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Paul Abbott Head of Housing, Transportation and Public Protection

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Date: [REDACTED]

Dear Food Caterer,

Food allergen management, control and communication in catering premises

IMPORTANT

This letter contains information and guidance that may be vital to the success of your catering business and the safety of those customers who suffer with a food allergy or intolerance. It may also impact on the Food Hygiene Rating Score for your business.

Please ensure it is brought to the attention of management and staff

No one involved in the food sector can be unaware of the increasing concerns and incidents relating to food allergies. There has been widespread reporting in the media of tragic cases of consumers with food allergies being misinformed about the allergenic ingredients in the food provided to them. Resulting in death or life threatening injury for the customer, and for the food business criminal prosecution, civil litigation and business failure, or at least significant cost.

To date much of the regulatory focus has been on provision of allergen information on pre-packed foods and labels. So that both final consumers and caterers using pre-packed foods are fully aware of ingredients in the food supplied to them by food manufacturers and packers.

In 2014 the Food Information Regulations made provision of accurate information about specified potentially allergenic food ingredients a strict requirement for all food businesses, importantly this includes non-pre-packaged foods such as provided by caterers. In addition, food hygiene regulations require food businesses to handle and prepare food in a manner which, as far as practicable, protects food from contamination. This includes any unintentional contamination with potentially allergenic food ingredients.

We are afraid that some of the greatest risk and most difficult challenges around control of potentially allergenic ingredients may be found in the catering sector. Good caterers will have also recognised this for themselves and have already taken appropriate steps identify and control allergenic food hazards. However, we are aware that some catering businesses either through ignorance, indifference or neglect have not properly assessed food allergen hazards, or put in place adequate controls to protect vulnerable consumers.

Paul Bellotti
Director of Communities and Environment

To address these concerns we have recently reviewed our intervention and enforcement approach to food allergen management, control and communication requirements, particularly for the catering sector. As a consequence we are taking the following measures, which in future will impact on regulatory enforcement expectations/decisions and possibly also on premises risk ratings that may affect the related scores attained and published as part of the Food Hygiene Rating Scheme (FHRS):

- Firstly, we are reiterating and strengthening our on-line guidance available to food businesses on our Food Services Web-pages at: **www.eastriding.gov.uk/allergenmanagement**
- Secondly, we are developing an Allergens Management supplement to the FSA Safer Food Better Business caterers pack to further help businesses establish and document their management procedures. These underpin the 'Confidence-in-Management' component of the premises risk rating score. If you would like to make use of this tool it will also be available from the Food Services Web-pages as above.
- Thirdly, we will be adopting an approach to routine inspections of catering premises which specifically targets as a priority food allergen management, control and communication requirements. This may include making 'secret shopper' test purchases for food allergen sampling.
- Fourthly, we will be adopting a robust response to serious food allergens related non-compliance including where necessary service of informal 'stop' notices, formal improvement notices and in the most reckless or serious cases prosecution.

Our overarching aims as ever, are:

1. To protect consumers, by ensuring food is safe and what it is said to be, so consumers can make informed choices about what and where they eat, including those with food allergies or intolerances.
2. To support good food businesses to self-regulate and achieve high standards.
3. To confront poor food businesses and to address serious shortfalls.

The purpose of this letter therefore is to give notice of the above measures and in particular to urge all caterers to review and update as necessary their food allergen management arrangements and procedures.

We recognise that this issue presents considerable challenges to caterers and we anticipate that in some cases shortfalls in food allergens management, control and communication may result in higher risk ratings and lower FHRS scores. In such cases we hope to work constructively with food businesses to ensure they take prompt remedial action as necessary to safeguard the health of customers that suffer with food allergies.

Yours faithfully

A Buxton

Andrew Buxton

Food Services Manager