

Enforcement Delivery
Pilgrim House, Old Ford Road
Aberdeen, AB11 5RL

Enforcement@fss.scot

To: Lead Food Officers
CC: SFELC, REHIS

FSS/ENF/21/008

Date: 29/09/2021

Dear Lead Food Officers

Prepacked for Direct Sale (PPDS) – Changes to Allergen Labelling Requirements

New legislation which requires food businesses in Scotland to include detailed ingredient and allergen information on labels for prepacked for direct sale (PPDS) foods will come into force from 1st October 2021.

The changes to the law follow the tragic and highly publicised case of 15-year-old Natasha Ednan-Laperouse, who died in 2016 following a severe allergic reaction to an undeclared ingredient in a baguette sold PPDS.

The new law will offer increased protection and confidence for consumers living with a food allergy or intolerance. From 1 October, PPDS labelling should include the 14 'most common' allergens specifically listed in food information law, as well as other ingredients which could trigger reactions.

Prepacked for direct sale refers to any item of food packaged so that its contents cannot be altered before being sold to the customer, such as sandwiches, pies, burgers, ready meals or cakes/baked goods prepared and packaged by a food business before the consumer selects them.

The changes also include food items which have been packaged before being offered for sale on the same premises or from a mobile or temporary business, such as a market stall or food truck owned by that same business.

The law will make it a mandatory requirement for food businesses to include the product name and make sure a full list of ingredients, including allergen information, is clearly identifiable.

In Scotland, it is the duty of each food authority to enforce the allergen and wider food information requirements. Failure to comply with the requirements of the provisions of retained Regulation (EU) No. 1169/2011 and the Food Information Scotland Regulations 2014, SSI 2014/312 as amended, relating to the provision of allergen information for non-prepacked foods, including PPDS is an offence.

As per the [Food Law Code of Practice](#), Food Authorities should ensure that enforcement action taken by their Authorised Officers is reasonable, proportionate, risk-based and consistent with good practice and the principles of Better Regulation set out within the Scottish Regulators' Strategic Code of Practice.

To support officers and Food Business with the changes FSS has produced several resources which can be found on the [PPDS Hub on the FSS website](#);

- [Food Allergen Labelling and Information Requirements - Technical Guidance](#)
- [Guidance on labelling of food sold prepacked for direct sale](#)
- [A short video to help explain the legislation change](#)
- [A decision tool to help businesses understand how they will be affected by the requirements](#)
- [Food prepacked for direct sale Q&A](#)
- [MenuCal](#) (PPDS Update Implementation coming early Oct 2021)
- [Example labels](#)
- [Promotional Toolkit](#)
- Food Business Operator Template Letter (Annex)
- [CookSafe](#) / [ButcherSafe](#) / [RetailSafe](#) - Updated Allergen Inserts

If you have any queries please contact the Enforcement Delivery Team at enforcement@fss.scot .

Yours sincerely,

Grainne Gilson Smith

Senior Enforcement Manager,

Enforcement Delivery,

Food Standards Scotland.

Email: grainne.gilson-smith@fss.scot

Insert LA Logo

Date: Day/Month/Year

Dear Food Business ,

Are you and your food business ready for the new allergen labelling laws?

New legislation on the labelling of food sold prepacked for direct sale (PPDS) is coming into force on 1st October 2021. From this date it'll be a legal requirement for businesses producing PPDS foods to label it with the name of the food, and an ingredients list with any allergens emphasised. The new law will offer increased protection and confidence for consumers living with a food allergy or intolerance.



How is my business affected?

By answering a few quick questions [here](#) you can find out how you and your business are affected by these changes.

Support and guidance

You can also find support and guidance you will need along with a short video to help explain the legislation change on the Food Standards Scotland [website](#).

CookSafe/ ButcherSafe/RetailsSafe (Select appropriate title and amend text below accordingly).

CookSafe helps food businesses in Scotland understand and implement HACCP-based systems. The Allergen insert for CookSafe has been updated to support with the changes and can be found [here](#).

MenuCal

Having a system in place to manage allergen information is crucial for keeping customers safe. To help you with this process you may wish to use the free [MenuCal](#) tool when preparing for the changes. MenuCal supports businesses with recording their recipes, identifying allergens and managing ingredients.

Food allergies can be life threatening, make sure you and your food business are ready for the changes. For information and queries about your food business please contact [\(Insert LA contact details\)](#).

Yours sincerely,
XXXXXXXXXX