



Precautionary Allergen Labelling (PAL): The 'may contain' Consultation

Launch date: [06 December 2021]

Respond by: [14 March 2022]

This consultation will be of most interest to:

- food businesses
- institutions, for example, hospitals, schools
- primary producers
- transport companies
- trade bodies
- local authority food safety teams
- healthcare professionals
- scientists and academics
- organisations that support people with a food hypersensitivity
- consumers with a food hypersensitivity and those that care for someone with a food hypersensitivity
- consumers without a food hypersensitivity
- wider stakeholders

Consultation Subject

This consultation is to obtain information and views relating to the provision of precautionary allergen labelling and precautionary allergen information.

Current labelling legislation requires that food products should indicate the presence of any of the 14 main allergens used as an ingredient or processing aid. However, in cases where there is a risk of unintentional allergen cross-contamination (for example where multiple foods are prepared in the same kitchen), and the food business has established the risk cannot be sufficiently controlled, it is best practice for a precautionary allergen label statement to be used to communicate this risk.

This information can be communicated in a number of different ways: on **‘prepacked foods’*** and on ‘non-prepacked’ foods, which include **‘loose foods’**** and those provided **‘prepacked for direct sale’ (PPDS)*****.

Although there are a number of labelling terms used, the most common phrase to denote the possibility of unintentional allergen cross-contamination is ‘may contain’, and the information can also be provided verbally, on signs, and on menus.

Purpose of the Consultation

We are seeking feedback and comment on the issues faced by interested parties, which will assist us in considering potential approaches for precautionary allergen labelling for prepacked foods and precautionary allergen information for non-prepacked foods, so that the information is:

- communicated more clearly and consistently, in a understandable and meaningful way, to consumers in terms of the form and content of the information
- based on a proportionate and standardised processes for assessing, managing, and communicating the risk of allergen cross-contamination by food businesses

Any solution has to be workable for food businesses and keep consumers safe without unnecessarily limited their food choice.

* Prepacked foods include chocolate bars, biscuits and other products that are sold in supermarkets

** Loose foods include meals made to order in a restaurant, or vegetables and fruit sold individually on a market stall

*** Prepacked for direct sale or PPDS is food that is packaged at the same place it is offered or sold to consumers and is in this packaging before it is ordered or selected

Details of the Consultation

This consultation has been produced by the Food Standards Agency to get your views on precautionary allergen labelling, often seen as ‘may contain’ statements on prepacked food products and precautionary allergen information provided with non-prepacked food products. We recommend submitting responses via this online survey.

Who is the Food Standards Agency?

The Food Standards Agency (FSA) is a non-ministerial government department of the Government of the United Kingdom responsible for protecting public health and protecting consumer interests in relation to food in England, Wales, and Northern Ireland. One of our areas of responsibility is allergen labelling, including precautionary allergen labelling and precautionary allergen information.

What is an allergen?

An allergen is an otherwise harmless substance capable of triggering a response that starts in the immune system and results in an allergic reaction (or exacerbates coeliac disease) in certain individuals.

In this consultation an allergen refers only to the 14 allergens that are regulated in the UK.

What are the 14 regulated allergens?

The 14 allergens are: celery, cereals containing gluten (such as barley and oats), crustaceans (such as prawns, crabs, and lobsters), eggs, fish, lupin, milk, molluscs (such as mussels and oysters), mustard, peanuts, sesame, soybeans, sulphur dioxide and sulphites (if they are at a concentration of more than ten parts per million) and tree nuts (such as almonds, hazelnuts, walnuts, brazil nuts, cashews, pecans, pistachios, and macadamia nuts).

What is precautionary allergen labelling or precautionary allergen information?

A voluntary statement that food businesses can choose to apply to food products where there is a risk of allergen cross contamination. It is commonly seen as “may contain allergen x” or “not suitable for someone with x allergy” on pre-packaged food products.

For non-prepacked foods (including loose or prepacked for direct sale (PPDS) foods), precautionary allergen labelling may not necessarily be on a label, but information relating to the risk of allergen cross-contamination that can be provided verbally, by staff, or visually on signs at the premises.

Is precautionary allergen labelling legislated?

The use of precautionary allergen labelling is voluntary and there is no legislative framework for its application, other than it must not mislead the consumer, be ambiguous or confusing, and where appropriate be based upon scientific data, according to provisions within the Food Information for Consumers Regulation. However, if precautionary allergen labelling is not applied and a consumer has an adverse reaction to an allergen present due to cross-contamination, there could be a breach of General Food Law.

What is allergen cross-contamination or cross-contact?

Allergen cross-contamination or cross-contact occurs when an allergen is unintentionally incorporated into another food that is not intended to contain that allergenic food. We will use the term allergen cross-contamination throughout most of this document.

When and why should precautionary allergen labelling be applied?

There is no legislative framework for the application of precautionary allergen labels. However, the FSA view (outlined in guidance) is that it should communicate to consumers with a food hypersensitivity that there is an unavoidable risk of unintentional allergen cross-contamination within the food supply chain that cannot be sufficiently controlled. For example, a 'may contain peanuts' label may be used to indicate potential cross-contamination with peanut in a factory, or a verbal statement by a restaurant waiter may be used, because a meal may unintentionally contain almonds, due to how the food has been prepared in a kitchen.

What are the issues with the application of precautionary allergen labelling or the provision of precautionary allergen information?

Feedback from consumers and food businesses is that this form of allergen labelling is confusing and not fit for purpose. Issues include:

Choice - In a sample of food businesses analysed for an FSA study, the proportion of them applying precautionary allergen labelling or providing precautionary allergen information increased from 29% in 2012 to 55% in 2020. An increased use of precautionary allergen labelling reduces consumer choice, and potentially restricts diet. However, where there are unavoidable risks that cannot be controlled, a precautionary allergen label should be applied to provide important information regarding risk for consumers with a food hypersensitivity. There is a tension between complete choice and absolute safety – and a balance must be achieved.

Safety - There is no legal requirement to use precautionary allergen labelling, but under General Food Law, food must be safe to eat. Whilst the FSA has produced guidance in this area, which has recently been updated, feedback from food businesses and local authorities indicate there a lack of clarity as to what constitutes best practice and compliance regarding the analysis and communication of the risk of allergen cross-contamination.

Trust – A recent FSA study found that many consumers misunderstand and mistrust precautionary allergen labelling and question food businesses' motivations for applying it. The study found that many consumers believe that it is often used as a disclaimer to protect businesses, rather than keep them safe and informed, leading to risk-taking behaviours that, whilst increasing food choice, reduce safety.

What work is the FSA already doing to address issues with precautionary allergen labelling?

We have been working closely with stakeholders to deliver a range of activities outlined below:

Guidance - Following feedback from stakeholders preparing for the implementation of the new allergen labelling law, also known as “Natasha’s Law”, we have worked with trade bodies, Local Authorities, consumers, and others to update guidance for SMEs (for whom testing for allergens is generally unfeasible). This covers the steps a business should follow before deciding whether to apply precautionary allergen labelling or provide precautionary allergen information.

Research - We have commissioned food business and consumer studies to better understand how and why food businesses apply precautionary allergen labels, and to ascertain consumer perceptions of precautionary allergen labelling, including preferences for how the information on allergen cross-contamination risk is communicated. Full reports from this research will be published in 2022.

CODEX and International Life Sciences Institute (ILSI) - We are working with others at an international level; through CODEX we are contributing to work on setting levels for allergens in prepacked food to guide precautionary allergen labelling for those food businesses that conduct allergen testing; ILSI are developing practical guidance on the application of allergen quantitative risk assessment, and we are assisting with this.

When does the consultation close?

Responses are required by the close of 14th March 2022.

Consultation Aim

The aim of this consultation is to explore stakeholder views on the application and interpretation of precautionary allergen labelling. We recognise the need for consumers to have confidence and trust in precautionary allergen information.

We also recognise the need to support food businesses in standardising approaches to managing, controlling, and providing information on the risk of allergen cross-contamination, which is a challenging area.

This consultation will help define the problems under consideration and assess the value and impact of possible future approaches and enable stakeholders to put forward policy ideas, other views, or alternative approaches.

This consultation has been prepared in accordance with [HM Government Consultation Principles \(Opens in a new window\)](#).

As we are not proposing any specific reforms at this stage, no cost benefits analysis has been included.

Engagement and Consultation Process

The FSA has spoken to a wide range of stakeholders in preparation for this consultation. As part of our wider work on food hypersensitivity, an external stakeholder panel has been established, who have been consulted as part of our early engagement on this work. In March 2020, the FSA held a Food Hypersensitivity Symposium which included a broad range of stakeholders who were able to provide feedback on the issues and ideas for how they could be addressed at a precautionary allergen labelling workshop.

Stakeholders have also been involved in social science studies looking at consumer perceptions of precautionary allergen labelling and how and why food businesses provide this information. The FSA has also engaged with other relevant government departments, consumer representatives and interested parties.

Further engagement sessions will take place during the consultation period with specific stakeholder groups to focus in more detail on our early considerations.

Once the public consultation period has ended, all responses will be collated and evaluated. The responses will then be summarised and published on the FSA's website. The results of the exercise will be used to determine the next steps in terms of initial policy proposals that will be developed further and refined.

The FSA will continue to collaborate with stakeholders to validate findings as we develop options.

Summary of Consultation Questions

The consultation questions have been grouped into four themes based on initial stakeholder feedback. These are the key areas where we would welcome views to contribute to our consideration of this issue.

- 1. Provision of Information to Consumers:** To gain views on consumer preferences in respect to the wording and format of precautionary allergen labelling, and the potential for the provision of additional information, for example via an app or website, and the standardisation of precautionary allergen information.
- 2. Advice and Training for Food Businesses:** To consider the impact of the current provision of advice and guidance on the application of precautionary allergen labelling and the potential need for additional material.
- 3. Ensuring Compliance:** To gain feedback on the FSA's legal interpretation of current regulations and any need for further clarity.
- 4. Standards for Risk analysis of Allergen Cross-contamination:** To identify how best to increase consistency in the assessment, management, and communication of the risk of allergen cross-contamination.

How to respond

Responses are required by close 14th March 2021.

The simplest way to submit a response is via [Survey Monkey](#).

Alternatively, responses to consultation questions can be emailed to pal.consultation@food.gov.uk

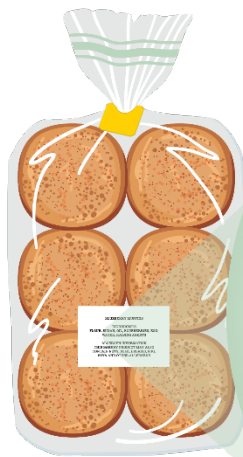
Consultation Questions

Theme 1: Information Provision to Consumers

A recent study by the FSA found that many consumers were confused by precautionary allergen labelling statements on prepacked foods, for example, chocolate bars, biscuits and other products that are sold in supermarkets. This is because the wording of precautionary allergen labelling statements can differ between products, and consumers are unsure as to what they mean. Also, some precautionary allergen labelling statements can be hard to read due to the font size or style applied by the manufacturer.

Images 1 and 2 are examples of precautionary allergen labelling statements on products

Image 1



Blueberry Muffins

Ingredients

Fortified British Wheat Flour (**Wheat** Flour, Calcium Carbonate, Iron, Niacin, Thiamin), Sugar, Rapeseed Oil, Blueberries (12%), Water, Pasteurised **Egg**, Cornflour, **Wheat** Starch, Whey Powder (Cows' **Milk**), Whey Protein Concentrate (Cows' **Milk**)

Allergen Information

THIS BAKERY PRODUCT MAY ALSO CONTAIN **NUTS, MILK, SESAME, EGG, SOYA** AND OTHER ALLERGENS

Image 2



For non-prepacked foods - for example takeaway or meals served in a canteen - precautionary allergen information can be communicated verbally, or on a menu. But there is a lack of agreement as to best practice and sometimes the risk of allergen cross-contamination may not be communicated at all.

The FSA is also aware that food businesses lack clarity on how to provide precautionary allergen labelling or precautionary allergen information, because no standards have been set.

Standardising precautionary allergen labelling on prepacked foods

The FSA is considering whether there would be a benefit in developing standards on precautionary allergen labelling on prepacked foods and providing new guidance on wording, font, style, and location of a precautionary allergen labelling statement.

Question 1: Should precautionary allergen labelling statements follow a standardised format, so that the format and wording is consistent across all prepacked foods?

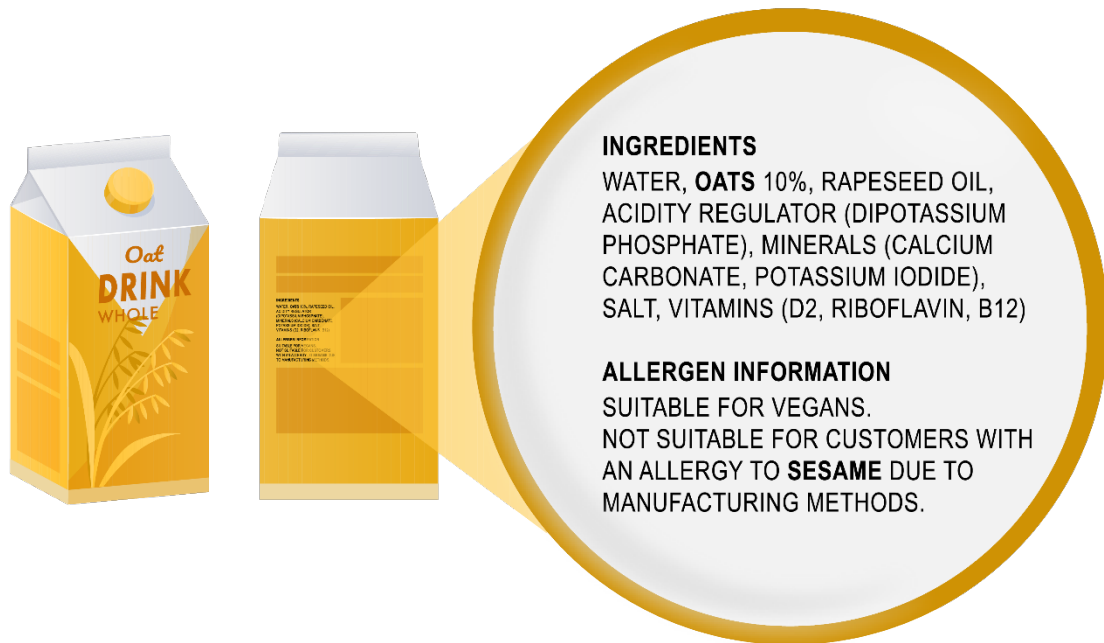
Below are a selection of the type of precautionary allergen labelling statements used by food businesses to explain that there is risk of allergens being unintentionally present in a food product, due to cross-contamination that cannot be sufficiently controlled.

Images 3 and 4 are examples of precautionary allergen labelling statements

Image 3



Image 4



Question 2: How effective are the following statements at explaining this risk?

- May contain [allergen]
- Made/produced in a factory where [allergen] is used
- May be present: [allergen]
- Cannot be guaranteed to be [allergen] free
- Not suitable for those with an allergy to [allergen]

Question 3: To better communicate the risk that an allergen may be unintentionally incorporated into another food the terms 'cross-contamination' or 'cross-contact' could be used. Which phrase most clearly describes this risk?

- Cross-contamination
- Cross-contact
- Neither
- Unsure
- Other

Question 4: The FSA is considering exploring new guidance around whether precautionary allergen labelling statements should also include phrases such as ‘cross-contamination’ or ‘cross-contact’. By adding these new statements to the range of precautionary allergen labelling statements that are already in use - how effective would they be at explaining this risk?

- May contain [allergen] due to risk of cross-contamination
- Risk of cross-contamination, as made/produced in a factory where [allergen] is used
- May be present due to cross-contamination: [allergen]
- Cannot be guaranteed to be [allergen] free due to cross-contamination
- Not suitable for those with an allergy to [allergen] due to cross-contamination

Question 5: If a product does not have a precautionary allergen labelling statement how do you think a consumer with a food hypersensitivity would interpret this?

In addition to the wording of precautionary allergen labelling statements, the FSA is considering the benefit of developing standards on the how the information is displayed on a label (for example, text font size, font style, location on the packaging) to increase clarity for the consumer. For example, mandatory allergen declarations on labels are required to have a text font with minimum character height of 1.2 mm.

Question 6: Should any of the following things be standardised on precautionary allergen labelling to increase clarity?

a) text font size – yes or no?

Images 5 and 6 are examples of text font size

Image 5



Image 6



b) text font style – yes or no?

Images 7 and 8 are examples of text font style

Image 7



Image 8



c) highlighted for emphasis – yes or no?

Images 9 and 10 are examples of text being highlighted

Image 9

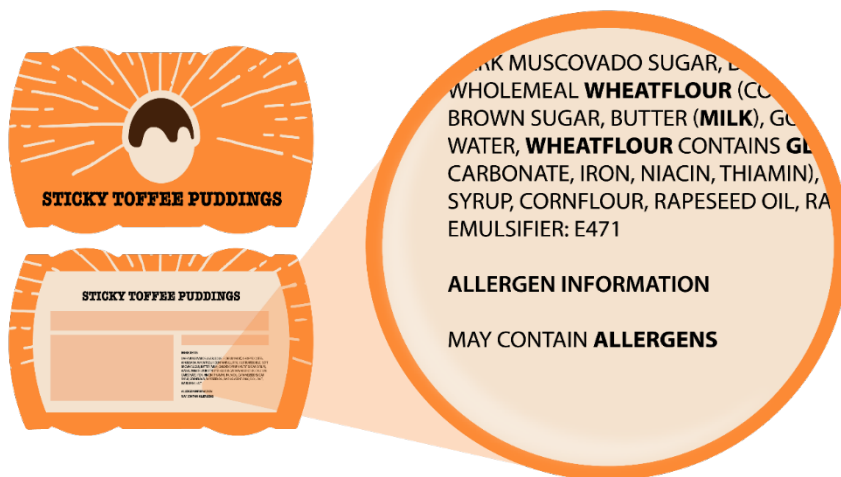


Image 10



d) where a precautionary allergen label is located on the packaging – yes or no?

Images 11 and 12 are examples of where a PAL is located

Image 11

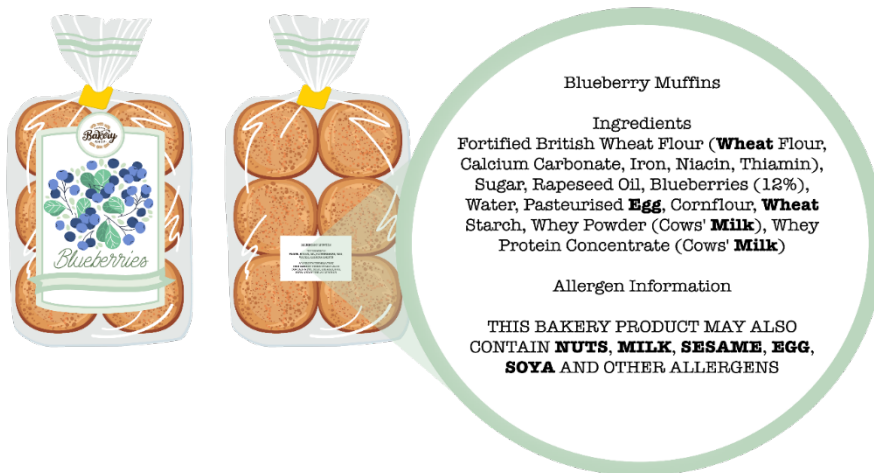


Image 12



Providing Further Information on Potential Unintentional Presence of Allergens with Prepacked Foods

Recent research suggests that the level of information on precautionary allergen labels may be insufficient to enable consumers to make informed decisions on whether they want to consume a 'prepacked' food (for example, chocolate bars, biscuits and other products that are sold in supermarkets).

Our research shows consumers, particularly those with severe or multiple allergies, want more information about why the precautionary allergen label was applied. For example, describing how allergen cross-contamination might happen and what controls the business has put in place to minimise this risk. Consumers sometimes contact food businesses directly, asking for this information about their products.

If food businesses provided further information about how they assess and manage the risk of allergen cross-contamination, this could provide the following **benefits to the consumer**:

- Consumers could understand the reason for the use of precautionary allergen labelling on a product
- Consumers may be more likely to trust and have confidence in precautionary allergen labelling as a tool to inform and protect them
- Consumers could understand how cross-contamination could happen

A benefit to food businesses that provide further information on precautionary allergen labelling is that they would be able to demonstrate to consumers that they have taken the appropriate care and consideration when applying a precautionary allergen labelling to a product.

However, information would not inform the consumer on the likelihood of an allergen being present or at what level.

Question 7: Do you agree that further information should be provided on why precautionary allergen labelling has been used on a product?

The FSA is exploring whether a **two-tiered approach** for precautionary allergen labelling would help address the problems identified by consumers. This two-tiered approach would appear on product labels with text such as the following:

TIER 1: Not suitable for (where no further information has been provided by a food business)

TIER 2: Possible allergen cross-contamination / cross-contact (where further information has been provided by a food business)

Question 8: Would a **two-tiered approach** (as described above) for precautionary allergen labelling be helpful in providing consumers with more information?

Food labels are restricted in size and some of this further information would be too detailed to put on the label. The FSA is considering how this information could be made available to consumers, for example, it could be placed on a business's website, published in a booklet, or accessed via a QR code.

Below are some examples of the kind of further information food businesses could provide on precautionary allergen labelling:

- **Allergen that could have been unintentionally incorporated within this food:** Milk
- **How could this cross-contamination happen?:** Milk chocolate can contaminate dark chocolate when the lines are changed in the chocolate factory
- **Actions taken by the company to reduce this risk:** None – the food business has carried out a risk assessment and concluded the risk cannot be reduced
- **Findings of the company's risk assessment:** There is an unavoidable risk that milk could unintentionally be present in the product and cause a reaction in consumers who are allergic to milk
- **Allergen that could have been unintentionally incorporated within this food:**
Peanuts
- **How could this cross-contamination happen?:** Peanuts are an ingredient present within the factory
- **Actions taken by the company to reduce this risk:**
 - Cleaning of lines between batches
 - Ventilation to reduce spread of airborne particulates
- **Findings of the company's risk assessment:** Despite the actions taken by the company, there is an unavoidable risk that peanuts could unintentionally be present in the product and cause a reaction in consumers who are allergic to peanuts

Question 9: Which of these types of further information should be provided (if any)?

- The allergen that could have been unintentionally incorporated within this food
- How this cross-contamination could happen
- Actions taken by the company to reduce this risk
- The risk that remains following any actions taken (*for example, “Whilst this product does not contain milk as an ingredient there is a risk it could be present due to cross-contamination within the factory that controls do not fully mitigate”*)
- None
- Other

Standardising precautionary allergen information provided with non-prepacked food

‘Non-prepacked’ foods include ‘**loose foods**’ (for example, foods that would be made to order in a restaurant) and foods that are ‘**prepacked for direct sale**’ (for example, foods that are made, packaged, labelled and sold on the same premises). You might purchase these foods in a catering setting, such as a sandwich shop, café, or restaurant.

Feedback from consumers is that they can have mixed experiences when eating out, because there is also a lack of standardisation in how precautionary allergen information is currently provided to them. For example, information can be provided on a menu, verbally by staff, or on a sign on the premises.

The FSA is considering developing **standard checklists** to communicate the steps that have been taken to manage allergen-cross contamination on the premises. This standard information could be used in a catering setting (such as a café or restaurant) on menus, chalkboards, signs or when delivered verbally by staff, as well as the specific precautionary allergen information relating to the food ordered and the customers allergy requirements.

Question 10: In a catering setting, how well do each of the statements in the checklist below communicate that allergen cross-contamination is being managed effectively?

- All staff involved with preparing the meal of a customer will be made aware of the customer's allergen requirements
- All staff are trained on allergens and food hypersensitivity and we regularly check in on staff practice
- Allergenic ingredients and foods are stored separately on the premises and labelled clearly
- Separate utensils and equipment (for example, spatulas, trays, cutting boards) are used for customers with a food allergy
- Allergenic foods for other people at your table will be labelled to avoid confusion
- Where possible, foods are prepared in order of least allergenic to most allergenic to manage cross-contamination
- We welcome feedback from customers about how well we've met your allergen needs. Please contact [XXX]

Question 11: We have shown you some ideas that the FSA is considering around the provision of further information on precautionary allergen labelling. Do you have any additional comments you would like to be noted?

Theme 2: Ensuring Compliance

Currently there is no legislation around precautionary allergen labelling. The FSA thinks it is important that the purpose for its application is clear.

Question 12: Do you think a precautionary allergen label (or precautionary allergen information) should only be applied when there is a unavoidable risk of allergen cross-contamination that cannot be sufficiently controlled?

The FSA has set three key voluntary standards for how precautionary allergen labelling should be applied if a food business decides to use it. These include:

1. A precautionary allergen label should only be applied where an unavoidable risk of the unintended presence of allergens within a food has been identified
2. Precautionary allergen labelling statements should make specific reference to one or more of the 14 allergens regulated by UK food law that could be unintentionally present in the food due to unavoidable cross-contamination
3. Precautionary allergen labelling should not be used in combination with a 'free-from' statement for the same allergen

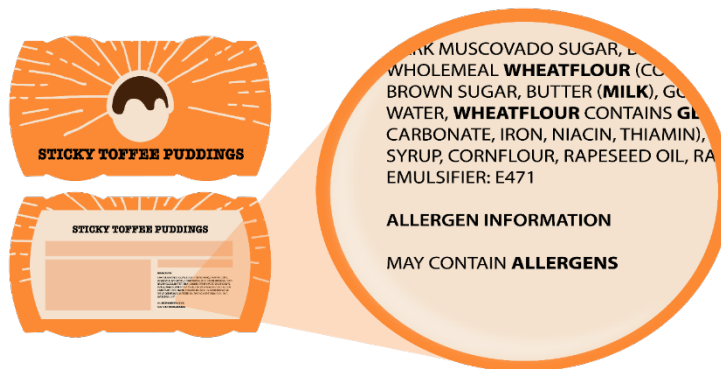
If food businesses do not meet these standards, they may have breached the Food Information to Consumers (FIC) regulation. This regulation covers the labelling of general, nutritional, and voluntary food information.

Question 13: Do you agree or disagree with the following key standards from the FSA?

- Precautionary allergen labelling may be misleading food information if it is applied without first assessing whether there is an unavoidable risk of allergen cross-contamination that cannot be sufficiently controlled
- A precautionary allergen labelling statement that does not specify individual allergens may be misleading (for example, 'may contain **allergens**', or 'may contain **nuts**' without specifying whether individual tree nuts or peanuts)

Image 13 is an example of a 'may contain allergens' statement

Image 13



- A precautionary allergen label applied in conjunction with a 'free-from' claim for the same allergen may be misleading

Image 14 is an example of PAL used in conjunction with a 'free-from' claim for the same allergen

Image 14



Information could be included within the Food Information for Consumers Regulation on how precautionary allergen labelling needs to be applied (for example, a specific article stating that precautionary allergen labelling must refer to specific allergens).

Question 14: Do you think that amendments to the Food Information for Consumers Regulation are needed to provide clarity on the legal requirements for the application of precautionary allergen labels?

Question 15: We have asked you some questions around compliance with precautionary allergen labelling, do you have any additional comments you would like to be noted?

Please note: The next two sections ask questions relating to advice and guidance for food businesses and risk analysis of allergen cross-contamination within food supply chains. Some of the questions may seem very technical unless you are familiar with the areas, so please feel free to skip to ‘your big ideas.’

Theme 3: Advice and Training

The FSA appreciates that it is not an easy for food businesses to decide whether to apply precautionary allergen labelling on food products.

Currently, there are sources of advice on the FSA website (food.gov.uk) to help support businesses in applying precautionary allergen labelling and how to provide precautionary allergen information to consumers, including:

- **Food allergy and intolerance online training** - this includes a module on the use of voluntary precautionary allergen labelling
- **FSA precautionary allergen labelling guidance for small and medium sized food** businesses with accompanying checklist
- **Technical Guidance** on food allergen labelling and information requirements

We would like to understand whether current advice and training provided to food businesses is adequate, or whether further support is needed.

Question 16: Are you aware of the following advice and training currently provided by the FSA?

- Food allergy and intolerance online training
- FSA precautionary allergen labelling guidance for small and medium food businesses with accompanying checklist
- Technical Guidance for detailed technical information

The FSA has also produced additional precautionary allergen labelling guidance, particularly aimed at smaller businesses. This guidance contains the following:

The 4-step process of risk analysis

Risk analysis for allergen cross-contamination

Undertaking a risk analysis will allow your business to identify the risk of allergen cross-contamination, decide whether precautionary allergen labelling is appropriate, and agree next steps. This risk analysis process involves four stages:

1. Risk assessment – What is the risk?
2. Risk management – Can the risk be managed? What actions could reduce the risk?
3. Risk communication – How should the risk be communicated?
4. Risk review – Has the risk changed? How frequently will you review your system?

Question 17: Are you aware of the guidance on the 4-step process of risk analysis for cross-contamination (above)?

Question 18: How useful is this guidance in helping food businesses manage allergen cross-contamination?

This new guidance on precautionary allergen labelling also contains the following:

The 8-point checklist on precautionary allergen labelling

1. Identify potential sources of allergens
2. Identify points of allergen cross-contamination
3. Remove or substitute allergens
4. Separate allergens
5. Clean points of allergen cross-contamination
6. When to apply PAL?
7. How to apply PAL
8. Review

Question 19: Are you aware of the 8-point checklist on precautionary allergen labelling?

Question 20: How useful is this guidance in helping food businesses to manage allergen cross-contamination?

Question 21: Are you aware of other sources of information relating to precautionary allergen labelling?

Question 22: To what extent do you agree that the advice and guidance currently available to businesses is adequate to enable them to apply precautionary allergen labelling appropriately?

Question 23: Do you think that any of the following advice and guidance should be required in relation to precautionary allergen labelling?

- Food sector-based guidance for example, catering, retail
- Precautionary allergen labelling checklists relevant to specific business sectors – for example, for cheesemakers or restaurants
- Case studies showing real-life examples of food businesses following precautionary allergen labelling best practice
- Online training for businesses on how to apply precautionary allergen labelling
- In-person training on how to apply precautionary allergen labelling
- Specific guidance on the effectiveness of cleaning to remove or minimise allergen cross-contamination

Question 24: We have shown some ideas that the FSA is considering around advice and guidance on precautionary allergen labelling, do you have any additional comments you would like to be noted about this?

Theme 4: Standards for Risk analysis of Allergen Cross-Contamination

There is a lack of standards for the risk analysis of allergen cross-contamination within food supply chains. Recent research for the FSA found that food businesses take very different approaches to assess and control risk before applying precautionary allergen labelling, and that standardisation around the application of precautionary allergen labelling is needed.

A Hazard Analysis and Critical Control Point (HACCP) is a way of managing food safety hazards. A Food Safety Management System (FSMS) is a systematic approach to controlling food safety hazards within a food business in order to ensure that food is safe to eat. Food safety management procedures should be based on HACCP principles.

Question 25: Should precautionary allergen labelling be incorporated as part of a Food Safety Management System (FSMS), or considered as a separate process?

Question 26: Should there be a requirement for businesses to make their allergen risk-assessment and management processes available to the public?

Food businesses have told us that they find it challenging to decide whether to apply a precautionary allergen label because the allergen information they receive from their suppliers is insufficient. There is currently no standardised format for the provision of information relating to allergen cross-contamination from suppliers.

Question 27: Should information regarding the risk of allergen cross-contamination within supply chains be standardised?

Question 28: Would a new accreditation scheme be a good way to ensure standards for allergen risk analysis?

Currently there are no set levels for allergens found in a final food product that can be used to guide the application of precautionary allergen labelling. Due to this, food businesses that test for allergen levels in a final food product do not have clarity on whether to apply a precautionary allergen label or not.

Question 29: Should a standard be set for allergen levels to guide the application of precautionary allergen labelling for prepacked foods?

Question 30: We have asked you questions around the standards for risk analysis of allergen cross-contamination, do you have any additional comments you would like to be noted about this topic? Please state in the box below [100 words max]

Your big ideas

Question 31: In 250 words or less, please propose your own suggested approaches on precautionary allergen labelling that have not previously been referred to here. We welcome any other views or alternative approaches.

Please provide some information about yourself and/or your organisation below:

Respondent Type

Question 32: Which of the following best describes how you are responding to this consultation?

- On behalf of a business or organisation
- Member of the public / consumer
- Scientist or academic
- Clinical professional
- Local authority food officer

Please skip Questions 33 to 41 If you do not work for a business or organisation

Question 33: What is the name of your business or organisation?

Question 34: Is this the official response from your organisation or business?

Yes

No, I am responding in a personal capacity

Question 35: Which of the following describe the organisation or business you are responding on behalf of? (Please respond with all that apply)

- Manufacturing business (including all types of manufacturing in a food factory)
- Retail business
- Wholesale business
- Transportation of food business
- Primary producer business (for example, agriculture)
- Catering business
- Institution (for example, hospital, care home, school/college)
- Compliance and enforcement (for example, Local Authority, Solicitors)
- Health organisation
- Science or academic institution
- Charity or third sector organisation
- Trade body
- Other (please specify)

Question 36: Which best describes how food is packaged in your business? (select all that apply)

- Prepacked for direct sale (PPDS)
- Non-prepacked (loose)
- Prepacked
- None of the above / Other

Question 37: Do you provide training and support or advice on the following for your staff or members?

- Both food hygiene and allergens
- Food hygiene only
- Allergens only
- None of the above

Question 38: Is your training on food hygiene and allergens provided separately in different courses or together in the same course?

- As separate courses
- Together in a single course

Question 39: What is the size of your business or organisation?

- Large: with 250 or more employees
- Medium-sized: with 50 to 249 employees
- Ordinary partnership: run by two or more self-employed people
- Small: with 0 to 49 employees

Question 40: Does your business currently apply precautionary allergen labelling? For example, 'May contain...' or 'Packed in a factory where...'.

- Yes
- No
- Not sure

Question 41: Which countries and regions does your organisation cover? (Please tick all that apply)

- Wales
- Northern Ireland
- North East England
- North West England
- Yorkshire and the Humber
- East Midlands
- West Midlands
- East of England
- London
- South East England
- South West England
- Prefer not to say

About you

Question 42: Do you have, or do you care for someone with a food hypersensitivity (allergy, intolerance, or coeliac disease) relating to any of the following allergens? (Please tick all that apply)

- Celery
- Cereals containing gluten (such as barley and oats)
- Crustaceans (such as prawns, crabs, and lobsters)
- Egg
- Fish
- Lupin
- Milk
- Molluscs (such as mussels and oysters)
- Mustard
- Peanuts
- Sesame
- Soybeans
- Sulphur dioxide and sulphites
- Tree nuts (such as almonds, hazelnuts, walnuts, brazil nuts, cashews, pecans, pistachios, and macadamia nuts)
- I do not have, nor do I care for someone with, a food hypersensitivity

Question 43: What is your sex?

- Female
- Male
- Prefer not to say

Question 44: Is the gender you identify with the same as your sex registered at birth?

- Yes
- No
- Prefer not to say

Question 45: What is your age?

- Under 16
- 16-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65-74
- 75-84
- 85+
- Prefer not to say

Question 46: What is your ethnic group?

- White
- Mixed or multiple ethnic groups
- Asian or Asian British
- Black, African, Caribbean, or Black British
- Other ethnic group
- Prefer not to say

Question 47: Which of the following best describes your White background?

- English, Welsh, Scottish, Northern Irish or British
- Irish
- Gypsy or Irish Traveller
- Roma
- Any other White background
- Prefer not to say

Question 48: Which of the following best describes your Mixed or Multiple ethnic groups background?

- White and Black Caribbean
- White and Black African
- White and Asian
- Any other Mixed or Multiple background
- Prefer not to say

Question 49: Which of the following best describes your Asian or Asian British background?

- Indian
- Pakistani
- Bangladeshi
- Chinese
- Any other Asian background
- Prefer not to say

Question 50: Which of the following best describes your Black, African, Caribbean, or Black British background?

- Caribbean
- African background, write in
- Any other Black, Black British, or Caribbean background
- Prefer not to say

Question 51: Which of the following best describes your background?

- Arab
- Any other ethnic group
- Prefer not to say

Question 52: What is your main language?

- English
- Other (please specify)

Question 53: Which country do you live in?

- England
- Wales
- Northern Ireland
- Prefer not to say

Question 54: Which region of England do you live in?

- North East
- North West
- Yorkshire and the Humber
- East Midlands
- West Midlands
- East of England
- London
- South East
- South West
- Prefer not to say

Question 55: Do you have any educational qualifications for which you received a certificate?

- Yes
- No
- Prefer not to say

Question 56: Do you have any professional, vocational, or other work-related qualifications for which you received a certificate?

- Yes
- No
- Prefer not to say

Question 57: Was your highest qualification?

- At degree level or above
- Another kind of qualification
- Prefer not to say

Question 58: In the last seven days, were you doing any of the following? Include casual or temporary work even if only for one hour

- Working as an employee
- Self-employed or freelance
- Temporarily away from work ill, on holiday or temporarily laid off
- On maternity or paternity leave
- Doing any other kind of paid work
- Retired
- Studying
- Looking after home or family
- Long term sick or disabled
- Other
- Prefer not to say

Further Information

This consultation has been prepared in accordance with HM Government consultation principles.

For information on how the FSA handles your personal data, please refer to the [Consultation privacy notice](#).

Thank you on behalf of the Food Standards Agency for participating in this public consultation.

Yours,

Rebecca Sudworth

Director of Policy, FSA

Annex A: Standard Consultation Information

Disclosure of the information you provide

Information provided in response to this consultation may be subject to publication or release to other parties or to disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA) and the Environmental Information Regulations 2004).

If you want information you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances.

Any automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding.

The Food Standards Agency will be what is known as the 'Controller' of the personal data provided to us.

Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

The Data Protection Act 2018 states that, as a government department, the Food Standards Agency may process personal data as necessary for the effective performance of a task carried out in the public interest. i.e., a consultation.

What we do with it

All the personal data we process is located on servers within the European Union. Our cloud-based services have been procured through the government framework agreements and these services have been assessed against the national cyber security centre cloud security principles.

No third parties have access to your personal data unless the law allows them to do so. The Food Standards Agency will sometimes share data with other government departments, public bodies, and organisations which perform public functions to assist them in the performance of their statutory duties or when it is in the public interest.

What are your rights?

You have a right to see the information we hold on you by making a request in writing to the email address below. If at any point you believe the information, we process on you is incorrect you can request to have it corrected. If you wish to raise a complaint on how we have handled your personal data, you can contact our Data Protection Officer who will investigate the matter.

If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law, you can complain to the [Information Commissioner's Office \(ICO\)](#) or telephone 0303 123 1113.

Our Data Protection Officer in the FSA is the Information Management and Security Team Leader who can be contacted at the following email address:
informationmanagement@food.gov.uk