

Pre-Packed for Direct Sale (PPDS) - Allergen Labelling

Questions and Answers

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1. What is Pre-Packed for Direct Sale (PPDS) food?

PPDS food is any single food item for presentation to final consumers and to mass caterers, which consists of the food item and packaging which may enclose the food item completely or partially but in such a way that the contents of the food item cannot be altered and where the food item is put into packaging before being offered for sale to the customer by the same food business:

- i) on the same premises; or
- ii) on the same site; or
- iii) on other premises if the food is offered for sale from a moveable and/or temporary premises (such as marquees, market stalls, mobile sales vehicles) and the food is offered for sale by the same food business who packed it.

2. What information needs to be on the label for PPDS food?

The label must include the name of the food, and the full ingredients list with any of the 14 allergens required by law emphasised within the list. The name of the food must not be misleading and should be its legal name, or a recognised customary name in the absence of a legal name. The list of ingredients must be preceded by a suitable heading which consists of the word 'ingredients'. For information on formatting of the ingredients list, please see guidance [here](#).

3. How should allergens be highlighted on the label?

If any of the 14 allergens are contained within the food, they must be clearly highlighted within the ingredients label either as **bold font**, CAPITAL LETTERS, **contrasting colours** or underlined.

4. Do Precautionary Allergen Statements e.g. 'May Contain' need to be added to the ingredients label?

If a business is using a product from a supplier that has Precautionary Allergen Labelling e.g. 'May Contain', then the business **must** replicate this information on their own label. However, any additional precautionary allergen information should only be provided if there is a real risk of allergen cross-contact that has been determined via a thorough risk assessment, as using this where there is no real risk could be considered misleading information.

5. How detailed should the names of foods be on PPDS labels?

PPDS products should be labelled in a way that sufficiently describes the product and helps the consumer make an informed decision. However, a legal name should be used for products if applicable.

6. Do I need to label every pack on display?

Yes, if the product meets the requirements for PPDS food, then (subject to any specific exemptions) it must meet the labelling requirements of full ingredient listing and allergen information emphasised.

7. Do I need to provide labels for daily specials or other short production foods?

Full ingredient labelling including emphasis of allergens is required for any food item that is prepacked for direct sale (PPDS), whether it is a short production food or not. For guidance on deciding whether your food item is PPDS, please see the PPDS Labelling Flow Chart on Page 6.

8. Where does the PPDS label need to be placed on the product?

There are no specific requirements as to where on the product the label must be placed, however it must be easily visible, clearly legible and indelible, where appropriate. In addition, it must not be in any way hidden, obscured, detracted from or interrupted by any other written or pictorial matter.

9. Must all the information be provided on the labels, or can some be given on notices?

A list of the full ingredients for each product used within the food must be listed on the label for PPDS foods, as well as all allergen information clearly highlighted. Please see **Question 13** for food presented in small packages.

10. Do I need to have date labelling on my products?

There is no specific requirement to apply a durability indication or instructions for use to food sold PPDS, unless one is required by the type of packaging. For example, it is a legal requirement for vacuum-packed foods to be labelled with a durability indication and storage conditions, so you may wish to take advice from your Local Authority Environmental Health Team if you are unsure about what information is required on your products to keep consumers safe.

11. Do PPDS food items need to state whether they are suitable for vegans or vegetarians?

It is not a requirement under PPDS labelling legislation to provide 'suitable for' statements on the label. However, if a business chooses to include this information voluntarily on their labels, they must ensure that the product is indeed suitable for vegans or vegetarians as stated.

12. For additives, do labels require both the E-number and the scientific name listed?

The use of scientific names plus the E-number is acceptable, but both are not required. Part C of Annex VII to the retained FIC Regulation states that “the categories of certain ingredients listed in the Annex must be shown followed by their specific name or, if appropriate, E number.”

13. How are small packets labelled if the label will be larger than the food packet itself?

The requirements for the size of the text on a label, as well as the information itself differs depending on the surface area of the package. For instance, where the surface area of a product is less than 10cm², the product is only required to be labelled with the name and any allergens present in the product. However, the full ingredients list should be available by other means or at the consumer’s request.

14. Does allergen information need to be displayed anywhere else such as on a shelf talker, or just on the label?

If you have products which meet the requirements for PPDS food labelling, then the allergen information is only required to be on a label of the product, you are not required to also display the information on a shelf talker as well.

15. Are there special requirements for meat products, such as listing the Qualitative Ingredient Declaration (QUID)?

You should ensure that you meet the existing requirement for a Quantitative Ingredient Declaration (QUID) for meat products intended to be sold PPDS. As is currently the case, your business can choose to present QUID information for meat products in different ways, such as on a label attached to the food itself, or on a notice, ticket or label that is easily readable and in close proximity to the food.

16. Can QUID information be on the label anyway if product label already has it?

As is currently the case, your business can choose to present QUID information for meat products in different ways, such as on a label attached to the food itself, or on a notice, ticket or label that is easily readable and in close proximity to the food. If your product already has QUID information on the product labelling then you do not need to change this.

17. Do these rules include takeaway drinks as well as food?

Yes, these changes to labelling for PPDS include both food and drink.

18. Do home-baker businesses selling direct to customers need to provide full ingredient and allergen labelling?

Yes, if the product is prepacked before being selected by the consumer, and not packed to order, it will require full ingredient and allergen labelling. If the product is being sold by means of distance selling, please see **Question 20** for more information.

19. Do these rules apply to mobile food caterers?

Yes, PPDS food includes food that is packaged by the same food business and sold at a temporary or mobile site, such as a food truck or market stall.

20. What labelling is required if I sell a product online?

The new labelling requirements do not apply to PPDS food sold by means of distance selling, such as food that can be purchased over the phone or on the internet. Businesses selling PPDS food this way will need to ensure that mandatory allergen information is available to the consumer before they purchase the product and also at the moment of delivery. This can be provided in writing on a website, catalogue or menu, or orally over the phone. When the food is delivered, the allergen information can be provided in writing e.g. via an enclosed copy of a menu or orally by the delivery person.

21. For products that are commonly made of Milk, e.g. Cream or Butter, does Milk need to be added to the ingredients list as an allergen for this product, or would 'Cream' be sufficient to emphasise as the allergen alone?

Whilst it is not a legal requirement to list Milk as an allergen for products that can only be made from Milk under Food Law, e.g. Cream or Butter, it is best practice for industry to include Milk as an allergen with any dairy product as consumers may not always associate such products as being made from Milk.

22. Would a pie packaged in a foil dish be considered PPDS food?

Although the foil dish would be considered packaging, the product can still be altered and as such this would not be considered to be PPDS food.

23. Where unwrapped products are on display for customers, such as ready-to-eat pies and/or pastries, if these same pies or pastries are wrapped and stored behind the counter, do these need to have full ingredient and allergen information?

Full ingredient labelling with allergens emphasised applies to any food item that is packaged before being selected by the consumer and is ready for direct sale to the

consumer. This includes food items that are not in a display cabinet but are ready for direct sale when requested.

Allergen information for non-prepacked food can be provided in a variety of means to suit the business. Where a food business chooses for this information to not be provided upfront in a written format (for example a label), the food business must use clear signposting to direct the customer to where this information can be found such as asking members of staff. In such situations there must be a statement that can be found on food menus, chalkboards.

24. Could more than one label be applied to a product with mixed food items? E.g. A cone of mixed sweets would have a separate label for each different type of sweet, rather than one label with the ingredients of all sweets.

It is at the discretion of the business as to how this label is applied to the food packaging, as long as the label follows the legislative requirements and ensures that all necessary information is listed. Therefore, the use of multiple labels would be possible.

25. If a shop had soup already in the soup cup, but no lid on the cup in a hot cupboard would this need a PPDS ingredient label, or only if the lid was on the cup prior to sale?

PPDS labelling requirements apply to any food item that is packaged to enclose the food item completely or partially, but in such a way that the contents of the food item cannot be altered. Therefore, in the case of a soup cup being stored in a hot cupboard without a lid, this would not require PPDS labelling unless the lid was added before being selected by the consumer.

26. If a business provides a small pot of prepacked sauce with a food item e.g. a lidded pot of tartar sauce with fish and chips, does this need to be labelled in line with PPDS regulations, despite the food item itself being made to order?

Any food item that meets the PPDS criteria will require full ingredient and allergen labelling. Therefore a small tub of sauce that is prepacked before being selected by the consumer would fall under PPDS regulations.

27. Will this new law impact on people selling items such as cakes or sandwiches at events e.g. coffee mornings?

This will depend on the type of event and whether or not the activity requires the host to register as a food business. The FSS has guidance on providing food and community groups and charity events. If registration is required and products being sold at said event meet the criteria for PPDS food, then they will have to comply with the regulations.

28. Is the legislation being rolled out UK-wide?

Yes. Food Standards Scotland is here to help and is working closely with the Food Standards Agency (the regulator for the rest of the UK), to ensure that businesses of all sizes throughout the UK can prepare and adapt to these changes by 1 October 2021.

29. From what date will the legislation be enforceable?

Businesses must be fully compliant with this legislation by 1 October 2021.

30. Will any funding be made available for businesses to make these changes?

FSS will not be providing any funding to businesses to make these changes. However, FSS is providing support via guidance documents, online training and other resources such as the MenuCal tool.

31. What support have you had from stakeholders for this change?

We have been working closely with partners and stakeholders across the industry, including the Scottish Food Enforcement Liaison Committee (SFELC), the Scottish Wholesalers' Association, the Scottish Grocers' Federation and all 32 Scottish Local Authorities. Our guidance was shared with stakeholders for review and input before it was finalised and published.

32. Who will be responsible for enforcing this and how will it be conducted?

Local Authorities will have the responsibility for enforcing the new PPDS labelling requirements as part of their risk-based approach to food law.



**For safe food and
healthy eating**

Contact details

Food Standards Scotland
Pilgrim House,
Old Ford Road,
Aberdeen,
AB11 5RL.

T: 01224 285100

E. Enforcement@fss.scot

www.foodstandards.gov.scot

