

***British Beer and Pub Association***

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**BBPA Allergen Guidance for Pub Businesses:  
Declaring and Managing Allergens**

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NORTHAMPTONSHIRE COUNTY COUNCIL (NCC).

THIS GUIDANCE DOCUMENT IS RELEVANT TO ALL BBPA MEMBERS  
HOWEVER ONLY THOSE MEMBERS WHO ARE REGISTERED WITH  
NCC UNDER THE BBPA COORDINATED PARTNERSHIP (LABELLING)  
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# **BBPA Allergen Guidance for Pub Businesses - Declaring and Managing Allergens**

## **Introduction**

This guidance document is intended to provide BBPA members with a resource to help them and their retail partners to ensure compliance with the Food Information to Consumers Regulations (EC 1169/2011). This was introduced Nationally as the Food Information (England) Regulations via Statutory Instrument SI No. 1855/2014 in December 2014 with parallel Regulations for Wales, Scotland and Northern Ireland.

Article 44 of the Regulation requires that retailers, including pub businesses, must provide to consumers, upon request, all allergy information related to non pre-packed foods (including draught beverages) served at their establishment.

## **Using the Guidance**

The following guidance has been separated into three sections, which can be used together or independently and as required:

### **Section 1:**

This section contains a more detailed explanation of the requirements and suggested approaches to the implementation of declaring allergens for all non pre-packed food and drink. Section 1. can be used by all stakeholders (BDM's, retailers, catering staff and licensees).

### **Section 2 & 3:**

These sections are intended to provide members with a simple template for briefing licensees and pub managers directly and in a more user-friendly manner. However Section 1 may then be issued/used to provide further clarification or information where this may be required.

## Section 1 - BBPA Allergen Guidance for Pub Businesses

### The need for change

From the 13th of December 2014 the rules regarding the labelling of food changed under a new European Regulation entitled the Food Information to Consumers Regulation - FIC (EC 1169/2011).

This was introduced to the UK as the Food Information Regulations (FIR) and which enforces the FIC within the UK.

The new Regulation introduces a number of changes to the current food labelling requirements for pre-packed and non pre-packed foods. However in the case of non pre-packed foods, the sorts of foods sold by catering businesses including restaurants and pubs, **the main requirements of the regulation is the requirement to make consumers aware of the presence of any allergens that may be contained within the food as sold** (and including via downloadable menus or food information offered through pub or company websites). **It is a criminal offence not to do so.**

There are no prescribed methods laid down to convey allergen information, which can be provided using a variety of methods that may include the following:

- Labels attached to the food or its packaging
- Menus
- Signs (blackboards and POS notifications)

Where information is available on printed sheets such as menus or lists there must be a clear notice (signpost) that such information is available at the point at which a customer would order food or drink.

### What is non pre-packed food?

From the Regulation, non pre-packed food may be defined as follows:

*Any food that is offered for sale to the final consumer or to mass caterers **without** pre-packaging or where foods are packed **on the sales premises** at the consumer's request or pre-packed for direct sale (e.g. pre prepared and wrapped sandwiches).*

Retailers should also be aware that alcoholic beverages dispensed from a bulk supply into a glass i.e. draught beer or wine **and** spirits served from optics are considered non pre-packed food under the new rules and, where necessary, allergens from such products must also be declared.

### Why do I need to be concerned about food allergies?

Some people are sensitive to certain foods that would be harmless to non-sufferers. Generally such sensitivities can be identified as either a **food allergy** or a **food intolerance** however these should not be confused as the same thing.

**Food allergies** are caused when the body’s immune system reacts unusually to a particular substance within food. Such allergic reactions are usually mild but can be more serious and in the most severe cases (anaphylaxis) can even be life threatening.

Symptoms of food allergies include:

- An itchy sensation inside the mouth, throat or ears
- A raised itchy red rash
- Swelling of the face, around the eyes, lips, tongue and roof of the mouth
- Vomiting

If you notice symptoms such as: breathing difficulties, lightheadedness or if someone feels like they are going to faint or lose consciousness – **call 999 immediately, ask for an ambulance and tell the operator you think the person has anaphylaxis or "anaphylactic shock"**.

**Food intolerance** is never life threatening and is generally caused by difficulties in the body’s ability to digest certain substances i.e. lactose. Intolerances usually require a larger amount of food to be ingested than that required for an allergic reaction. Symptoms of food intolerance include diarrhoea, bloating and stomach cramps and would usually occur several hours after ingestion of the substance in question.

### Where do I start?

Managing allergens in food business is essentially a three-step process:

1. Identify allergens associated with all foods and beverages served
2. Communicate information to customers (and staff)
3. Ongoing management of allergen risk

### 1. Identifying allergens

Knowledge of what allergens may be present in food and drink requires an in depth understanding of the dishes and products that are being served to consumers and the ingredients used to create them. *It is important to remember that allergens may be present in the individual dishes as well as products that may be produced from them e.g. thickeners, oils, pastes and sauces that are made from fish.*

Only those allergens that are listed within Annex II of the Regulation must be declared as being present in food and the following table lists each of the 14 allergens as well as some examples of the foods or products within which they may be found:

<b>Allergen</b> (with some exceptions as detailed in FIC EU 1169/2011 Annex II)	<b>Examples of typical foods which contain this Allergen</b> (Please note this list is not exhaustive)
<b>Cereals containing Gluten</b> e.g. wheat, rye, barley and oats	Beer, Bread, pasta, cakes, pastry, sauces, soups, batter, stock cubes, breadcrumbs, semolina, couscous, some meat products.
<b>Crustaceans</b> e.g. prawns, lobster, crab and langoustines	Some oils and paste,

<b>Eggs</b>	Cakes, sauces, pasta, mayonnaise, some meat products, glazed products.
<b>Fish</b>	Fish and fish extracts, some salad dressing and sauces including some soy and Worcestershire sauces,
<b>Peanuts</b>	Arachis oil, peanut butter, peanut flour, satay sauce, refined peanut oil.
<b>Soya</b> e.g. flour, tofu or beancurd, textured soya, protein, soy sauce, edamame beans.	Some ice cream, sauces, desserts, meat products, vegetarian products.
<b>Milk</b>	Milk powder, yoghurt, butter, cheese, cream, ghee, foods glazed with milk, ice cream.
<b>Other Nuts</b> e.g. almonds, hazelnuts, walnuts, cashews, pecan, Brazil, pistachio, macadamia, Queensland nuts	In sauces, desserts, bread, crackers, ice cream, praline (hazelnut), nut butters, essences and oils, marzipan and frangipane (almond), pesto, nut salad dressings.
<b>Celery and Celeriac</b> e.g. stalks, seeds and leaves	Salads, soups, celery salt, some meat products.
<b>Mustard</b>	Mustard paste, seeds, leaves, mustard flour, powder and liquid mustard, salad dressings, marinades, soups, sauces, curries, some meat products
<b>Sesame Seeds</b>	Oil or paste, tahini, houmous, halva, furikake, Gomashio, bread.
<b>Sulphur Dioxide and Sulphites</b>	Some meat products, stock cubes, bouillon mix, fruit juice drinks, dried fruit/vegetables, wine, beer (occasionally and in particular for cask beer), cider.
<b>Lupin Seeds and Flour</b>	Some types of bread and pastries
<b>Molluscs</b> e.g. mussels, clams and oysters	Some fish sauces

The above list of example foods is not exhaustive and it will be important to know **all** the ingredients that may be found within foods served to the consumer. Other sources of information that may be used to understand the presence of particular allergens will be:

- Suppliers of ingredients (e.g. local farmers, producers or suppliers)
- Suppliers and/or distributors of pre-prepared foods and drinks (e.g. Brewery, Brakes or 3663)

Remember that under the new labelling rules, all food business operators (FBO's) have a duty of responsibility to ensure that all required information is available to companies within the supply chain. If asked, suppliers **must** be able to provide all necessary information to enable FBO's within the supply chain to be compliant. In the case of non pre-packed foods and the ingredients used to produce them this includes all necessary allergy information.

## 2. Communicating allergens

For non pre-packed foods, the rules of the new Regulations are primarily concerned with the requirement to ensure that allergy information is available to customers at the point that they would wish to order food or drink. In order to do this it will be important to ensure that all staff are similarly aware of the existence of allergy information for customers.

Whilst allowable, in most circumstances, ***it is not recommended*** that allergy information is provided to customers verbally by retail staff. Pubs are often busy, noisy environments that make relaying complex information to consumers difficult and in particular where there is a large or diverse menu offering. However staff may need to be aware of any last minute changes to ingredients that may need to be communicated.

It is recommended that where possible written information, such as a list or menu that can be provided to customers on request as supplementary to the main menu is created.

The following example may be used to construct a menu that contains all relevant allergens:

	Cereals containing gluten	Crustaceans	Eggs	Fish	Peanuts	Soya	Milk	Nuts	Mustard Celery & Celeriac	Seesame seeds	Sulphur Dioxide & Sulphates	Lupin Seeds & Flours	Molluscs
Dish 1	✓ (name of ingredient i.e. wheat, barley or malted barley)	✓	✓	✓ (name of ingredient i.e. cod, pollock)			✓		✓				✓ (name of ingredient i.e. clam, oyster)
Dish 2		✓ (name of ingredient i.e. prawns)		✓ (name of ingredient i.e. cod, pollock)	✓			✓ (name of nut i.e. hazelnut)		✓			
Wine											✓		

Where it may be desirable to provide allergy information in a written ‘list’ format, **for non pre-packed foods** there is no requirement to include an ingredients list and therefore allergens must be declared under a ‘Contains:’ statement. In this way, ***any and all*** of the ingredients or processing aids **that are listed in Annex II** of the FIC, or which are derived from a product or substance **listed in Annex II**, and which may be found in the food or dish as served must be provided rather than the allergen itself i.e. *wheat* rather than *gluten* or *almonds* rather than *nuts*.

Whilst there is no specific requirement to emphasise allergens within a ‘Contains:’ statement separately from other text, the BBPA recommends that this be done i.e. using **bold** or **colour**. Where the name of an allergen is unclear from the specific ingredient used, this must then be

made clear additionally from the list of allergens in Annex II. In this case, it is the allergen listed in Annex II rather than the ingredient that must be emphasised as above.

### Specific Conditions for Some Allergens

#### 'Cereals Containing Gluten' and 'Nuts'

Ingredients categorised within Annex II as 'nuts' or 'cereals containing gluten' are further identified as specific, named ingredients. These named ingredients must be declared where present rather than their category name.

Additionally, nuts other than those named in Annex II or foods that are not nuts, such as Chestnuts or Pine Nuts do not need to be identified. It is also not necessary to accompany the type of nut used as an ingredient with the generic word 'nuts' unless consumers would not recognise this as an allergen i.e. **almonds** (nuts) or flavouring (**almonds**). Similarly, cereals containing gluten must also be labelled specifically i.e. '**Barley**' or '**Malted Barley**' although these may be further accompanied by the word 'gluten' only when included within brackets i.e. **Barley** (gluten).

#### Milk

The UK Foods Standards Agency has suggested that ingredients derived from milk such as cheese, butter, cream and yoghurt do not require further identification as 'Milk' as their formulation is defined by law (EU Council regulation No. 1234/2007 on Dairy Designations). The BBPA does not recommend this approach and it is advised that **all ingredients that are derived from milk, including unfamiliar products i.e. 'Fromage Frais', 'Mascapone' 'Cantal' and 'Quark' should be accompanied by this term e.g. 'Quark (Milk)', 'Lactose (Milk)' and 'Cream (Milk)'**.

#### Sulphur Dioxide and Sulphites

Sulphur Dioxide (SO<sub>2</sub>) and sulphites may be present naturally in some foods i.e. onions and garlic but may also be intentionally added to foods as a preservative i.e. wine or cider.

The FIC requires that sulphites or sulphur dioxide present in food as served to the consumer at a concentration greater than 10ppm in terms of the total SO<sub>2</sub> must be labelled as an allergen. Whereas the UK Foods Standards Agency state that only 'added' sulphites need be declared in this way, the BBPA interpretation goes beyond this in that the requirements of the Regulation are made in reference to the presence of total sulphites present at a concentration greater than 10ppm i.e. whether these are added and/or are naturally occurring.

For the majority of pubs who prepare dishes on site, it is highly unlikely that sulphites will be directly added to a dish but may be introduced as part of another ingredient i.e. wine. However it is then extremely difficult to estimate how much sulphite may remain within the dish as served and to determine whether the concentration of sulphites present may exceed the 10ppm limit. Under these circumstances it is recommended that sulphites be declared for all dishes where carry-over may have occurred regardless of whether or not the concentration of sulphites present in the final dish is greater than 10ppm. Sulphites that are declared as a consequence of carryover from one or more individual ingredients should be associated with each ingredient from which they were derived and declared as (**Sulphites**) as part of a 'Contains:' statement.

### Communicating Allergens

The following example provides an example of how to correctly provide a written allergen declaration for each dish:

Dish 1. - *Steak and ale pie with chunky chips, fresh seasonal vegetables and rich ale gravy*  
Contains: **Wheat** (Gluten), **Barley** (Gluten), Butter (**Milk**), **Eggs**, **Celery** and **Lupin**

Dish 2. - *Fisherman's pie with seasonal vegetables, fresh seafood in a creamy white wine sauce topped with mashed potato*  
Contains: Cod (**Fish**), Smoked Haddock (**Fish**), Mussels (**Molluscs**), Prawns (**Crustaceans**), **Wheat** (Gluten), Butter (**Milk**), Cream (**Milk**), Wine (**Sulphites**), **Eggs**, **Celery** and **Milk**

It is not possible to use symbols or icons to represent allergens ***without*** the appropriate use of accompanying words to define them. There are no standardised icons recognised within the EU to communicate the presence of allergens and therefore use of symbols or icons without the appropriate descriptors may lead to consumer misunderstanding.

Unless clearly displayed at the point of order, for instance on blackboards, signs or posters, retailers ***must indicate clearly*** at the point at which a customer would order food or drink that a list of allergens that may be found in menu items or at the bar is available. ***It will be illegal not to provide this information*** and if asked by a customer, enforcement authorities will not accept answers such as 'I don't know'.

### 3. Managing risk

Protecting customers from allergenic risk forms part of an on-going risk management process and the following provides some key points to manage potential risks and avoid opportunities for cross contamination between foods that contain allergens and those that do not:

- Deliveries and labels:
  - Ensure food that is delivered matches your order.
  - Check that all ingredient and allergy information has been provided for replacement products.
  - Do not accept orders for ingredients, food or drink without the correct information.
- Storage of food:
  - Foods containing allergens should be stored separately from those that do not.
  - Powdered foods containing allergens (milk powder or flour) should be stored in air-tight containers.
  - Keep all documentation and information regarding ingredients and foods safe, in particular if ingredients are decanted or separated following receipt.
- Preparing dishes:
  - Ensure segregation of foods and ingredients through use of separate preparation areas and use of utensils.
  - Ensure that surfaces of utensils and food preparation areas are cleaned and disinfected prior to use.
  - Wash hands thoroughly.
  - Check all ingredients, including secondary ingredients such as thickeners for sauces
  - Do not cook in oil used for other foods.



- When displaying food in cabinets (i.e. buffets) lay out dishes so to minimise potential for cross contamination and provide separate serving utensils.
- Staff training and awareness:
  - Ensure that all staff, both permanent and temporary, receive suitable training in awareness and provision of allergy information according to their duties.
  - Establish a clear emergency procedure that must be followed in the event of an incident. An example of an emergency procedure can be found in the Northamptonshire County Council document linked below.

#### 4. Further resources

**DEFRA guidance on compliance with FIR:**

*Not yet available*

**FSA technical guidance on allergen declaration:**

<http://multimedia.food.gov.uk/multimedia/pdfs/guidance/allergen-labelling-technical-guidance.pdf>

**FSA Allergy and Intolerance Website:**

<http://www.food.gov.uk/science/allergy-intolerance/#.U7aGa1aRYpE>

**FSA online allergy training tool:**

<http://allergytraining.food.gov.uk/>

**Northamptonshire County Council Food Allergy Risk Assessment for Caterers, including example emergency procedure:**

<http://www3.northamptonshire.gov.uk/councilservices/business-and-economy/trading-standards/support-for-business/Pages/guides-for-businesses.aspx>

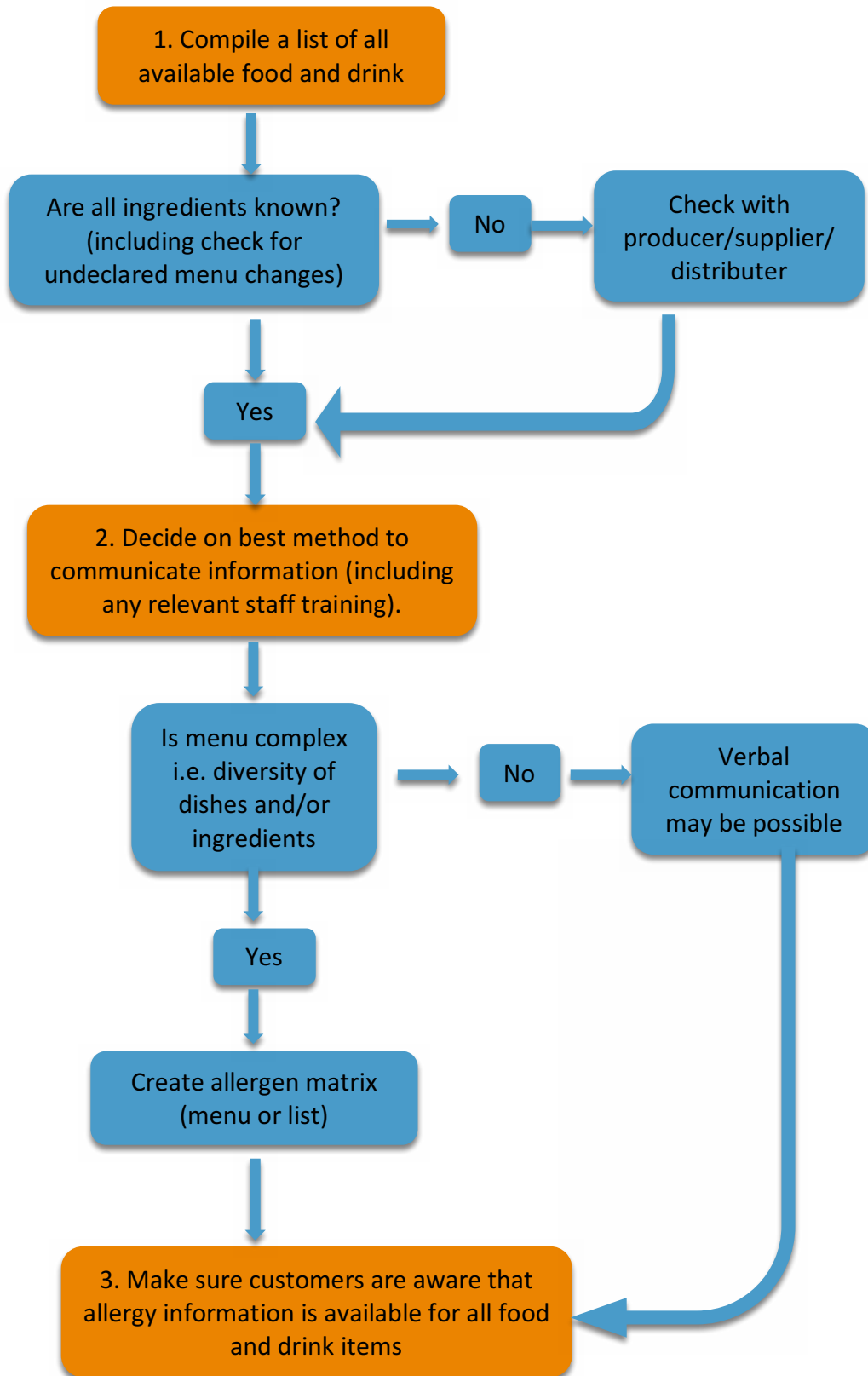
**BRC/FDF Guidance on Allergen Labelling (EU FIC):**

<http://www.brc.org.uk/downloads/Guidance%20on%20Allergen%20Labelling.pdf>

**Consumer Food Information Regulations (EC 1169/2011):**

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:304:0018:0063:EN:PDF>

## Section 2. - Allergy Declaration Process Guide



## Section 3. – Licensee Check List for Allergy Declarations

### Check List – Why, What, How and When

1. **Why** – changes to the UK labelling Regulations require that consumers are provided with or have access to a range of information that enables them to make decisions about food purchases

Changes apply to all foods whether these are pre-packed (food and drink in bottles, cans, jars tins, packs etc.) or non pre-packed (food and drink for direct sale to the customer that is served on a plate or has been prepared and then packed on the sales premises)

2. **What** – pubs **must** be able to provide the following information to consumers **before** they make a food or drink purchase for all non pre-packed foods and drinks:
  - Allergy information
3. **How** – allergy information can be provided using any of the following examples, in combination or alone and not restricted to:
  - Labels, tickets or stickers
  - Printed menus or lists (*recommended*)
  - Signs, blackboards or POS notifications
  - Verbal (written verification of verbal information must be available)

The requirement is for allergy information to be available **upon request**. This does not mean that the allergy information needs to be displayed alongside food or drink items but can be provided separately

Customers **must** be made aware that information is available **upon request** by the use of a sign that can be clearly seen at the point that food or drink is ordered i.e.:

‘Allergy information for all food dishes and draught beverages  
served on the premises is available upon request’

or

‘Before you order your food and drinks please ask a members of  
staff if you have food allergies or intolerances’

4. **When** – from the 13<sup>th</sup> of December 2014 it is a legal requirement to provide relevant allergy information for food and drink sold to consumers **upon request**

### Use of ingredient lists to create an 'allergy menu':

The following example dishes show how an allergy declaration should be constructed from the ingredients used to make the dish. **Only the name of the dish and the allergen declaration should be used in the final 'allergen menu'.**

#### **Dish 1. - Steak and ale pie with chunky chips, fresh seasonal vegetables and rich ale gravy**

Ingredients used to create Dish 1:

*Beef, olive oil, celery, carrots, garlic, parsley, bay leaves, black peppercorns, Winter Ale (water, malted barley, hops and yeast), butter, onion, flour, eggs and lupin.*

Based on the above the following allergy declaration would be necessary for Dish 1:

Contains: **Barley** (Gluten), **Butter** (**Milk**), **Wheat** (Gluten), **Eggs**, **Celery** and **Lupin**

#### **Dish 2. - Fisherman's pie with seasonal vegetables, fresh seafood in a creamy white wine sauce topped with mashed potato**

Ingredients used to create Dish 2:

*Mussels, cod, smoked haddock, carrots, cream, potato, butter, salt, pepper, prawns, wheat flour, wine, eggs, celery and milk*

Based on the above the following allergy declaration would be necessary for Dish 2:

Contains: Mussels (**Molluscs**), Cod (**Fish**), Smoked Haddock (**Fish**), Cream (**Milk**), Butter (**Milk**), Prawns (**Crustaceans**), **Wheat** (Gluten), Wine (**Sulphites**), **Eggs**, **Celery** and **Milk**

#### **Dish 3. - Warm Bramley apple pie with ice cream, biscuit wafer**

Ingredients used to create Dish 3:

*Apples, flour, butter, salt, sugar, eggs, soya, milk & lupin*

Based on the above the following allergy declaration would be necessary for Dish 3:

Contains: **Wheat** (Gluten), **Butter** (**Milk**), **Eggs**, **Soya**, **Milk** and **Lupin**