



CELERY



GLUTEN



CRUSTACEANS



EGGS



FISH



LUPIN



MILK

# Natasha's Law:

## Changes to the PPDS - October 2021

Caroline Benjamin, the founder of the Food Allergy Training Consultancy, lends her expertise to help understand and navigate the pending changes to labelling food items that are Pre-Packed for Direct Sales (PPDS).





MOLLUSCS



MUSTARD



NUTS



PEANUTS



SESAME



SOYA



SULPHITES



## WHAT ARE THE KEY CHANGES TO THE CURRENT LABELLING REGULATIONS?

From 1 October 2021, PPDS food must clearly state on its packaging the name of the food item and a complete list of all the ingredients contained therein. Any of the 14 allergens present in the ingredients list must be highlighted.

The requirements in respect to other non-pre-packed foods remain unaffected by the changes. These changes apply to England, Wales and Scotland but implementation dates may differ from country to country.

## WHY IS THIS CHANGING?

Under the current regulation, food businesses can provide allergen information for PPDS foods in the same way as an unpackaged food offering. Signposting, written information on menus or verbal referencing through allergy tables are the most popular methods of giving the consumer the necessary allergen information.

However, there has been an increase in reported incidences of allergen information not being available, especially in the 'Grab & Go' sector and this has led to some consumers suffering a serious allergic reaction. Consumers are assuming that if there is no allergen information on the packaging or it is not readily available then there are no allergens in the food they are buying.

Non-compliance with these new regulations could result in a business being served an improvement notice or in the worst case, prosecution of the food business responsible.

## WHICH FOODS ARE AFFECTED BY THE CHANGES?

Food which is prepared, packed and labelled on the same site as it is offered to the customer for sale. This includes food items which are prepared in mobile operations such as market stalls and food vans where food is pre-wrapped for sale. If, however, a customer orders 'food to go' and the item is prepared whilst they wait and then wrapped to take-away then this is NOT classed as PPDS.

## WHAT DOES PACKAGED MEAN?

- ▶ Food which is enclosed (packaged at) the point of sale which cannot be altered without replacing or opening the product. It is ready for immediate sale to the consumer.

## EXAMPLES OF PPDS FOODS

- ▶ A pre-packed sandwich wrapped and labelled then placed in a refrigerated cabinet for sale on the same premises it was made. For example: Pret a Manger
- ▶ Hot foods placed into a pre-prepared takeaway container and held hot in a cabinet on the same premises that it was made.
- ▶ Cakes presented for sale in a container and sold from a market stall owned by the stall holder

## CAROLINE BENJAMIN

Caroline Benjamin founded the award-winning Food Allergy Training Consultancy (FATC) in 2013 to help food businesses in the management of allergy awareness. FATC offers



on-site auditing, risk assessments, off-site policy reviews, consultancy, allergy labelling advice and allergy and food safety training. This training can be through a recognised awarding body or bespoke to your business. Topical events include the Allergy Prosecution Mock Trial and regular magazine articles.

## CONTACT DETAILS

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All foods pre-prepared for direct sale to the consumer (sandwiches, rolls etc.) are classed as PPDS. Made to order food is not classed as PPDS

## WHAT NEEDS TO BE ON THE LABEL?

- ▶ The name of the food
- ▶ An ingredients list (in descending order of weight) including:
  - ▷ the allergenic ingredient emphasised in some way e.g. bold, italics, capitals.
  - ▷ QUID (Quantitative Ingredients Declaration) of the percentage of meat/fish etc.
  - ▷ any ingredients which contain genetically modified or irradiated ingredients
  - ▷ additives along with the additive class (the technological function of the additive in that product) followed by either the additive name or its E number e.g. Preservative: potassium sorbate or Preservative: E203

As with the current FIR 1169/2011 regulations, 'May contain', 'Made in the same factory' statements relating to possible cross-contamination are still voluntary. The regulations state best practice should be that these statements are only used after a thorough risk assessment has taken place.