

About the EU Food Information for Consumers Regulation

What is the Food Information for Consumers Regulation (EU FIC)?

A piece of European legislation, called the Food Information for Consumers Regulation (EU FIC), introduced in December 2014, has changed the way allergen information appears on labels and on food that is prepacked, sold loose (non-prepacked) or provided when you are eating out.

The EU FIC brought general and nutrition labelling together into a single regulation to simplify and consolidate existing labelling legislation.

What changes did the regulation bring?

The regulation covers mandatory labelling obligations, a minimum font size for all legally required text, a mandatory nutrition declaration, a clearer indication of allergens and country of origin labelling. The FSA is responsible for allergen labelling; Department of Environment, Farming and Rural Affairs (DEFRA) and The Department of Health (DH) are leading on other food labelling elements of the regulation (The FSA also leads on nutrition in Northern Ireland and Scotland).

The changes mean that:

- 14 allergens are required to be emphasised within the ingredients list of prepacked food using:
 - italics
 - bold
 - underline
 - colour
- Information on these 14 allergens, when used as ingredients, must also be provided on loose foods, in an obvious place, for example on a:
 - menu
 - chalkboard
 - recipe card or allergy folder

If it is not provided upfront, the Food Business Operator (FBO) will need to signpost where it can be obtained, either in writing or orally.

- The voluntary use of allergy boxes to repeat mandatory ingredients information (such as 'contains nuts') is not permitted alongside an ingredients list.
- Voluntary allergy advice statements (such as *allergy advice: for allergens see ingredients in **bold***) to explain how allergen information is presented may be used.
Please note: The provision of 'may contain' warnings will not change

What if the food is sold long distance, for example, over the internet or phone?

If food is sold at a distance, such as through a telephone order for a takeaway, the allergen information must be offered and, where there is a need from the customer for allergen information, it must be provided before the purchase of the food is complete (this could be in writing or orally) **and** in a written format when the food is delivered.

How does this affect consumers?

EU FIC brought together several pieces of legislation into a single regulation to make it easier for consumers to understand labels. It is good news for consumers as these changes require the provisions of allergen information in a clearer and more consistent way; making it easier for them to make safer food choices when buying food.

What are the 14 allergens that must be listed and declared?

The 14 allergens which must be declared are recognised, across Europe, as the most common ingredients or processing aids causing food allergies and intolerances. If there is a food product that contains or uses an ingredient or processing aid (such as enzymes added to make cheese or wheat flour used to roll out dough made from rye flour) derived from one of the substances or products listed here, it will need to be declared by the FBO to the consumer.

These allergens are:

1. Cereals containing gluten namely wheat (including specific varieties like spelt and Khorasan), rye, barley, oats and their hybridised strains and products thereof
2. Crustaceans and products thereof (for example prawns, lobster, crabs and crayfish)
3. Egg and products thereof
4. Fish and products thereof
5. Peanut and products thereof

6. Soybeans and products thereof
7. Milk and products thereof (including lactose)
8. Nuts (namely almond, hazelnut, walnut, cashew, pecan nut, Brazil nut, pistachio nut and Macadamia nut (Queensland nut) and products thereof
9. Celery and products thereof
10. Mustard and products thereof
11. Sesame seeds and products thereof
12. Sulphur dioxide and sulphites at concentrations of more than 10mg/kg or 10mg/L in terms of the total SO₂ which are to be calculated for products as proposed ready for consumption or as reconstituted according to the instructions of the manufacturers
13. Lupin and products thereof
14. Molluscs and products thereof (for example clams, oysters, scallops, snails and squid)

What will happen to a business if they are found to be non-compliant?

Breaches in the allergen rules are a criminal offence due to the food safety issues surrounding food allergy or food intolerances. If a business fails to comply with the requirements of the regulation, they may be issued with an Improvement Notice, which will outline what corrective action needs to be taken and by when. If the Improvement Notice isn't complied with, this can then become a criminal offence, which may result in prosecution.