ingredients or the budget to present the information in an aesthetically pleasing format (as is perceived to be the case for larger companies) and will therefore rely on verbal communication.

*"This is a knife in the back of little independents. Wetherspoons have the time to sit there and go through the menu and write everything down - us little independents don't have the time".*

### Food Retail, Fewer than 5 employees

- 4.50 With the exception of the last point, any difference in approach to providing information tended to be driven in the main by sector as opposed to business size. However, one stakeholder interviewed as part of the first phase of the research anticipated that size would affect how information is conveyed; they explained that larger retailers will have to ensure that they design and implement a policy that is understood and implemented consistently across all sites and that although they welcome the flexibility in being able to communicate information verbally, in practice they would be reluctant to do this because they cannot rely on the knowledge of individual staff.
- 4.51 Larger members were also perceived to change their menus more often and the challenge for them will be how to manage and update their menus (i.e. written information) accordingly.

### Associated time and financial cost

- 4.52 With the exception of the few micro businesses who stated otherwise, the associated financial cost of providing customers with allergen information was generally considered very small, particularly in the context that the vast majority of businesses involved in the research already updated printed menus on a regular (daily, weekly, fortnightly) basis. Similarly those operating within institutions already provide a certain amount of nutritional information about the meals they serve and did not see the provision of allergen information on top of this as a considerable financial addition to their existing costs.
- 4.53 The greatest cost was seen to be in terms of time and, this would be greatest for those businesses that chose to provide allergens information in writing.



- 4.54 As well as those that preferred to provide allergen information in written format, those businesses with extensive menu choices were more likely to express concern about the amount of time that would be required to updating allergen information. As such a few businesses taking part in the research stated they would consider reducing the number of options they include on their menu or changing menus less frequently so as to reduce the overall workload attached to updating allergens information.

*"Updating the menus will be difficult because for every ingredient I'll have to check what allergens are in that."*

**Food Catering, Fewer than 5 employees**

*"I'd be less inclined to change menus from week to week, I'd offer more of a set menu."*

**Food Retail, 3-5 employees**

- 4.55 A number of businesses considered that a significant time investment would be required upfront to list out allergen information in the first instance, but once this initial work had been done the time needed to update menu information would be limited.

*"Once the bulk of the updating is done, it will be ok. Only when I add a dish will there be any more work."*

**Food Catering, Fewer than 5 employees**

- 4.56 A small handful of the businesses participating in the research however did not anticipate a great deal or even any time investment in some cases. These tended to be the few businesses that strayed from the view that committing all allergen information to paper was best and instead were comfortable with erecting a sign that simply instructed customers how they could access allergen information, in the knowledge that their staff could provide the correct information verbally.

*"All you're doing is putting a sign up".*

**Food Retail, Fewer than 5 employees**

## **Recording ingredient and allergen information**

- 4.57 Another change that food businesses felt they would need to enact in order to be compliant with the new allergens legislation was the work required to effectively audit and record accurate ingredient and allergen information within the foods they sell.
- 4.58 In this context the food businesses involved in the research identified two main actions that would be required in order to comply with the new allergens legislation, these were:
- The recording and storing of all allergen information provided by manufacturers; and
  - The recording and storing of all allergen information for foods made on-site.
- 4.59 These two changes are discussed in turn below.



### The recording of allergen information provided by manufacturers

- 4.60 The recording of allergen information provided by manufacturers was something which all food businesses reported that they already do to varying degrees. To this effect, the changes that businesses anticipated making were more to do with consolidating their policies and practices as opposed to adopting such practices from scratch.
- 4.61 Specifically, the food businesses involved in the research most commonly indicated that they would alter their supplier contracts in order to make sure they receive accurate ingredient lists of purchased foods. One concern was that the level of information provided varies between manufacturers. Some suppliers are currently able to supply comprehensive lists of ingredients for every item they offer, whereas others do not offer such services. This concern was also raised during the stakeholder interviews where it was expressed that food outlets may find it difficult to gain accurate information from their suppliers who may not understand what is required of them. In response, some food businesses stated that they would switch from their current supplier to a more 'helpful' one in order to make things easier for themselves in terms of recording and auditing information on ingredients.
- 4.62 A number of difficulties were identified relating to the possibility – indeed likelihood – that ingredients used by suppliers may change without notification, thus the information which food businesses have on record and pass on to customers may be inaccurate. It was mentioned that this is a particular problem for large groups of schools who outsource the ordering of their food supplies to a single company (for example, one of the respondents in the institutions group was responsible for all nutritional related issues – including sourcing of suppliers – for 150 different schools), as it is very hard to account for suppliers providing substitute items if they are out of stock of one particular item.

*"[Suppliers changing ingredients] is the nightmare scenario. I centrally pick and vet everything that our schools order but if a supplier runs out of something on our specification they will just provide a substitute and very rarely inform us of this. It's been really difficult bringing suppliers – particularly suppliers of processed foods – into line."*

#### Institutions

- 4.63 Moreover, there were concerns about the possibility of cross-contamination occurring at the manufacturer/supplier end to which the food businesses would be oblivious to and have no control over. A number of businesses expressed concern over whether they would be liable for cross-contamination at the supplier end and whether the manufacturer provides accurate information.
- 4.64 This concern may be indicative of the uncertainty among food businesses as to what is required of manufacturers and suppliers in terms of their obligations concerning cross-contamination controls.
- 4.65 It was also raised that there may be issues obtaining accurate information from suppliers for foods imported from outside the EU and, related to this, there were concerns among a minority of small food retailers and caterers taking part in the research over their ability to continue using small, independent and more specialist suppliers owing to the perceived uncertainty over whether these suppliers are able to provide accurate ingredient information. It was commented that this may compromise the business ethos of some retailers and caterers by forcing them to switch to large mainstream suppliers who have systems in place to provide the required information.

*"It defeats the object of what artisan producers and shops like mine are about."*

#### Food retailer, 3 or more employees



- 4.66 The responses of the food businesses involved in the research suggest that there could be a role for the FSA to play in reassuring food businesses that manufacturers and suppliers are subject to legislative requirements concerning the provision of accurate ingredient specifications and control for hazards arising from contamination by allergens.

### The recording and storing of allergen information for foods made on-site

- 4.67 Food businesses generally felt more comfortable with the changes required regarding the recording and storing of allergen information for foods made on-site. This confidence largely stems from the fact that chefs and kitchen staff are in control over what is being put into foods and thus are able to relay accurate information to customers regarding the presence of any allergenic ingredients. However, it was recognised – particularly among food caterers – that the effectiveness of this approach relies on good communication between kitchen staff and front house / waiting staff when any changes are made to recipes.
- 4.68 Regarding these possible *ad hoc* changes to recipes, some food caterers were concerned that the need to rigidly stick to specific ingredient lists will stifle the level of creative license afforded to chefs owing to their need to either stick rigidly to a recipe with set ingredient lists, or to avoid having to spend time informing waiting staff of the change in recipe / updating menus boards etc.

### Associated time and financial cost

- 4.69 The financial costs associated with making the necessary changes in recording allergen information provided by manufacturers and foods made on-site were deemed to be minimal across the vast majority of food businesses involved in the research. This is congruent with the view among the food businesses that it is largely the consolidation of existing policies and practices that is required, rather than introducing new and wide ranging practices. Nevertheless, there were a handful of businesses (particularly among the institutions group) who mentioned that they may be forced into switching their supplier and – if changes to existing contracts cannot be arranged – they may have to choose a more expensive supplier who can provide detailed ingredient and allergen information (although for most businesses it was mentioned that financial costs is the number one consideration when choosing suppliers).
- 4.70 In terms of the demand on time that any changes to policies and practices will require, this was again considered to be fairly minimal among the food businesses involved in the research. The time implications primarily related to the possibility of having to change suppliers and the need to spend more time checking the information provided by suppliers and keeping written records. Additional time may also be required to chase international suppliers for information as these may be less forthcoming in providing ingredient lists.
- 4.71 In general it was considered that it is the need to prove that adequate procedures are in place rather than the actual implementation of them that dictates the amount of time required to make the necessary changes in this case.
- 4.72 Whilst there were very few differences in terms of approach in recording allergens information between the groups overall, it was nevertheless noted that businesses in Wales tended to raise the fact that they would also be required to provide further documentation in relation to allergens for the Hazard Analysis and Critical Control Point (HACCP) and that this would entail a lot of work.

## Other measures or changes considered by food businesses

- 4.73 The final section of this chapter concentrates on other measures or changes food businesses indicated that they may need to implement as means by which to make the act of compliance easier or to reduce the potential for them being found in breach of the new legislation. The section also covers additional concerns businesses expressed about the perceived impact of the new regulation. These are discussed in turn below.
- 4.74 A small number of caterers in the research raised concerns about some of their existing set-ups, such as self-service salad bars, and how these could open them up to the possibility of allergen cross-contamination. They acknowledged that it would be relatively easy for a customer to use one single utensil for more than one food type unbeknown to staff. As such one business stated that they would now be looking to remove these counters to guarantee against any 'unknown' or 'uncontrollable' risk of allergen cross-contamination.
- 4.75 Similarly, one or two businesses in the catering sector were contemplating investing in additional equipment so that, for example, one set of utensils or equipment would be assigned for exclusive use with any ingredients containing 'Allergen X' and another set for use solely with ingredients containing 'Allergen Y'. How feasible this would be for a small business in terms of financial outlay and issues with space however was unclear.
- 4.76 Linked to the earlier finding that some catering businesses will reduce the number of options they offer on their menu or how frequently the menu is updated, one or two food retailers wondered whether they should continue to make meals off-spec at the request of a customer. These businesses felt uncomfortable about the prospect of straying away from stated menu items for which allergen information would be provided in writing and exposing themselves to the risk of not being able to provide accurate allergen information. This was felt to be a lamentable consequence of the introduction of the legislation.

*"What about making something as a customer requests it, like an omelette, that isn't written down on the menu?"*

**Food Retail, Fewer than 5 employees**

- 4.77 Another business operating in the catering sector expressed a more general reticence about the obligation to provide information about allergens in the food they sell or serve. This participant perceived the legislation to be too intrusive is therefore disinclined to disclose the key ingredients of their family recipes. That said, they acknowledge that they will be required to provide this information by law.

*"There's something I do that has mustard in but I would never tell the customer it has mustard in it – it's my recipe and it's no one else's business. There's absolutely no way I would tell anyone but by law I will have to and that's frightening."*

**Food Retail, Fewer than 5 employees**

- 4.78 As well as discussing other measures they might need to consider, businesses also had questions around how exactly the legislation will be implemented and compliance assessed. Of particular note was that some businesses thought that there should be a transition phase to allow a.) for EHOs to come in and help identify what changes they need to make to be fully compliant and b.) the time required to make any necessary changes.

- 4.79 As discussed earlier in the report, awareness of the legislation was generally low and the request for a transition phase only further highlights that food businesses are not conscious of the legislation *per se*, nor the fact that they are already in the transition period and should be in the process of reviewing and amending their practices. Therefore, there is a clear need for the FSA to further publicise the introduction of the legislation so that businesses are aware they only have until the 13<sup>th</sup> December to ensure that they are fully compliant. In particular, some participants in the research felt an advertising campaign similar to those used for food safety issues would make businesses more aware of the legislation but also increase awareness amongst the general public as to what they should expect as a customer.
- 4.80 Additionally, in line with comments about a transition phase, businesses hoped that EHOs would start off less rigorous in their inspections from December and that they would adopt a more advisory or consultancy role to help businesses adapt.

*“The timeframe – it isn’t long enough. I’ve only just heard about it now.”*

**Food Retail, Fewer than 5 employees**

- 4.81 Another key concern was a reported lack of consistency among EHOs in terms of how they currently assess other food hygiene issues and worries that this may translate to enforcement of the new allergens legislation. Given the consequences of being found in violation i.e. prosecution, businesses wanted some reassurance that there would be standardised inspection guidelines which EHOs would have to follow.
- 4.82 A number of businesses also requested further explanation as to how existing requirements such as may-contain or free-from labelling might sit in the context of the new allergens legislation because upon first glance the two were considered to be at odds with one another. On the one hand the allergens legislation instructs that it is not acceptable to say that all foods may contain allergens when they are used as deliberate ingredients, however the use of may-contain labelling is still valid where there is a possibility of cross contamination. At times businesses taking part in the work struggled to understand how the two could co-exist and as such require further elucidation from the FSA or EHOs.
- 4.83 The date on which the legislation comes into effect was a cause of annoyance for some businesses especially those in the catering sectors (for whom this would be the height of the Christmas party season) as well as some institutions, specifically schools. For the latter, the introduction of the legislation comes just after the School Food Plan - a programme designed to improve the quality and take-up of schools meals which also incorporates universal school meals for all infant pupils – comes into effect. This means that the preparatory work needed to meet the requirement of the allergens legislation comes at a time when resource is already stretched in this particular sector.
- 4.84 Despite there being a number of areas about which food businesses felt unclear or aggrieved, these businesses accepted that on reflection the legislation was not difficult to understand once it had been explained and that in practice it would not be too challenging to comply. With time, the requirements of the legislation would just become part of their everyday practices and mean that they would just have to add a couple of extra tasks to their to-do list.

*“It’s not that difficult to do [be compliant] but it is more work, more paperwork, more training. What we do already is difficult – a little bit more isn’t going to hurt.”*

**Food Retail, Fewer than 5 employees**

## 5 Support required from the FSA

- 5.1 This chapter explores food businesses views on what types of support might be offered by the FSA in order to assist businesses in becoming compliant with the new legislation.

### Current support and training

- 5.2 After considering the changes required of food businesses in order to be compliant with the new legislation, participants discussed whether they had received any support or training to prepare them for its introduction. Reflecting the low levels of awareness of the legislation described earlier, few businesses had received any training.
- 5.3 Those who had received training tended to have undertaken Food Hygiene courses rather than a course specifically aimed at the new legislation. As a result, this training tended to focus on the most common allergens such as gluten and nuts rather than some of the lesser known allergens that are in scope in the pending legislation, such as lupin and sulphur dioxide.

### Types of support required

- 5.4 When asked what type of support was required from the FSA to be fully compliant with the new legislation, businesses identified and described a number of key areas that broadly reflect the various questions and considerations raised in the previous chapters, namely:
- Background on the legislation itself
  - Basic information on what the allergens are and what foods contain specific allergens (especially the more unusual ones)
  - Guidance on what processes and procedures should be, for example what level of information is required among non-managerial staff
  - What to do if somebody reacts adversely to allergens
  - Case studies, showing examples of good practice amongst other businesses, in terms of becoming compliant with the new legislation.
  - Clarification on how businesses will be assessed, for example will it be part of the EHO rating system and whether or not there will be a period where the role of the EHO is more one of an advisor or whether it will be an immediate clampdown.
  - Clarification on the liability through the supply chain
- 5.5 Businesses participating in the research stressed that it was clarity and consistency that was most critical in terms of any support being provided by the FSA. This was principally in terms of the messaging contained within communications but also was felt to apply to how changes were rolled out across businesses (hence the importance of measures such as checklists) as well as how compliance was ensured (so consistency of inspection).

### Preferred support tools

- 5.6 In terms of specific support tools that businesses felt would help them to comply with the new legislation, a wide range of modes of support were spontaneously mentioned, broadly mirroring the following support tools that were then shown to them in the form of a set of show cards.





- Online tools
  - Online guidance to compliance with legislation
  - Online E-Learning module
  - Online Q&As
- Hard copy tools
  - Hard copy of guidance
  - Hard copy leaflets for SMEs
  - Posters
  - Training materials in different languages
- Videos
  - Dedicated DVDs posted to food businesses
  - YouTube videos
- Other tools
  - Phone Apps
  - Workshops on content

5.7 Businesses were asked to rank these in terms of their usefulness to their organisation. Views were very mixed within and across the groups with little pattern by sector or size, with respondents tending to base their views on individual taste or specific business requirements.

5.8 That said, overall, the online and hard copies of guidance were almost universally popular as support tools. This was largely due to a desire amongst businesses to have the comprehensive guidance in its original form for management to revert to. A number of the support tools were broadly well received but with the recognition that they were not quite as critical or a handful of participants less keen. Only for a few tools was there generally a less positive reaction, although even among these there were a handful of very keen supporters. The following table attempts to summarise these reactions:

(Almost) universally popular	Generally well received	Less positive but some support
<ul style="list-style-type: none"> <li>● Online guidance to compliance with legislation</li> <li>● Hard copy guidance to compliance</li> </ul>	<ul style="list-style-type: none"> <li>● Online Q&amp;As</li> <li>● Hard copy leaflets for SMEs</li> <li>● Posters</li> <li>● Training materials in different languages</li> <li>● Phone apps</li> <li>● Workshops on content</li> </ul>	<ul style="list-style-type: none"> <li>● Online E-learning module</li> <li>● YouTube videos</li> <li>● Dedicated DVDs posted to food businesses</li> </ul>

5.9 This ranking of popularity of material largely tallies with the findings of the stakeholder interviews where it was suggested that hard copied of guidance and resources such as poster, supplemented by online Q&As and online bulletins would prove most effective. Nevertheless, one stakeholder did caution that smaller businesses may not have computers at the workplace and so electronic communications to this group are likely to be less effective in reaching their intended audience.



## Online tools

### Online guidance to compliance with the legislation

- 5.10 Online guidance was considered a particularly useful tool with a number of businesses commenting that its provision should be “a given”. Some participants preferred to use online versions of guidance rather than hard copies, suggesting that accessing information online allows easier navigation.

*“If it’s online I can use a search tool to find a specific word that I’m looking for.”*

#### **Food Catering and Retail, Fewer than 5 employees**

- 5.11 With almost unanimous support for an online version of guidance to be made available, businesses tended to focus on what FSA online guidance might look like. They suggested that guidance should cover the basic legislation at the beginning to allow quick access to the most crucial information, followed by sections tailored to different industry sectors.

*“If it is a PDF, the initial part should be stuff you can scan read for the most important information, then if there is still doubt you read on to find the more in-depth information and check the part that is more pertinent to your business.”*

#### **Food Catering, Fewer than 5 employees**

### Online Q&As

- 5.12 Online Q&As were felt to be fairly useful as a quick reference tool for individuals who have specific queries about the legislation. Businesses commented that they were very used to seeing such tools in other aspects of their work or personal lives. An interactive Q&A text box similar to those used by banks and mobile phone was cited as being particularly useful and is what people come to expect.
- 5.13 It was also suggested that a helpline could accompany such a tool to address issues that could not be covered through an online Q&A
- 5.14 Some of the businesses who were favourable to the idea of online Q&As tended to envisage something more than a simple reference tool, suggesting something not too dissimilar to the e-learning module discussed below. These businesses felt that Q&As would be useful for training staff, as it could be logged in order to evidence that staff have been provided with suitable training.

### Online E-learning module

- 5.15 The online E-learning module was the least popular of the online tools mainly as a result of scepticism as to the extent it would be used. Businesses assumed that the module would be undertaken outside of work, and consequently doubted that their staff would be motivated to learn in their own time. Despite these reservations, some suggested that a lack of motivation could be addressed if staff received some form of qualification or certification upon completion of the online course.



- 5.16 In contrast, other businesses expressed concerns over the value of an assessed E-learning module. For instance, one participant suggested there could be a risk that staff simultaneously search for correct answers whilst being assessed, undermining the quality of learning.

*"If you know how to open up a tab and you don't know the answer, you just google it. How much learning is actually going on?"*

**Food Catering, 5 or more employees**

- 5.17 Most businesses felt that the online E-learning module would be more suitable if unassessed. They suggested that the test could be something that individuals could go back to correct their answers as a means of improving, rather than assessing knowledge. This viewpoint was particularly prevalent amongst the smaller retailers.

- 5.18 Despite some businesses' concerns about the likelihood of staff undertaking online courses in their own time, for sole traders, the ability to learn in their own time was considered a more advantageous alternative for those who were too busy to complete these in working hours.

*"For me, as a sole trader, the online E-learning module is awesome because it means I can learn in my own time."*

**Food Catering and Retail, Fewer than 5 employees**

### Hard copy tools

- 5.19 Overall, businesses in each of the groups responded positively to the suggested hard copy tools. Despite an expectancy of information being available online, the participating food businesses still desired to have something they can pick up and read or post on the wall.

*"Online stuff can be forgotten about so it is useful to have something you can take by hand. The starting point should be something tactile."*

**Food Catering, 5 or more employees**

### Hard copy of guidance

- 5.20 A hard copy of the guidance was regarded as an essential support tool. Even those who were favourable towards online guidance still felt it was important to keep a hard copy version as well. Businesses felt that comprehensive hard copy guidance is suitable for the managers or business owners when they need to explore aspects of the legislation in more detail.

*"I'd like to be able to pick up a booklet that would benefit the manager or owner, with information that you can then teach your staff."*

**Food Catering, Fewer than 5 employees**

*"It's always going to be useful to refer to, but probably not to have out and ready to use."*

**Food Catering, 5 or more employees**

- 5.21 Businesses in each of the groups emphasised the importance of clarity in the wording of the guidance, something that the institutions felt was lacking from current FSA guidance, which they suggested was too 'wordy' and impracticable.

*"Whatever the guidance is, it has to be clear – perhaps including a list of foods in which you wouldn't expect to find allergens".*

**Food Catering, 5 or more employees**

- 5.22 Although businesses were generally positive towards hard copy guidance as a support tool, one participant suggested that it is something that could be easily lost amongst other office paperwork, justifying their preference for sourcing the guidance online.

### Hard copy leaflets to SMEs

- 5.23 In general, businesses considered hard copy leaflets to be a 'nice to have' support tool. However a number of businesses reflected that they would work better if designed for customers to take away in order to raise public awareness of the new legislation. They would be happy to help disseminate these by putting them on their counter for example.

### Posters

- 5.24 Businesses were in agreement that posters would be a useful support tool for their organisations. Participants emphasised that FSA posters had to be clear and instructive to staff in how they should deal with customers in regard to providing allergen information.

*"The posters need to say what the FSA want us to say to the customers."*

**Food Retail, Fewer than 5 employees**

- 5.25 Catering businesses suggested posters were particularly vital for kitchen staff, as they did not have the same level of access to other support tools as other members of staff.

### Training material in different languages

- 5.26 In general, employers with staff for whom English is not a first language, considered training materials in foreign languages an essential tool, emphasising that these employees are bound by the same legislative requirements as other staff.

*"This is a definite. Everybody has to understand, no matter how good or bad their English is."*

**Food Retail, Fewer than 5 employees**

- 5.27 A few participants, however, questioned the value of training materials in different languages, if the users were then still unable to communicate this information to English customers.

*"If you can't speak and pass on the information, what's the point?"*

**Food Catering and Retail, Fewer than 5 employees**



## Videos

- 5.28 Overall, videos were generally considered to be less useful tools amongst businesses, nevertheless there were some individuals who strongly advocated the use of videos, particularly for staff training purposes. They felt that visual forms of communication were particularly crucial in the context of those who have reading difficulties or for whom English is not a first language.
- 5.29 One participant from a smaller retail business suggested that videos were more important for larger businesses, where comprehensive training and internal communication is likely to be more of a challenge.

*"It's easier for me as a small business because the staff turnover isn't high. If you are an independent pub, I think a crystal clear video about the allergens would be helpful."*

**Food Retail, 3 or more employees**

## DVDs

- 5.30 DVDs were generally considered one of the least useful potential support tools (albeit with a few supporters as discussed below). This was mainly due to a perception of DVDs as an outdated channel of communication, with businesses suggesting that individuals would be more likely to access videos online.

*"I think in five years, DVDs will be obsolete anyway. It's basically another form of hard copy guidance."*

**Food Catering, Fewer than 5 employees**

*"Nobody's got a DVD player anymore. It's all on the internet, so online will be more useful to me."*

**Food Catering, Fewer than 5 employees**

- 5.31 There were mixed views over the accessibility to DVDs within the workplace. Some businesses felt that it was unlikely that restaurants would keep a DVD player in their kitchens. Nevertheless, a few respondents still expressed a preference for using DVDs for staff training, preferring to have something to hand on site that could be accessed immediately.

*"For me DVDs and posters are somewhere near the top – something that can be dropped through my letterbox and that we can keep in the office to train new staff."*

**Food Retail, 3 or more employees**

- 5.32 One participant suggested a video showing a person suffering an anaphylactic shock after consuming an allergen would be more likely to 'shock' staff and encourage them to be more diligent in providing the correct information to customers. Some businesses felt that this type of DVD could accompany hard copy guidance in a 'guidance pack', which could be posted to all food businesses.



## YouTube videos

- 5.33 Business response to YouTube videos as a support tool was mixed.
- 5.34 Some perceived YouTube to be a less professional or official source of information. There were also concerns about identifying the relevant FSA video amongst possibly numerous other allergens-related videos on YouTube.

*"Have the FSA got their own YouTube channel? Because you do get conflicting things on YouTube and it's not moderated very well."*

**Food Retail, 3 or more employees**

- 5.35 In addition to the FSA ensuring it uses its own official YouTube channel to post support videos, some felt these concerns could be easily overcome by including a link to the videos on the FSA website.
- 5.36 Those who were more favourable to YouTube videos as a support tool highlighted the ease of accessing YouTube as its main benefit. In particular, they felt it was easy for staff to access YouTube on their phones, offering more flexibility in this respect than the DVDs.

## Other support tools

### Phone apps

- 5.37 Phone apps were one of the more polarising support tools amongst food businesses participating in the research. The technological aspect was something that was viewed as both positive and negative in terms of its usefulness in helping food businesses to become compliant with legislation. On the one hand, some businesses felt phone apps were more likely to capture the attention of the younger generation. Nevertheless, others were less confident about the prospect of using phone apps to access information.

*"Anything like that I don't like. Straight away my brain says 'no thank you, I'm not interested.'"*

**Food Retail, 3 or more employees**

- 5.38 Another perceived advantage of the phone app was the ability it gives to access information immediately. Particularly for caterers for whom access to computers is limited and where staff are constantly busy, using a phone to access information was considered a viable alternative.

*"Imagine all the times you're busy and you can just take out your phone if you're not sure about something. When you're in service, one thing you can do when you're really busy is have a quick look at your phone...that for me would be the best tool."*

**Food Catering, 5 or more employees**

*"It's easier to go on my phone than to sit on a laptop all day."*

**Food Catering and Retail, Fewer than 5 employees**

- 5.39 Other participants disagreed with the view that phone apps were a pragmatic tool for the workplace, suggesting their own businesses and many others would not allow their staff to use their phones in service / at work. Furthermore, some were less favourable to phone apps because they assumed there would be a cost implication to the business.



- 5.40 Businesses shared different opinions on what the phone app might be used for. Some felt it would work best as a database which allows the user to find out which allergens are contained in food products, while others felt it was simply another means of disseminating guidance.

### Workshops on content

- 5.41 There were mixed reactions towards using workshops to teach staff the content of the new legislation. In general, respondents felt the potential monetary cost, as well as the time cost to the business, would outweigh other benefits.

*"I think the way business and trade is, none of us have the time to send our staff on courses...and there's the cost implication."*

**Food Retail, 3 or more employees**

- 5.42 The institutions were generally more favourable to the idea of sending staff to workshops. One respondent in this group suggested that doing so can often have a motivational effect – staff feel more involved and consequently have more personal investment in the relevant subject.

*"We've found that by sending our chefs on courses, they've got involved more and taken more pride in what they're doing."*

**Institutions**

- 5.43 Nevertheless, the same participant felt that finding the time for staff to attend workshops was a particular issue for schools and suggested the FSA would have to accommodate their needs by holding workshops on weekends or inset days.
- 5.44 Participating food businesses expressed concerns over potential monetary and time costs of workshops. However, some businesses hinted that the workshops would become a far more attractive option if there was the potential for these to take place in-house, or if they were paid for or subsidised by the FSA, suggesting that the ultimate concern to respondents during the discussion was the cost of workshops to individual businesses, rather than doubts over usefulness.

*"The emphasis needs be on them [The FSA] to come and see us."*

**Food Retail, Fewer than 5 employees**

- 5.45 Amongst the Food Catering businesses with 5 or more employees, there was some disagreement over what types of staff should be attending the workshops. One participant felt that it was only important management attended as they could then cascade information from the top-level down. Another felt it was important all staff attended courses, citing the serious nature and potential consequences of failing to comply puts it alongside standard Health and Safety training in terms of importance.

*"I completely disagree [only managers should attend] because it is so serious. It is usually junior members of staff that are the one's dealing with it. I would like every member of staff to do it like they do with Health and Safety."*

**Food Catering, 5 or more employees**

- 5.46 It became clear that participants felt Environmental Health Officers (EHOs) had an important role to play in helping businesses become compliant with the new legislation. Food Retailers, for example,





spontaneously suggested EHO visits as a way to ensure businesses are compliant with the legislation, whilst emphasising that the initial nature of the visits should be supportive and corrective, rather than punitive.

*“I’d prefer somebody to come and talk face-to-face. Not an inspection – just somebody to come round and see how we’re getting on. There also needs to be consistency in what they say.”*

**Food Retail, Fewer than 5 employees**

- 5.47 Reflecting aforementioned concerns about suppliers providing complete and correct information about ingredients to businesses, participants were also keen for the FSA to take a more proactive role in encouraging suppliers to make their business customers aware any subtle changes to the goods they deliver.
- 5.48 Furthermore, businesses suggested case studies showing good practice in other organisations, would be a useful support tool.

*“It’s always interesting to see what other people have done. It saves you from reinventing the wheel.”*

**Food Retail, 3 or more employees**



## 6 Response to FSA example materials

6.1 This chapter explores food businesses reaction to a number of example materials already produced by the FSA that were disseminated among the groups for them to browse through. These materials were:

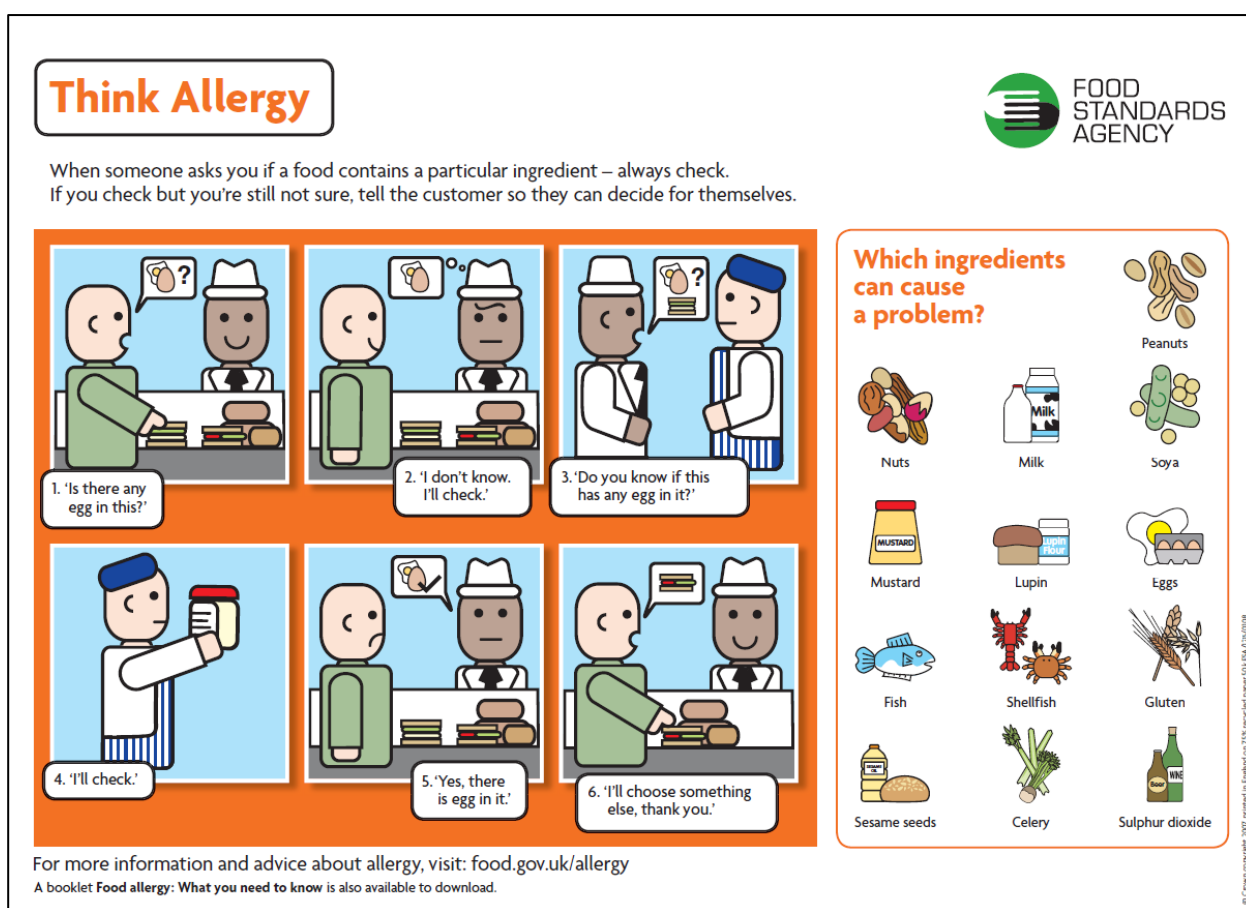
- Think Allergy Poster;
- Food Allergy: What you need to know
- The Provision of Allergen Information for Non Pre-packed Foods – Voluntary Best Practice Guidance

6.2 The responses of the groups to each of these materials are discussed in turn below.

### Think Allergy Poster

6.3 The Think Allergy Poster is a single sheet poster with a cartoon illustrating a customer querying the ingredients within a sandwich, alongside a list of common allergens with accompanying icons depicting the foods which the allergens are typically found in (see Figure 6.1 for a snapshot of the poster).

**Figure 6.1: Think Allergy Poster**



- 6.4 In general the poster was very well received by the groups in terms of its usefulness and clarity. In particular, a positive aspect of the poster was the simple message it conveys in a straightforward, easy-to-understand fashion.

*"It's a bit basic but it is crystal clear – it would help keep staff aware."*

**Food Retail, 3 or more employees**

*"It's straight to the point and can be read and understood within a few seconds."*

**Food Catering, Fewer than 5 employees**

*"It's really basic and obvious which is good. It doesn't need to be any more complicated than what it is. The cartoon waiter is saying exactly what you should say [which is to go and check which ingredients are included]."*

**Food Catering, Fewer than 5 employees**

- 6.5 More specifically, it was felt that the conveyed message of it being acceptable for staff to go and check what ingredients are within any foods they sell is a positive aspect of the poster as it reinforces an important part of the new legislation which is that staff do not necessarily need to know what ingredients are in the food up front, and that it is acceptable – and, in fact, recommended – for staff to go and check in order to provide accurate information to customers.

- 6.6 It was also felt that the use of illustrations helps to cut across any language barriers among staff and customers which is an important consideration when producing materials, as identified among the groups and the earlier stakeholder interviews. It was also mentioned that the design of the poster means that it could also be understood by children if displayed within school canteens.

*"This would be great for primary school kids as they have a real problem in voicing their allergies [to kitchen staff]. With this poster they'd be able to point to the pictures/symbols."*

**Institutions**

- 6.7 Furthermore, the final image of the cartoon was felt to be "good for business" as it demonstrates to customers with allergen concerns that there are alternative options that may be suitable for them. Although very much a minority view, it was felt important that care is taken to ensure that the use of 'child like' cartoons does not trivialise the issue.

- 6.8 When considering how the resource would actually be used by businesses it was suggested that the poster would be a useful tool to be displayed on walls for both staff and customers (e.g. in the kitchen for chefs and along corridors for waiting staff). In essence, the poster would act as a visible reminder to staff but – in terms of educating staff about the new allergen legislation – additional and more comprehensive materials would be required.

*"It's good but it's about education and this is not enough by itself [to educate staff about the legislation]."*

**Food Catering, Fewer than 6 employees**

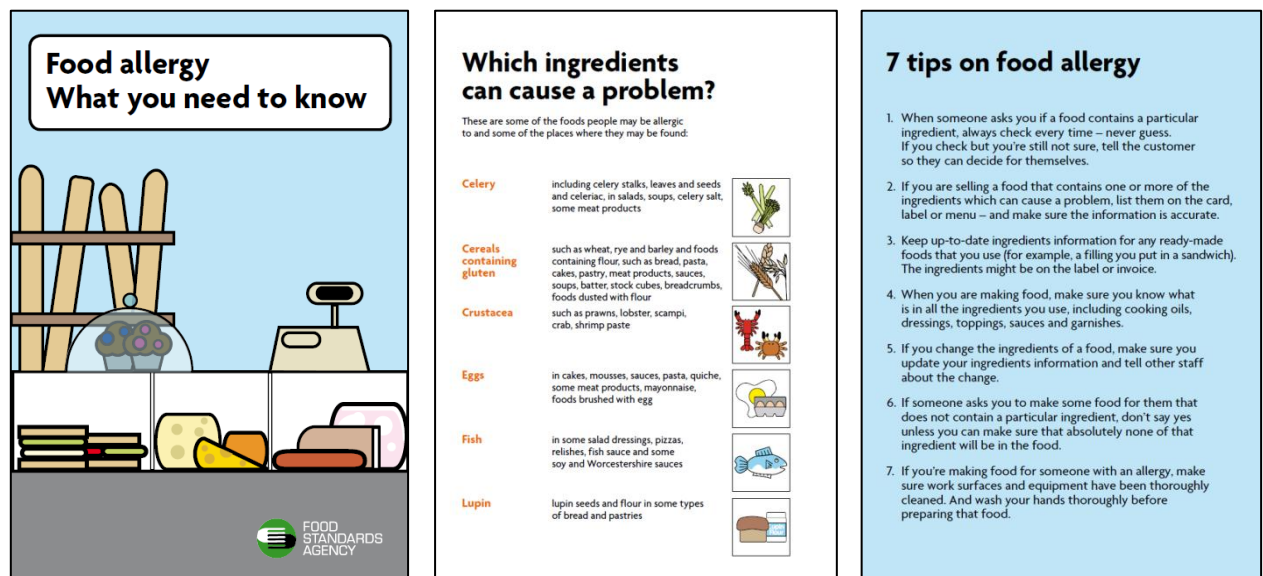
- 6.9 In term of improving the overall usefulness of the poster it was suggested that it would be beneficial if there was an electronic version of the poster whereby the types of foods displayed could be tailored according to the types of foods sold at different businesses.

- 6.10 It was also suggested that it would be useful if the selection of icons denoting different allergenic food types could be downloaded by themselves in order to allow businesses to use these as standardised symbols on any materials they produce themselves, including menus etc.

### Food Allergy: What you need to know

- 6.11 The “Food allergy: What you need to know” leaflet is a five-page document providing a short introduction on why awareness of food allergies is important for business, a short glossary of the 14 allergens alongside symbols to depict common food types, as well as a list of seven tips for how businesses and their staff can adopt good practices regarding the handling and selling of foods that may contain allergens.

**Figure 6.2: Front cover and two inside pages of the “Food allergy: What you need to know” leaflet**



- 6.12 On the whole, reactions to the leaflet were positive and was something which businesses would like to receive from the FSA. In terms of the level of detail, it was felt that the leaflet covers the middle ground between the Think Allergy Poster (discussed previously) and the more detailed Voluntary Best Practice Guidance (discussed in the next section).

*“It's the next step up from the [Think Allergy Poster] and would be used more for the chefs and kitchen managers, not so much the lower level staff.”*

**Institutions**

- 6.13 The succinctness of the leaflet was well received – especially when it was considered whether the leaflet could be disseminated widely among staff – as it was commonly mentioned that materials containing too much information is a barrier to staff actually reading guidance materials.

*“I do feel that the more information you include, the less likely it is that staff will actually read it.”*

**Food Catering, Fewer than 5 employees**

- 6.14 In line with this, the terminology used was deemed to be appropriate for the intended audience as it is not too technical and is easy to understand.

- 6.15 It was also mentioned that the '7 tips on food allergy' is a particularly useful feature of the leaflet which could be displayed in staff areas and kitchens in order to act as a visible reminder to staff. This feature of the leaflet also satisfies the desire among businesses for support which details precise actions of what businesses can do in order to comply with the legislation.

*"We want a simple booklet which doesn't say "you must comply", but instead says "you should do this, this and this" in order to comply."*

**Institutions**

- 6.16 In terms of how businesses envisaged using the material it was generally felt that the leaflet would prove to be the most useful training resource for staff as the level of detail would make it suitable to be distributed widely among all levels of staff at training meetings and act as an bitesize introduction to food allergies, or as a regular refresher for existing staff.

*"It's bitesize which could be given to part-time staff to provide them with a top line overview of what they need to know."*

**Food Retailer, Fewer than 5 employees**

*"It's more of a six-monthly refresher. There's not enough information on its own to be sufficient as a single source of information."*

**Food Catering, Fewer than 5 employees**

- 6.17 It was also suggested that staff could sign a log sheet to confirm that they have read and received the leaflet so that businesses have some form of a training audit to demonstrate to an inspector that they have provided information to their staff.

*"Staff could sign this when they have read it so that when inspectors come in we have some form of proof that we have provided information to our staff."*

**Food Retailer, 3 or more employees**

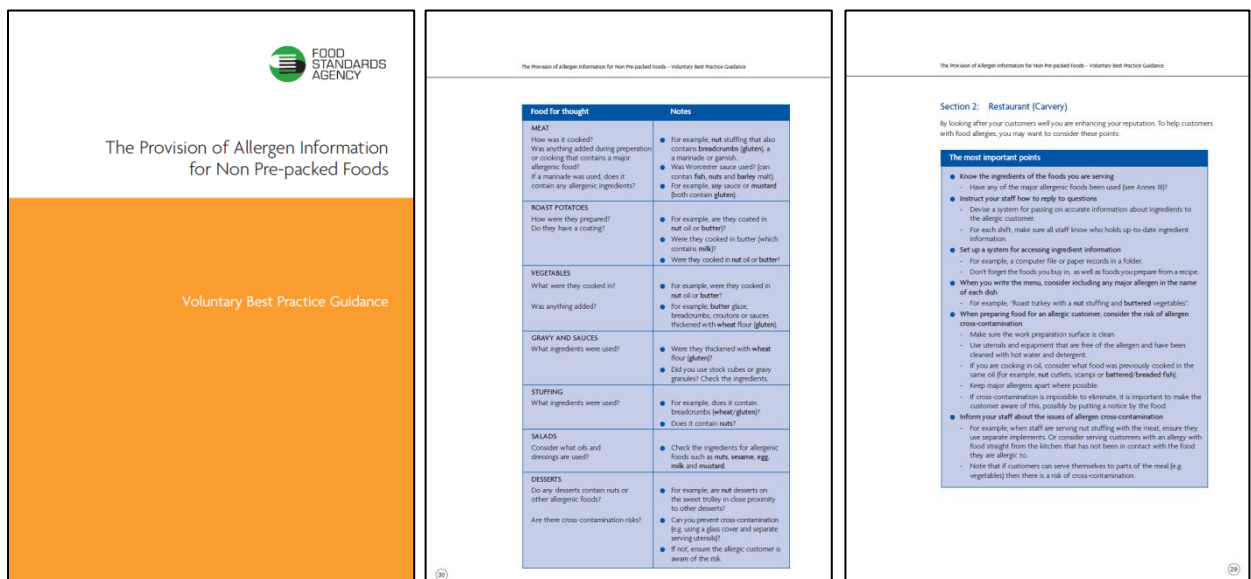
- 6.18 In terms of how the guide could be improved, there was some suggestion that the information provided lacks depth, particularly for lesser known allergens. For example, it was mentioned that that definition of sulphur dioxide could be expanded as the current definition of being found "in meat products, fruit juice drinks, dried fruit and vegetables, wine and beer" is not sufficient for explaining exactly what this lesser known allergen is.

- 6.19 It was also suggested that it may be possible to condense the information within the leaflet so that it can be turned into a poster (in effect it would act as a more detailed version of the Think Allergy Poster).

## The Provision of Allergen Information for Non Pre-packed Foods – Voluntary Best Practice Guidance

- 6.20 The final resource shown to the groups was the Voluntary Best Practice guidance. This is a 54 page booklet produced by the FSA in collaboration with a number of interested parties and stakeholder groups. The guidance is split into three parts: the first provides an explanation of the purpose of the guidance; part two details what businesses need to know about food allergies and intolerance; and part three provides advice for all businesses selling non pre-packed foods concerning effective communication (with customers, with suppliers and between staff), basic training for staff and the provision of accurate ingredient information.

**Figure 6.3: Front cover and two inside pages of the “Provision of Allergen Information for Non Pre-packed Food” Voluntary Best Practice Guidance**



- 6.21 The overall perception of the guide was that it is a useful, comprehensive source of information about food allergens, although its use may be more limited than the previously discussed poster and leaflet.
- 6.22 The main positive aspects of the guidance were its comprehensiveness in providing more in-depth information than the poster and leaflet. It was felt necessary that there is some form of guidance available which provides this level of detail due to the legal requirement for businesses to adopt practices and procedures in order to comply with the legislation.

*“I’m used to reading these sorts of things and picking out the main points. I think it’s easy enough to read and has a good level of detail. [The FSA] can’t be brief on these things owing to the impact of the legislation. I’d find [the guide] quite useful.”*

**Food Catering, 5 or more employees**

- 6.23 Another aspect of the guidance which was well received was the sector specific information provided in part three of the guidance. It was felt that guidance materials are usually very generic and do not take into account specific considerations unique to different sectors and the fact that the guidance does this enhances its usefulness.



*"It's useful as the information is broken down by different sectors. Usually the kind of information you get in these types of guides is too generic."*

**Food Catering, Fewer than 5 employees**

- 6.24 Another feature of the guidance which was deemed useful was the 'Food for Thought' sections within the appendices of the guide. The types of food listed and their accompanying notes adds to the thoroughness in detail provided by the guide and is useful as it highlights foods where it might be thought that they do not contain allergens.

*"I like the [Food for Thought] section where it says the allergens contained in typical foods as it lists foods that you might forget actually contains that ingredient."*

**Food Retailer, 5 or more employees**

- 6.25 Whilst the comprehensiveness of the guide was seen as being positive, it was generally recognised that the readership of the guidance would likely be limited to managers and other senior members of staff owing to its level of detail. It was suggested that it would then be the task of the managers and senior staff to cascade the information down to lower level staff in more shortened, simpler terms.

*"I would probably read it because [as manager] I'd feel obliged to, but the lower level staff wouldn't read it."*

**Institutions**

*"I would need to dumb it down and shorten it for the kitchen managers who would then shorten it further for the operations staff. [The guidance] is good to have and useful for me but it wouldn't be used widely."*

**Institutions**

- 6.26 This approach to using the guidance may present some risk if managers misinterpret the information contained in the guide and so adds to the need for materials which are deemed appropriate for dissemination among operations-level staff (such as the Food Allergy: What you need to know leaflet, as discussed previously).
- 6.27 It was also mentioned that the guide would act as a good reference tool for senior staff – i.e. something they would keep on site in case they needed to remind themselves of something, or refresh their understanding ahead of delivering training meetings etc.

*"If you were to give this to me or my staff we wouldn't read it. I might keep it on hand for reference but it's not a good training tool by itself."*

**Food Caterer, 5 or more employees**



## 7 Conclusions and recommendations

### Conclusions

- 7.1 The following conclusions and recommendations reflect reported practices by businesses participating in the focus groups.
- 7.2 Level of awareness of the new legislation remained low across participating businesses of all types and even those with some awareness were uncertain about the timing of its introduction.
- 7.3 However, once explained, initial reaction to the legislation was broadly positive with businesses participating in the focus groups accepting the reasons for its introduction.
- 7.4 While the legislation was fairly easy to understand, it was generally recognised that it would not necessarily be easy to comply. There was also some confusion about certain aspects of the legislation on which businesses would like further clarification.
- 7.5 All participating businesses recognised that they would need to make some changes to their working practices to ensure compliance. These centred around three key areas:
- Staff training – staff are currently un-prepared for the legislation and new training is required to ensure that they are up-to-speed with the detail and requirements of the legislation.
  - Communication - secondary to staff training in terms of the scale of change required to be compliant was the work needed around communicating allergens information to customers and clients. Here, demonstrating compliance with the legislation was top of mind for most businesses which will invariably mean a greater emphasis on providing written information. This marked a shift away from the baseline survey findings which found that protecting their reputation was the priority for most businesses,
  - Recording and auditing systems - work will also be required to more effectively audit and record accurate ingredient and allergen information, in particular those provided by suppliers. Participating businesses were concerned that ingredients used by suppliers may change without notification thus resulting in inaccurate information being passed onto the customer. They are likely to switch from their current supplier to a more 'helpful' one if they were let down, or if clear and comprehensive lists of ingredients were not provided.
- 7.6 Business would welcome a range of support from the FSA and were receptive to the three example materials already produced by FSA.

### Recommendations

- 7.7 Many businesses appear to be unprepared for changes which come into force in December. The request for a transition phase highlights that food businesses are not conscious of the legislation nor the fact that they are already in the transition period and should be in the process of reviewing and amending their practices. Therefore there is a clear need for the FSA to further publicise the introduction of the legislation so that businesses are aware they only have until the 13<sup>th</sup> December to ensure that they are fully compliant. How this is achieved is not clear although a two pronged advertising campaign targeting both businesses and the general public (similar to those used for food safety issues) was suggested.
- 7.8 Additionally, in line with comments about a transition phase, participating businesses hoped that EHOs would start off less rigorously in their inspections from December and that they would adopt a more advisory or consultancy role to help businesses adapt.



- 7.9 Reflecting the low level of awareness of the legislation, very little training or support has already taken place specifically regarding the new legislation and its impact. There is an opening for FSA to take the lead in developing and delivering such allergens training.
- 7.10 There were a number of areas where businesses sought reassurance or further clarification when they first heard the detailed description of the legislation. Understanding these will help FSA to anticipate the kinds of questions and misunderstandings which might arise when the legislation is introduced and should help inform content of communications. These issues included supplier obligation, cross contamination and use of 'may contain' labels, cascading information to different levels of staff and EHO assessment.
- 7.11 There were also a number of areas related specifically to staff training where businesses were unsure about their obligations under the new regulation or expected some difficulties in complying. Again, these are issues the FSA will need to address in future marketing and communications. This includes uncertainty about where responsibility lies in terms of agency staff or casual workers, concerns over effectively communicating to staff for whom English is not their first language and, again, uncertainty about the level of cascading of information required.
- 7.12 In terms of effectively providing allergens information to customers and clients, businesses would benefit from advice and support on how best to communicate with those speaking little or no English. A strong concern for some was also how to provide information without spoiling the aesthetics of the menu. Clear guidance from FSA is therefore required on the use of acceptable symbols, keys and other graphics.
- 7.13 There is also a need for more guidance from the FSA around how and to whom information should be given for those businesses catering for particular client groups to whom it is not possible to directly communicate allergens information (for example children in schools; patients in care homes or hospitals suffering from conditions such as Alzheimer's or Dementia). At the very least, these businesses seek reassurance that providing information to relatives or carers is the best / only way by which to deal with this issue.
- 7.14 In terms of the type of support required, most critical is its clarity and consistency. However, given the flexibility in how information can be communicated as well as some desire for tailoring this presents FSA with a key challenge.
- 7.15 Views on preferred support tools were very mixed with the demand for a range of support driven by personal taste rather than business type or size. A broad communications strategy will be required to cater for this demand.
- 7.16 That said, online and hard copies of guidance were deemed essential. There was also a positive reaction to a number of other support tools including online Q&As, hard copy leaflets for SMEs, posters, training materials in different languages, phone apps and workshops on content.
- 7.17 The reaction to online E-learning, YouTube videos and dedicated DVDs was more mixed. Although each had their supporters, negative feedback centred around scepticism as to the extent to which online E-learning would be used, YouTube being perceived as a less professional or official source of information and DVDs as a somewhat outdated channel of communication.

7.18 A number of specific suggestions were made to tailor or enhance tools which FSA can review and develop as they see fit:

- Online (dynamic) help tool;
- Building E-learning module into other food hygiene accreditations or using as an incentive;
- Using businesses to help disseminate leaflets (or other communication) to the public;
- Recognising in training (especially in different languages) that it is not just about individual learning but communicating to customers / clients;
- Subsidised workshops and developing the role of EHO as consultant.

7.19 The positive reaction among the groups to each of the three example materials underpins the desire among businesses for support from the FSA ahead of the implementation of the legislation. The responses of the groups when considering how the materials would be used suggest that there is a clear focus for each of the materials: the poster is likely to be used as a quick reference for all staff and used to familiarise staff with the symbols used for foods; the leaflet would be used to assist staff training; and the voluntary best practice guidance would be read by management level staff and be kept on site for reference.

## 8 Appendices

### Sector definitions

8.1 The tables below indicate the relevant SIC codes (SIC2007) for each organisation type:

Retailer type	SIC2007 Code
Butcher	47.22
Baker	47.24
Fishmonger	47.23
Deli	47.29 <i>Excluding cash and carry wholesalers</i>
General Retail	47.11 47.19 47.30 <i>Excluding frozen food stores and household stores</i>

Caterer type	SIC2007 Code
Restaurant	56.10/1 56.10/3
Cafe	56.10/2
Hotel	55.10
Pub/bar	56.30/2 <i>Excluding clubs</i>
Contract Caterer	56.21 56.29

Institution type	SIC2007 Code
Hospital	86.10/1
Nursing home	86.10/2 87.10 87.20 87.30 87.90
Nursery	85.10
Primary School	85.20
Secondary School	85.31 85.32

## Focus Group Topic Guide

# Qualitative Research on the Provision of Allergy Information to Consumers for Foods which are not pre-packed

J5296

Focus Groups

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## A Introduction and Warm up (10 minutes)

- Introduce self
- Introduce IFF Research – independent research agency separate to the FSA

We are conducting some research on behalf of the Food Standards Agency (FSA) which explores the issues food businesses face as they work to comply with the new EU Food Information for Consumers Regulation which stipulates that from December 2014, customers must be informed if any of 14 allergens are contained in foods when sold or served not pre-packed, such as meals in a restaurant or cafe.

We are conducting a number of focus groups with a range of food businesses operating within different sectors to explore levels of awareness about the new allergens legislation, how easy or difficult it will be for businesses like yours to be able to comply and the level and type of support you would like to receive to be able to ensure compliance.

- Reassure no right or wrong answers and that the purpose of the discussion is not to ‘check-up’ on or test business’ knowledge about the allergen legislation.
- MRS code of conduct and respondent anonymity
- Discussion length: 1 and a half hours
- Recording and client attendance



**GROUP ACTIVITY 1:**

**MODERATOR TO ASK GROUP TO PAIR UP AND ASK THE PERSON NEXT TO THEM TO INTRODUCE THEMSELVES, THEIR JOB ROLE AND A BIT ABOUT THEIR BUSINESS. EACH PAIR WILL INTRODUCE THEIR PARTNER TO THE WHOLE GROUP.**

- A1 I'd now like to ask you to think about any information that you might already provide to clients or customers about allergens in the foods that you sell or serve. What type of information, if any, do you already provide?

**MODERATOR TO RECORD ANSWERS ON A FLIPCHART**

**PROBE**

- What specific allergens do you already provide information about?
- How do you communicate this information to your customers / clients? (MODERATOR TO PROBE FOR MENU, BOARDS, LABELS, FACE-TO-FACE, BY PHONE)



## B Reactions to the detail of the new allergen legislation (30 minutes)

### **MODERATOR TO PROVIDE GROUP WITH FULL DESCRIPTION OF THE NEW ALLERGENS LEGISLATION AND EXPLANATION OF WHAT THIS MEANS FOR FOOD BUSINESSES**

New allergens legislation coming into effect on 13<sup>th</sup> December 2014. The provision of information will be required for all the following 14 allergens in non-pre-packed or pre-packed foods for direct sale:

- Cereals containing gluten, for example most breakfast cereals, pasta, bread and other baked goods
- Crustaceans, for example crabs, lobster and shrimps
- Molluscs, for example mussels, oysters, scallops and squid
- Fish
- Peanuts
- Tree nuts such as almond, hazelnut, walnut, cashew, pecan, brazil, pistachio and macadamia
- Sesame seeds
- Eggs
- Milk
- Soybeans
- Mustard
- Lupin (sometimes used as a replacement for soya)
- Celery
- Sulphur dioxide at more than 10 mg/kg or 10mg/litre

Information can be supplied on chalk boards, tickets in cabinets, on menus or provided verbally by an appropriate member of staff.

If the information is to be provided orally by a member of staff then it is necessary to make it clear that the information can be obtained by asking a member of staff by means of a notice, menu, ticket or label that can easily be seen by customers.

It is not enough to say that all foods may contain allergens. Nor can staff say they do not know or are unsure. Any oral information provided must be accurate, and verifiable upon challenge (so you can demonstrate upon challenge by customer, Environmental Health Officer, Trading Standards Officer etc. that the information is correct). This means a system needs to be in place to ensure staff know where they can obtain information if they do not readily know which allergens are contained in a dish.

The provision of information or instructions on how to obtain information is mandatory and should be provided upfront without the customer first having to ask. Failure to comply with the new legislation could lead to prosecution.





**B1 What do you think of this new allergens legislation?**

- How long have you been aware of the legislation?
- How easy or difficult is to understand? Why?
- Are there any areas or issues that you are unsure about? Which?
- What implications will it have for your business?
- How easy or difficult will it be for you to comply?

**GROUP ACTIVITY 2 – FOR RETAILERS**

**MODERATOR TO PRESENT TWO FICTIONAL CASE STUDIES TO THE GROUP.  
MODERATOR TO OUTLINE ANY PRACTICES AROUND ALLERGEN LABELLING ALREADY IN PLACE AND TO ASK GROUP WHETHER THE FOOD BUSINESS IS ALREADY FULLY COMPLIANT WITH THE NEW LEGISLATION, WHY (NOT) AND IF NOT, WHAT FURTHER TASKS OR PROCEDURES NEED TO BE INTRODUCED TO MAKE THE FOOD BUSINESS FULLY COMPLIANT AND WHAT DIFFICULTIES THEY MAY ENCOUNTER IN MAKING THEIR BUSINESS FULLY COMPLIANT**

**Case Study 1 – Turner’s bakery**

Turner’s bakery is a small family run business baking bread, cakes and muffins on-site. They also make sandwiches to sell to the lunch-time crowd. Currently all baked items are displayed in the window with no information on allergenic ingredients. The sandwiches are made prior to the lunchtime rush, wrapped in cellophane with a label giving the name of the sandwich e.g. cheese and pickle, prawn mayonnaise, chicken and pesto. These labels do not currently advise the customer to ask staff for information on allergenic ingredients and neither are there any boards or signs on the shop walls displaying any allergen information. Space is at a premium in this small bakery, and the owner is reluctant to add any extra signage to an already cluttered wall space.

*Answer: Under the new regulation, this business will not be compliant with the allergen provisions and will need to make some changes in its processes.  
Looking at the approach and the limitations on ability to provide allergen information upfront, the business may choose to provide a signpost to speak to a member of staff to obtain allergen information. This information could be in a form of a chart of products and allergen profiles or a recipe book.*

**Case study 2 – Bruce’s Butcher**

Bruce’s Butchers sells fresh meat and poultry, eggs, sausages, meat pies and sausage rolls. All foods are displayed in chilled cabinets alongside individual ticket stands that just give price information. Whilst the majority of stock remains consistent from one week to another, the homemade meat pies and sausages do vary. Therefore the owner displays one sign on the wall behind the counter which advises customers to ask staff about allergenic ingredients contained in each product as this is less time consuming and costly than listing out and updating allergenic ingredients as and when individual food items are changed.

*Answer: This system of signposting in place is acceptable and the business is compliant with the new legislation.*



## GROUP ACTIVITY 2 – FOR CATERERS

### Case study 3 – Tribbiani's Restaurant

Tribbiani's restaurant serves traditional Sicilian cuisine. The main menu remains unchanged for six months of the year. The restaurant uses symbols (with an accompanying key) to inform customers whether any of the meals included on the menu contain any of the 14 allergens and these are updated as the menu is changed every six months. However the menu is not updated if the restaurant has had to change any of their suppliers and the brand of ingredients used in any of the meals has changed. The restaurant also offers a daily specials board – this is a blackboard which simply lists out the names of the specials for that day.

*Answer: This use of symbols with a key is an acceptable way to disseminate allergen information, however, the sole use of symbols is not permitted if not accompanied by text or there is a legend to explain what these symbols mean.*

*This business is in danger of having out of date allergen information if the replacement ingredients used when suppliers or ingredients have changed, have different allergen profiles.*

*The specials board does not provide allergen information. This is inconsistent to the allergen information on the menu and could mislead the customer into thinking the specials do not have allergens in them.*

### Case Study 4 - The Tasty House

The Tasty House serves take away Chinese meals. The main menu is set with a large number of dishes to select from, this menu does not get reviewed or changed. All foods from this establish are made fresh and from scratch.

The take away has sign posts at the till point and on the menu – both hard copy and online - to indicate that allergen information is available from a member of staff. The allergen information is collated in a recipe file, the information in the file is reviewed as and when required i.e. a change in the ingredients or recipe.

*Answer: The system of signposting at the till and on the menu as well as the updating of allergen information makes the business compliant. The sign posts on the online menu mean that when customers call up to make their order they know they can ask about allergen information. The business would need to ensure that both their staff based at the takeaway and delivery drivers can provide accurate allergen information.*



**B2 Knowing what you know now about the legislation, what are you going to have to do at your business to ensure you comply? What changes are you going to have to make?**

PROBE FOR:

- Policies or procedures that will be put in place (e.g. checking ingredients)
- Being more rigorous in obtaining information on ingredients from suppliers
- Being more careful which suppliers are used
- Information businesses will provide to their customers
- Information on wider range of allergens
- Ways in which this information will be provided
- Will more written information be provided?
- Resources required to help compliance
- Level and type of staff training needed
- If you sub-contract any of your catering to an outside organisation, what are you going to have to do to make sure you are fully compliant?
  - How will you ensure that you have the information you need from the sub-contractor to be able to tell your customers about any allergens in the foods you serve?
  - In your opinion, whose responsibility is it to ensure that the correct information about allergens is provided to the consumer? Why?

**B3 How easy or difficult is it going to be to make these changes within your business? Why?**

- Which change(s) are going to be the most difficult to implement?

PROBE FOR:

- How easy or difficult will it be to make sure your business meets the new requirements
- And at your busiest times?
- The time needed to make changes and regularly update information (e.g. when recipes or suppliers change)
- Ensuring staff always comply



**B4 Think about the changes you are going to need to make sure your business is fully compliant. Overall, how much do you think these changes are going to cost your business...?**

- Financially
- In terms of staff time
- which single change would be most costly / time consuming

## **C Support implementing the new allergens legislation (45 minutes)**

**C1 Tell me about any support or training you or your staff have had already in relation to the new allergen legislation?**

IF RECEIVED TRAINING, MODERATOR TO PROBE FOR INFORMATION ON:

- Who provided the support or training
- When the support / training was received
- Content and format of the support / training
- How often support / training has been sought

IF NO TRAINING RECEIVED:

- Why not? What, if anything, has prevented you from being able to receive any training?
- Have you looked for any training that might be relevant? IF YES: Can you tell me a bit about what you have looked for and where?

**C2 What type of support will you need from the Food Standards Agency (FSA) so that your business is fully compliant with the new allergens legislation?**

PROBE FOR DETAIL ON EACH OF THE FOLLOWING AREAS:

- Background and further explanation about the legislation
- Examples of how and what types of information can be provided to customers
- Sector specific information and guidance
- Staff training guidance
- Example case studies of how different types of businesses have adapted to comply with the legislation



**PROCESS NOTES:**

*C2 Moderator to refer to specific areas identified as difficult at B3 and probe what type of support respondents would like to help with these areas*

**C3 And what type of support tools would you like to receive from the FSA? What specific tools might help you?**

- Online guidance to compliance with legislation
- Online E-Learning module
- Online Q&As
- Hard copy of guidance
- Hard copy leaflets for SMEs
- Workshops on content
- Posters
- Dedicated DVDs posted to food businesses
- YouTube videos
- Phone Apps
- Training materials in different languages (IF SO; Which?)

**Which of these formats would be most / least useful? Why? What would you refer to the most?**

**PROCESS NOTES:**

*C3 This should be asked first as a spontaneous question. Once all spontaneous responses have been mentioned, moderator will specifically list the tools using show cards and discuss their respective pros and cons.*

*Once all tools (both spontaneous and prompted) have been discussed, group will be asked to identify those which would be most useful by ordering the show cards in terms of usefulness.*



### GROUP ACTIVITY 3

**MODERATOR TO PRESENT GROUPS WITH THE FOLLOWING FSA PRODUCED MATERIALS AND ALLOW RESPONDENTS 5 MINUTES TO LOOK THROUGH:**

- Think Allergy checklist
- Loose foods leaflet
- Voluntary Best Practice Guidance

**MODERATOR TO EXPLORE RESPONDENTS' INITIAL VIEW OF MATERIALS INCLUDING:**

- Usability
- Design and aesthetics
- General suitability for their business

### GROUP ACTIVITY 4 – MORE DETAILED DISCUSSION OF THE FSA MATERIALS

**GROUP TO SPEND MORE TIME LOOKING AT:**

- Think Allergy checklist
- Loose foods leaflet
- Voluntary Best Practice Guidance

**MODERATOR TO PROBE FOR:**

- Type amount and level of information
- Terminology used
- Any information learnt from materials versus what the group already know
- Usefulness
- Like and dislikes
- General appeal – how many would like to receive this information from the FSA?  
Why / why not?
- Anticipated use – accessing the materials – when / why?

**C4 Which is the most useful?**

- Which would meet your training needs the most? Why?
- Which would you use for training your own staff?

**C5 What information is still missing?**

- What questions do you still have about the new allergens legislation and how it will affect your business?



- C6 **Are there any other issues that the FSA should consider when designing support and guidance around the new allergen legislation? What are these?**
- C7 **Are there any other organisations that should produce guidance on the new allergen legislation? Which?**
- How would this differ from the guidance produced by the FSA?
  - Would you be more or less likely to consult guidance that was produced by organisations other than the FSA? Why?
- C8 **And finally, if you were to design some guidance on the new allergens legislation for businesses like yours, what information would you include?**
- What would be the essential information? Why?
  - How lengthy would the guidance be?
  - How would you present this information? Which tools would you design?
  - How would you make the guidance as user-friendly as possible?

## D Wrap up (5 minutes)

**Thank you for your time this evening, your answers have been really useful.**

**In wrapping up are there any other comments you'd like to make in relation to the new EU legislation and how the FSA can adequately support food business such as yours?**

ASK ALL

THANK RESPONDENT AND CLOSE INTERVIEW
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Finally I would just like to confirm that this survey has been carried out under IFF instructions and within the rules of the MRS Code of Conduct. Thank you very much for your help today.
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## Stakeholder Topic Guide

# Qualitative Research on the Provision of Allergy Information to Consumers for Foods which are not pre-packed

J5296

Telephone

## A Background and Introduction (5 mins)

Organisation Name	
Contact Name	
Job Title	

- Ask to speak to named contact.
- Thank respondent for agreeing to take part
- Introduce self, company and project

We are conducting some research on behalf of the Food Standards Agency (FSA) which explores the issues food businesses face as they work to comply with the new EU Food Information for Consumers Regulation which stipulates that from December 2014, customers must be informed if any of 14 allergens are contained in foods that are sold or served and are not pre-packed.

In October 2012, the FSA commissioned some research to explore the level of awareness and understanding among food businesses of the new legislation. The research showed that the level of awareness was relatively low. To supplement the findings from this original study, this additional phase of the research seeks to better understand how difficult it will be for businesses to comply with the new legislation and the types of support food businesses are going to need to help them meet the requirements of the law.

Prior to speaking with food businesses, we would like to consult with industry representatives to understand how the challenges faced by and needs of food business operating within different sectors vary and how the FSA can help organisations like yours help their members.

- All answers confidential. FSA will not know they have been interviewed and will only see responses in an anonymised form unless consent has been given.
- Interview length: c. 30 minutes
- Request permission to record full interview.

A1 Could you just start by telling me a bit about the organisation you work for?



- How many food businesses does your organisation represent?
- Describe the type and size of food businesses you represent
- How similar or different are the types of food business you work with? In what ways are they different?

**A2 And what does your job role entail?**

- How often are you in contact with the food businesses you represent? What sorts of issues do you discuss with them?
- How involved are you currently with helping food businesses make any required changes so that they comply with the new allergen legislation that comes into effect in December 2014?



## B Anticipated challenges food businesses face in complying with the new legislation (10 mins)

**B1 How would you describe your members' level of understanding of the new allergen legislation and what is required of them?**

- Which aspects are they most familiar with, and which the least?

**B2 To what extent have your members started to make the necessary changes to make them compliant with the new allergen legislation?**

*ASK IF MADE CHANGES:*

- What types of businesses have started to make changes?
- What changes have been made?
- What feedback have you had from these members about how easy or difficult this process has been?

*ASK IF MADE CHANGES*

**B3 Have you been involved in any way in assisting these businesses that have started to make changes? In what ways?**

*ASK ALL*

**B4 Overall how easy or difficult is it going to be for the businesses that you represent to be able to comply with the new allergen legislation? Why do you say this?**

- What will businesses struggle with most? Why?
- Do you think some businesses will struggle more than others to comply? IF YES: Which and why?
- Which will find it easiest to comply? Why is this?

**B5 What will be the challenges and difficulties that businesses face in being able to comply? What else?**

*IF NOT ALREADY MENTIONED PROBE SPECIFICALLY FOR:*

- Business understanding;
- How feasible is the policy (making the policy work in busy situations)
- Time commitment to make changes and regularly update information (e.g. when recipes or suppliers change)
- Ensuring staff adherence



## C Current guidance provided to members (10 mins)

### C1 Do you currently share any information or guidance with your members about the new EU legislation relating to allergens that comes into effect in December next year?

*IF PROVIDE INFORMATION / GUIDANCE*

- What information or guidance do you provide to your members?
- What format does this information or guidance take? (Whether written / verbal / other)
- When was this guidance produced and why?
- Do you send out the same information to all members or does the guidance differ?
  - How does the guidance differ and why? Why types of food businesses receive which type of guidance?
- **Would you be willing to send us this guidance (including copies of documents or signpost us to the relevant websites)? Any information you share would be extremely valuable in helping the FSA better understand the support needs of your members. IFF INTERVIEWER TO RECORD ANY WEBSITES**

*ASK IF PROVIDE INFORMATION*

### C2 Has your organisation produced this information from scratch or have you consulted other organisations / guidance (or a mixture of the two)?

- **IF CONSULTED OTHER ORGANISATIONS:** Which organisations have you consulted and why? Which organisations have been most useful in helping with the guidance you have produced?

*ASK IF DO NOT CURRENTLY PROVIDE INFORMATION / GUIDANCE*

### C3 Why do you not currently offer your members any information or guidance on the new legislation relating to allergens?

- Have there been any particular difficulties or challenges in being able to produce guidance? IF YES: What have these challenges or difficulties been?
- Do you plan to put together any information or guidance for your members? IF YES When? What type of information will be included in this guidance?
- Do you envisage being able to send out the same guidance to all your members, or will you have to produce tailored versions for different types of food businesses? IF TAILORED: How will these tailored versions differ and which members will receive which types of guidance?



ASK ALL

C4 **Can you tell me a bit about how you disseminate information to your members in general?**

- Which methods / tools are more likely to lead to food businesses carefully reading and understanding any guidance you send out? Do you have any experience with any of the following approaches?

*ASK HOW EFFECTIVE EACH SELECTED METHOD IS*

- Online guidance
  - Online Q&As
  - Hard copy of guidance
  - Workshops on content
  - Posters
  - Dedicated DVDs posted to Food Businesses
  - YouTube videos
  - Phone Apps
- And which methods are least effective methods of dissemination? Why?
  - Do you currently disseminate any information on allergens? IF YES: Which methods do you use? How do you know which are most / least effective? IF NO: Why don't you disseminate information about allergens?
  - **Would you be willing to show any examples of how you disseminate information to your members? Any information you share would be extremely valuable in helping the FSA better understand which methods are particularly effective among your members. IFF INTERVIEWER TO RECORD ANY WEBSITES**



## D Support from the FSA (15 mins)

### D1 What information do you want the FSA to provide to improve understanding and aid compliance with the new allergen legislation?

*ALLOW TO ANSWER SPONTANEOUSLY AND THEN PROBE FOR:*

- set out legislation;
- examples of how allergen information can be given to customers
- staff training guidance;
- examples of what consumers prefer
- example case studies of how different types of businesses have adapted to comply with the legislation

### D2 Thinking about the next few months and the lead up to the new allergen legislation coming into effect, what types of support tools would you like to receive from the FSA to help support your members?

- What specific tools might help you? This should be a spontaneous question and only prompt if they are not sure

PROMPT WITH LIST BELOW:

- Online guidance to compliance with legislation
- Online E-Learning module
- Online Q&As
- Hard copy of guidance
- Hard copy leaflets for SMEs
- Workshops on content
- Posters
- Dedicated DVDs posted to food businesses
- YouTube videos
- Phone Apps
- Training materials in different languages
- Are any of these tools you haven't considered using in the past but think may have some potential when it comes to supporting your members in relation to the new allergens legislation? IF YES: Which and why?
- To what extent would these tools supplied by the FSA need to be tailored to suit the different types of business your organisation represents? Tell me how the tools would need to be tailored.

### D3 Are there any other issues that the FSA should consider when designing support and guidance around the new allergen legislation? What are these?



**D4 What other organisations apart from the FSA will you approach for guidance on the new allergen legislation?**

ALLOW TO ANSWER SPONTANEOUSLY AND THEN PROBE FOR:

- Environmental Health Officers (EHOs) / Trading Standards Officers (TSOs)
- Other trade bodies (PROBE FOR WHICH)
- Consultants

## E Wrap up

Thank you for your time today. Your responses have been very useful and will help inform our questions when we come to speak directly with food businesses about the allergen legislation.

**E1 Are there any other comments you'd like to make in relation to the new EU legislation and how the FSA can adequately support industry bodies and food businesses?**

**E2 If you have said that you would you be willing to send us any guidance that you already share with you members or examples of how this is disseminated or any other examples of guidance on different food safety issues you have produced and circulated then we'd be very grateful if you could send to the following address / e-mail:**

**IFF RESEARCH, CHART HOUSE, 16 CHART STREET, LONDON, N1 6DD  
+ E-MAIL ADDRESS**

ASK ALL

**E3 Would it be possible to feed back your responses to the FSA so that they can contact you should they want to further explore any issues you have raised during this interview?**

Yes	1	
No	2	

ASK ALL

**E4 And I can just ask would you be willing to be contacted again by the FSA or an agency working on their behalf to take part in future research in this area?**

Yes	1	
No	2	

ASK ALL

THANK RESPONDENT AND CLOSE INTERVIEW		
Finally I would just like to confirm that this survey has been carried out under IFF instructions and within the rules of the MRS Code of Conduct. Thank you very much for your help today.		





Prepared for FSA by IFF Research Ltd and PSI.

David Vivian and Deborah Smeaton.

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