New allergen regulations are coming

From December 2014, you will need to document full allergen information relating to your menu items. This will prove a challenge to many businesses - especially those that regularly change their product range or menus. Melissa Thompson MIH advises on how best to comply.

Background

Regulation (EU) No 1169/2011 on the provision of food information to consumers (EU FIC) was published in October 2011. In the UK, it will be enforced through the Food Information Regulations 2013. It will come into force on 13 December 2014, but businesses are strongly advised to start making the necessary changes to their operations as soon as possible.

Main changes

In the area of food allergens the Regulation introduces two main requirements:

- Allergens must be highlighted in the ingredients lists of packaged foods.
- Allergen information must now be available for ‘loose foods’. Previously, although good practice, this was not a legal requirement.

This does not include those substances being present through cross-contamination.

The 14 allergens that need to be declared are as follows:

- Cereals containing gluten – wheat, rye, barley, oats, spelt or kamut
- Crustaceans
- Egg
- Fish
- Lupin
- Milk
- Molluscs
- Nuts and nut oils – almond, hazelnut, walnut, cashew, pecan nut, brazil nut, pistachio nut, macadamia nut and queensland nut
- Peanut
- Soya
- Sesame
- Celery and celeriac
- Mustard
- Sulphur dioxide and sulphites

How allergen information can be provided

The information can be supplied on the menu, chalk boards, tickets or in other written formats. It will not be enough for caterers to say they do not know whether a particular food contains any of the relevant allergens. It will be possible to provide allergen information verbally upon request but the written information must be available should a customer or an enforcement officer ask to see it. If you choose to provide the information verbally, you must display notices prominently informing customers of this.

Here is an example of the kind of message you should put on your menu:

**Food Allergen Advice**

- Some of our menu items contain allergens and there is a risk that traces of these may be in any other food served here.
- We understand the dangers to those with severe allergies so have recorded which of the menu items contain any of the 14 named EU allergens as an ingredient.
- Please ask to speak to the duty manager who can provide you with this information and may be able to help you make an alternative choice.

Enforcement of the allergen laws

Although food labelling laws are normally enforced by Trading Standards Officers, arrangements are being made to allow Environmental Health Officers to enforce the allergen provisions of the new law. Improvement notices could be served to secure compliance or you could be prosecuted in the first instance and fined up to £5,000.

Don’t forget though that food safety law still applies and if a customer asks and you provide incorrect information about the allergen content, penalties are much more severe and could lead to a £20,000 fine and imprisonment.
How the legislation might help you

It is estimated that there are two million people in the UK whose food choices are dictated by allergies or food intolerances. This new regulation is good news for those people as they will be able to make more informed choices about where they eat out. In a recent survey, 74% of Coeliac UK members said they would eat out at least every two weeks if they could be guaranteed a gluten-free menu option. Coeliacs are just part of a hidden market worth an estimated £100 million a year catering for customers with special dietary needs. This new legislation is great news for the responsible caterer who considers that the welfare of their customers is just as important as compliance with the new legislation.

Practical ways to comply

It may seem obvious when a dish on your menu contains eggs, milk or fish. However, many allergens are hidden where you would least expect them to be, so it is essential that you are familiar with the constituents of EVERY ingredient. Here are just a few examples of hidden ingredients:

- Worcester sauce usually contains anchovies
- In wine, egg white, milk protein or fish derivatives are often used in the fining process
- Batter mix can contain soya

Software solutions

Some caterers and foodservice providers are getting to grips with computer-based solutions to help prepare for the new regulations. One particularly innovative web-based system allows you to enter the ingredients of each recipe. It is provided by a company called Menu Analyser. The system recognises any dishes containing the 14 named allergens and populates an allergen chart which can be viewed by customers, enforcement officers, staff members on site and at other branches. It also provides a QR code for each menu item with full ingredient information which can be scanned using a smart phone.

Melissa Thompson MIH is managing director of Safer Food Scores

Safer Food Scores provide food allergy workshops for companies wanting to get to grips with this subject. They have also produced a handbook Food Information Regulation (FIR) Advice for Caterers and a Food Allergen Chart Template. For FREE copies:

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