



# UK Food Information (Amendments) Regulation 2019 (*Natasha's Law*) Overview

*"...Help protect consumers by providing potentially life-saving allergen information on the packaging" FSA 2021*

# Panache South & Panache Consultancy



**Jon Rook**  
Managing Director, Panache South

30+ years experience within the Catering and Hospitality industry, specifically within the Higher Education sector  
CIEH registered food safety trainer



**Niccola Boyd-Stevenson**  
Managing Director, Panache Consultancy

Founding partner of Panache Consultancy - highly experienced foodservice professional with 30+ years experience of in-house or outsourced catering & cleaning services

- One of UK's leading independent catering and facility management consultancy companies
- Number 1 ranking catering consultants on the LUPC consultant's framework

# Food Allergies

In the UK, it is estimated that  
**1-2% of adults & 5-8% of children**  
have a food allergy

This equates to around  
**2 million people**  
living in the UK with a food allergy

This figure does not include those with food intolerances

# Food Allergies

*'Allergy is the most common chronic disease in Europe. Up to 20% of patients with allergies live with a severe debilitating form of their condition, and struggle daily with the fear of a possible asthma attack, anaphylactic shock, or even death from an allergic reaction.'*

— The European Academy of Allergy and Clinical Immunology (EAACI)

# Course overview

1. Current Legislation Overview
2. Why are the UK food information amendments 2019 (Natasha's Law) being introduced?
3. Current & the new legislation- What are the changes?
  - Prepacked and PPDS
  - Take away & distance selling
  - Labelling requirements
4. Enforcement & Penalties
5. Practice Implementation -What does this mean for my business/department?
6. Communication
7. Further Resources
8. Help and Support
9. Questions

# 1. Current Legislation

- Food information to consumers (FIC) Regulation (EU) No 1169/2011
- The Food Information Regulations 2014 (England) (*and parallel FIR regulations in Northern Ireland, Scotland and Wales*)
- 14 key allergens communicated with customers, written or verbal with clear signposting (annex 2 of EU FIC)
- Information – accurate, consistent, verifiable
- Applies to allergens intentionally added
- Managing cross contamination of allergens required as part of your HACCP
- ‘May contain’ falls under voluntary information

# 1. Current Legislation

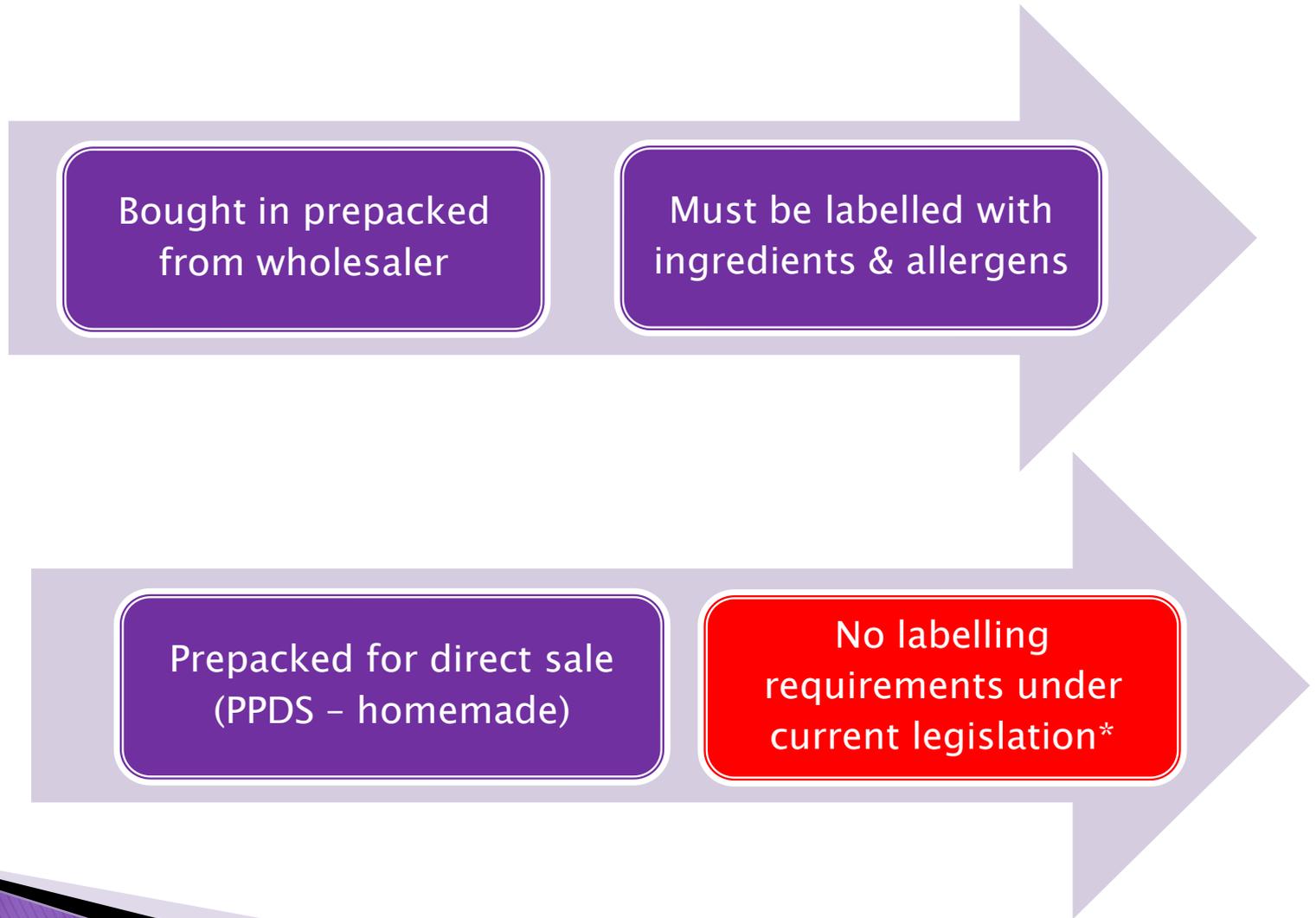
- Food information to consumers (FIC) Regulation (EU) No 1169/2011/  
The Food Information Regulations 2014 (UK)
- Specifically regarding Prepacked foods:
  - Applies to wholesale food which is 'brought in' in prepackaged for retail sale (e.g. from a sandwich supplier). Must label the ingredients & allergens
  - Does not apply to foods which are 'Prepacked Foods for Direct Sale' (PPDS) those made on site and then wrapped for sale that day

## 2. Why are the UK food information amendments 2019 (Natasha's Law) being introduced?



- The change follows the death of 15 year old Natasha Ednan-Laperouse, in July 2016
- Natasha suffered an allergic reaction to a Pret A Manger baguette containing sesame
- At an inquest into her death a coroner described Pret's allergen labelling as "inadequate"
- Legislation was amended by the government in September 2019 & will apply to all food prepared & packed for future sale from 1<sup>st</sup> October 2021

### 3. Current requirements



### 3. NEW requirements

Bought in prepacked  
from wholesaler

Must be labelled with  
ingredients & allergens

Prepacked for direct sale  
(PPDS – homemade)

Must be labelled with  
ingredients & allergens

# 3. What are Prepacked Foods?

Prepacked products refers to **any food put into packaging before being placed on sale:**

- Food is prepacked when it:
  - Is either **fully or partly** enclosed by packaging
  - **Cannot be altered without opening** or changing the packaging
  - Is ready for sale
- Prepacked foods must have an ingredients list present on the packaging
- Allergens must be emphasised each time they appear on the ingredients list

### 3. What are 'Prepacked Foods for Direct Sale' (PPDS)?

- PPDS depends on **whether**, **where** and **when** it is packed in relation to the point it is offered for sale

These include:

- Foods packed **on the same premises/site\*** from which they are being sold
- Any food that is in the **packaging before it is ordered or selected**

# 3. What are 'Prepacked Foods for Direct Sale' (PPDS)?

## EXAMPLES *(from FSA)*

- Sandwiches & bakery products which are packed on site **before a consumer selects or orders them**
- **Fast food packed before it is ordered**, such as a **wrapped burger under a hot lamp** where the food cannot be altered without opening the packaging
- Products which are prepackaged on site ready for sale, such as **pizzas, rotisserie chicken, salads and pasta pots**
- **Burgers and sausages prepackaged by a butcher** on the premises ready for sale to consumers
- **Samples of cookies given to consumers for free** which were packed on site

# 3. What are 'Prepacked Foods for Direct Sale' (PPDS)?

## EXAMPLES *(from FSA)*

- Foods packaged and then sold elsewhere by the same operator at a market stall or mobile site
- PPDS food provided in **schools, care homes or hospitals** and other similar settings will also require labelling
- **Vending**
  - If **homemade items are used in vending**, they must be individually labelled with allergens
  - A notice on the machine will signpost customers to where to obtain a refund should the product contain an allergen they cannot eat once it has been purchased

### 3. Which foods are NOT PPDS?

- Loose items (fruit, veg, sweets, other loose foods that are not in packaging)
- **GOODS MADE TO ORDER IN FRONT OF YOU** (even if it is subsequently put into packaging to give to the customer)
- This extends to for example, a **sandwich/baguette on display, not in packaging, that is then packaged to give to a customer: This is loose food**
- Hot soup already in a lidded container **IS** PPDS, hot soup served into a container **IS NOT**
- PPDS food sold by means of **distance selling**, such as food which can be purchased over the phone or on the internet
- ✓ Allergen information must still be provided but this can be done through other means, including orally or written with clear signposting
- ❖ PPDS food does not cover food packed by one business and supplied to another business for sale ( for example a pork pie packed by business "A" and sold by business "B" at a farmer's market) this is prepacked food

### 3. Distance selling/Take away

- Such as food which can be **purchased over the phone or on the internet**
- Article 14 FIC Act
- The new labelling requirements **do not** apply to PPDS food sold by means of distance selling
- Businesses selling PPDS food this way need to ensure that mandatory allergen information is available to the consumer before they purchase the product and also at the moment of delivery

# 3. PPDS Labelling - Content

- PPDS food will have to clearly display the following information on the packaging:
  - the name of the food
  - full ingredients list- In descending weight order
  - with allergenic ingredients emphasised EVERY TIME THEY APPEAR IN THE LIST (for example in **bold**, *italics* or a different colour)

INGREDIENTS
Water, Carrots, Onions, Red Lentils (4.5%) Potatoes, Cauliflower, Leeks, Peas, Cornflower, <b>Wheat</b> flour, Cream ( <b>milk</b> ), Yeast Extract, Concentrated Tomato Paste, Garlic, Sugar, <b>Celery</b> Seed, Sunflower Oil, Herb and Spice, White Pepper, Parsley
ALLERGY ADVICE
For allergens, see ingredients in <b>bold</b>

### 3. PPDS Labelling - Content

- Use an **allergy advice statement** on the product label to explain how allergens are emphasised within the ingredients list

For example:

- *'Allergy advice: for allergens, see ingredients in bold'*

or

- *'Allergy advice: for allergens, including cereals containing gluten, see ingredients highlighted in blue'*

# 3. PPDS Labelling - Content

- Where the name of the product consists of a **single ingredient** (e.g. bag of peanuts or a box of eggs) & clearly refers to the presence of a substance or product causing allergies, further indication of the presence of the allergen substance is not required
- However, where the name of the food is less familiar you may wish to include a contains statement; e.g. Tahini paste(contains sesame)

# 3. PPDS Labelling - Formatting

- All written mandatory allergenic information should be
  - **easily visible**
  - **clearly legible**
  - **not obscured** in any way e.g. not hidden under a flap or across a fold or crease
  - Indelible (cannot be erased)
- Consider the mode of emphasis
  - Is it **sufficiently visible**?
  - Is it readable for those with visual impairments?
  - E.g. consider individuals with **colour blindness when using contrasting colours**

# 3. PPDS Labelling - Formatting



- A minimum font size where the x-height is 1.2mm or more should be used where labelling surface is 80cm<sup>2</sup> or more
- A minimum font size where the x-height is 0.9mm or more should be used where the labelling surface is less than 80cm<sup>2</sup>

*Food.gov.uk/food –allergen labelling technical guidance*

# 3. PPDS Labelling - Formatting

- Where the food packaging or container's largest surface area is less than 10cm<sup>2</sup> (e.g. a single portion sachet of sauce), **the ingredients list can be omitted** provided that the ingredients information is provided by other means or made available at the consumer's request

(Article 16(2) of regulation (EU) No.1169/2011)

- In such cases, the presence of any of the 14 Allergens must be indicated by the word 'contains...' followed by the name of substance or product (e.g. Contains: celery, fish)



# 3. Summary

- The law has now been extended to include products made on the premises as well as 'bought in'
- If you wrap/ package food for **direct sale** then the law applies (PPDS)
- **PPDS** -Any food that is in the **packaging before it is ordered or selected**
- Requires labelling Including the following information:
  - full ingredients on a (in weight order- descending)
  - Allergies must be **bold/ highlighted** or underlined
  - Allergies must be highlighted every time they appear
  - Use an allergy advice statement on the product label to explain how allergens are emphasised within the ingredients list

# 4. Enforcement

- Authorised food officers at **Local Authorities** have responsibility for **official controls relating to allergens**
- Many parts of the UK have **2 tiers of local government**:
  - county councils
  - district, borough or city councils
- In some parts of the country, **there's just 1 (unitary) tier of local government** providing all the local services. The 3 main types are:
  - unitary authorities in shire areas
  - London boroughs
  - metropolitan boroughs
- **The enforcement responsibility can be devolved to these different councils**

## 4. Penalties

- Failure to comply with The Food Information (Amendment) (England) Regulations 2019 (*and parallel FIR regulations in Northern Ireland, Scotland and Wales*) will be a **criminal offence and can lead to a criminal prosecution**
- A person convicted of an Allergen offence under the FIR 2019 **will be liable to an unlimited fine** (Decided by a magistrate on a case-by-case basis)

## 4. When are the UK food information amendments 2019 (Natasha's Law) being introduced?

- Effective from 1<sup>st</sup> October 2021
- England, Wales and Northern Ireland
- *Similar arrangements to follow in Scotland to ensure a consistent UK-wide approach at a similar time*

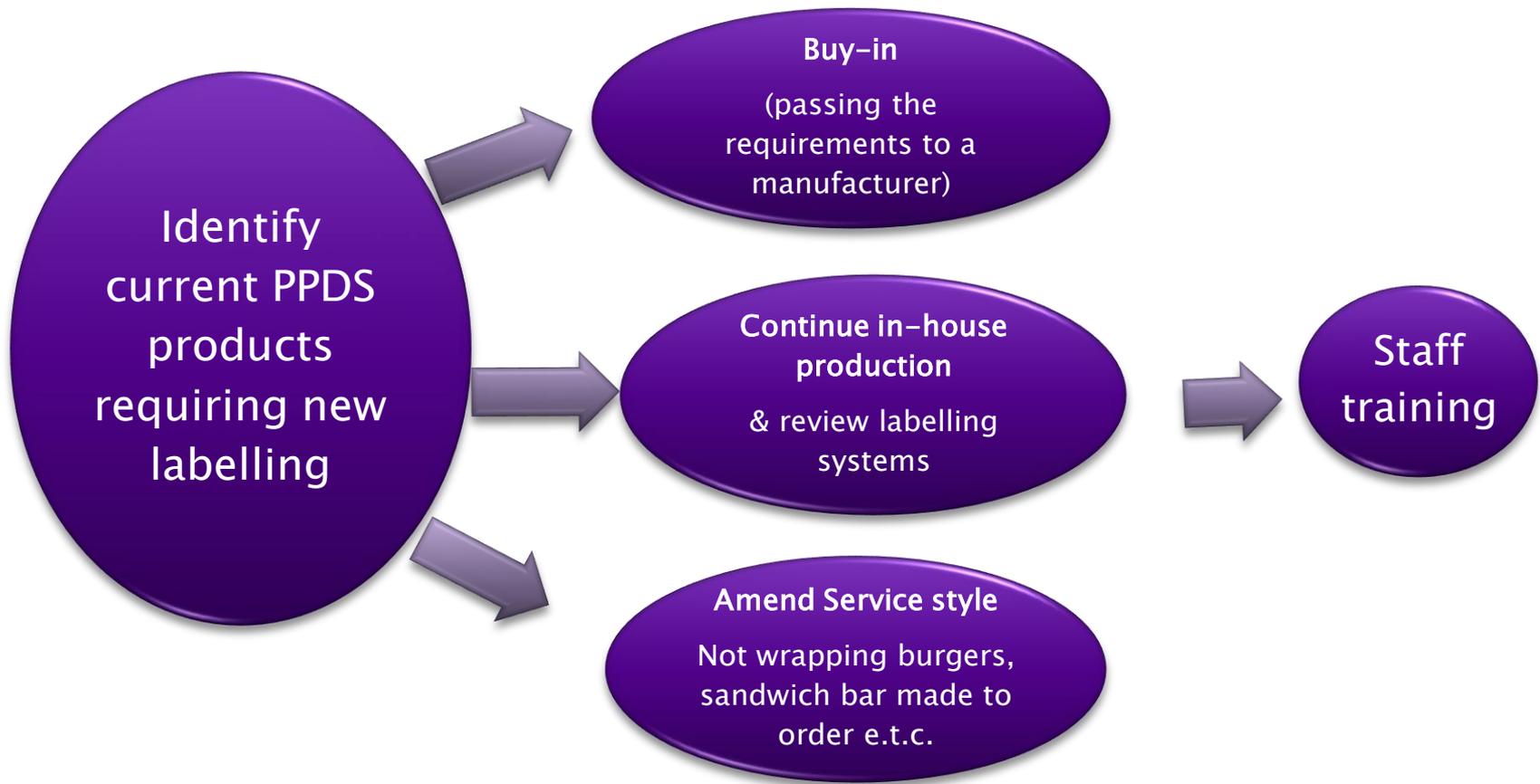
# 5. Practical Implementation

## Initial concerns from caterers...

Cost implications of time and creation of labels

- Potential 'human error' with onsite labelling
- Especially for:
  - catering operations where ingredients change daily
  - smaller businesses that may do labelling by hand

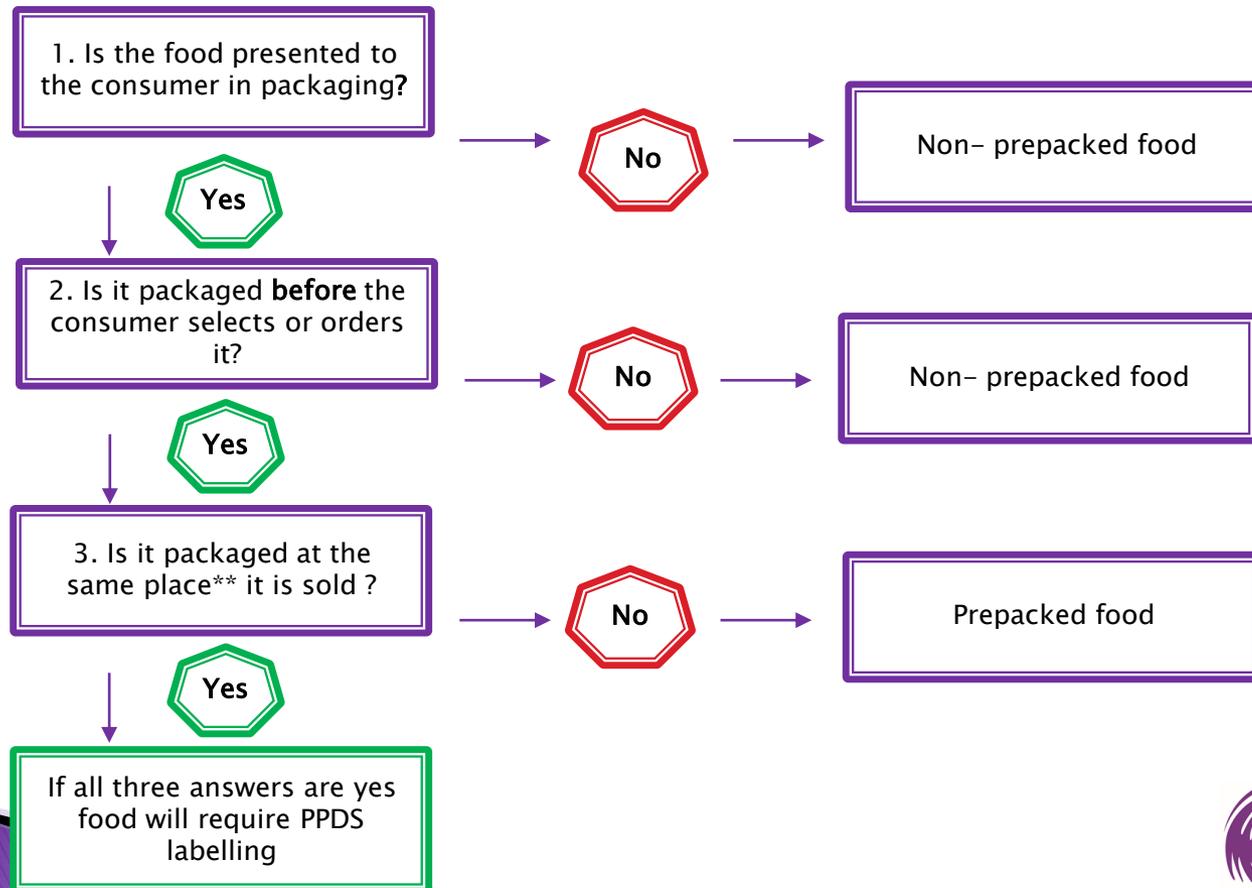
# 5. Practical implementation



# 5. Practical implementation

- Checking if your business sells PPDS food - FSA has an Allergen & Ingredients food labelling tool:

- <https://www.food.gov.uk/allergen-ingredients-food-labelling-decision-tool>



# 5. Practical implementation

- Once you have a defined list of PPDS products:
  - **Choose the labelling platform** – there are a number of suppliers
  - **Discuss & communicate** – the new rules with your staff via training
  - **Trial** before 1<sup>st</sup> October
  - **Review communication methods with customers** - let them know of the changes
  - **Have a back up plan**

## 6. Communication - What will we need to do?

- Review information from suppliers
  - Ensure that suppliers provide you with the necessary information to meet your obligations
  
- Review Kitchen to front of house procedures
  - Identify key personnel? – Allergy champions
  - Staff training – what is/is not PPDS? What are the new rules?
  - Review kitchen & service processes to ensure PPDS is always labelled correctly/accurately
  - Introduce robust monitoring & reviews for labelling of PPDS

# 6. Communication - What will we need to do?

- What about my written information/records?
  - Don't forget your procedures for non PPDS foods and allergen awareness & other communication methods-review current allergen signage & menus- does it conflict with the new requirements?
  
- Records
  - Must be kept to demonstrate due diligence

# 7. Further resources

- FSA has allergen and ingredients food allergen labelling tool  
<https://www.food.gov.uk/allergen-ingredients-food-labelling-decision-tool>
  
- FSA has provided technical guidance – food allergens and labelling technical guidance  
<https://www.food.gov.uk/document/food-allergen-labelling-and-information-technical-guidance>
  
- The specific requirements are based on the following articles:
  - Article 8 on responsibilities
  - Article 9 on mandatory particulars
  - Articles 12 & 13 on availability and presentation of mandatory particulars
  - Article 21 on labelling of certain substances causing allergies or intolerances
  - Article 14 on distance selling
  
- [Natasha Allergy Research Foundation \(narf.org.uk\)](http://natashaallergyresearchfoundation.org.uk)

## 8. Help & Support

- Panache South & Panache Consultancy offer food safety auditing and training nationwide
- If you would be interested in discussing how we can support your business/department, please contact us via our website

[www.panacheconsultancy.co.uk](http://www.panacheconsultancy.co.uk)

Or

Email: [services@panacheconsultancy.co.uk](mailto:services@panacheconsultancy.co.uk)

- Preferential rates for LUPC/TUCO members
- Any Allergy work we will donate 15.5 % of our fees to [Natasha Allergy Research Foundation](#)

9. Any questions?

Thank You!