



Getting prepared for Natasha's Law

- a guide for hospitality





From 1st October 2021,

millions of people in the UK will be safeguarded by 'Natasha's Law' which is being introduced to protect allergy sufferers and give them confidence in the food they buy. Natasha's Law has come onto the statute books following the death of Natasha Ednan-Laperouse, the teenager who died after suffering an allergic reaction to sesame seeds in a baguette and will require food businesses to include full ingredients labelling on pre-packed for direct sale (PPDS) foods.

Currently, food prepared on the premises in which it is sold is not required to display allergen information on the label, meaning allergy sufferers do not always have the information they need when buying pre-packed food. The introduction of Natasha's Law will make it easier for them to make clear, safe choices based on dietary needs.

When Natasha's Law was passed in 2019, the Food Standards Agency Chair, Heather Hancock said "This is an important and welcome step towards our ambition for the UK to become the best place in the world for people who have food allergies and intolerances. I encourage businesses large and small to work with the Food Standards Agency to get this right. Success will mean more choice and better protection for the millions of people – our families, friends, colleagues and neighbours across the UK – who have food allergies.

"The reforms cover labelling requirements for foods that are prepared and packed on the same premises from which they are sold – such as a packaged sandwich or salad made by staff earlier in the day and placed on a shelf for purchase."

Progress made but still some confusion

With the countdown on until Natasha's Law comes into effect, it is apparent that some businesses have already made positive steps forward but others need to make changes to their operational processes, or are maybe still confused about if and how the Law affects them.

In a snap survey of food business operators conducted by Access Hospitality, 64% said they were aware that Natasha's Law would be introduced on 1st October 2021. But fewer than half (46%) said they understood, or fully understood the implications for their business, whilst 35% weren't sure and 19% didn't understand the implications.

In terms of readiness, 60% were extremely or somewhat confident that, if the law applied to their business, they would be ready for Natasha's Law whilst 15% were not confident. Over half (54%) do not have a food labelling process in place.

Are you ready for Natasha's Law?



60%

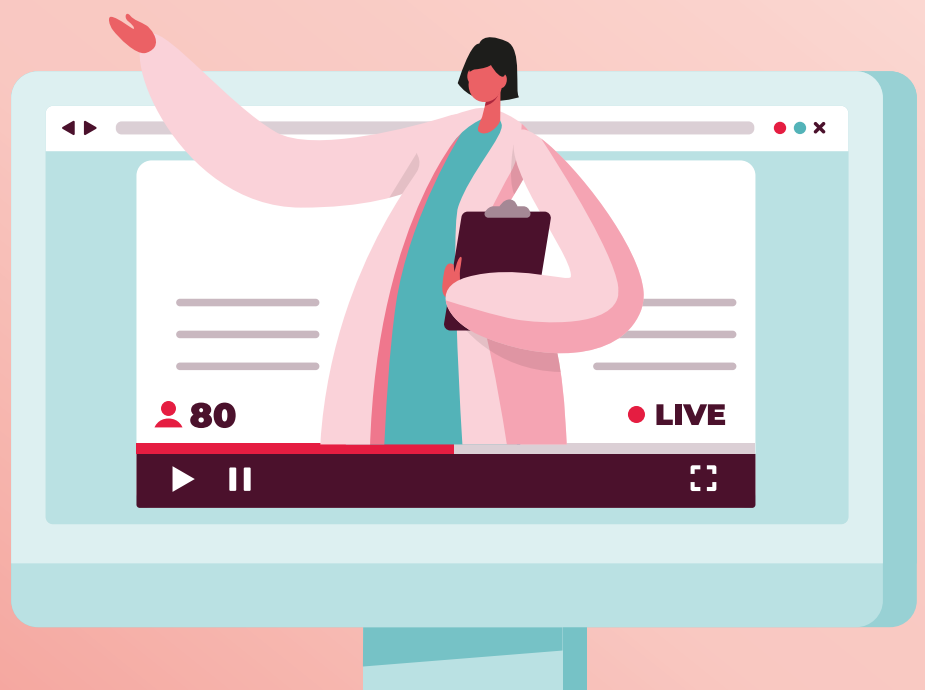
extremely
or somewhat
confident



15%

not confident

The importance of providing comprehensive and accurate ingredient labelling cannot be stressed enough and Natasha's Law clarifies any uncertainty and removes ignorance, but food businesses must act quickly if they are to be prepared for 1st October. A [webinar](#) hosted by Access Hospitality brought together a team of experts to explore Natasha's Law from different angles and throw light onto how and why businesses should be reacting.





The Consumers -

Karl Chessell, Director Hospitality & Food at CGA

Sector research and insight specialists, CGA, conducted a consumer survey commissioned for Access Hospitality, exploring Natasha's Law with a national representative sample of customers in Great Britain who eat out at least once every six months.

It emerged that 39% of GB consumers either have a food allergy, an intolerance, a dietary preference or another restriction on the food they eat, with more than a fifth (22%) having a food allergy or intolerance. These cover a range of ingredients, with milk being the most common at 8%, followed by eggs and peanuts (6%), and tree nuts, cereals containing gluten, and fish being the trigger factor for 5% of consumers.

For some, an allergy or intolerance may consist of a slight insensitivity to the ingredient, but for over a quarter of consumers with food allergies or intolerances (28%) they can experience serious reactions to ingredients, with 13% describing their reaction as a potentially fatal one.

Little wonder that, when the potential implications are so serious, more than one in seven consumers with serious food allergies or intolerances (15%) feel that they can't trust the food they eat out, a 9 percentage point higher than the average GB consumer. Faced with this lack of confidence it is understandable if this group do not buy food whilst out as much as they might want to.

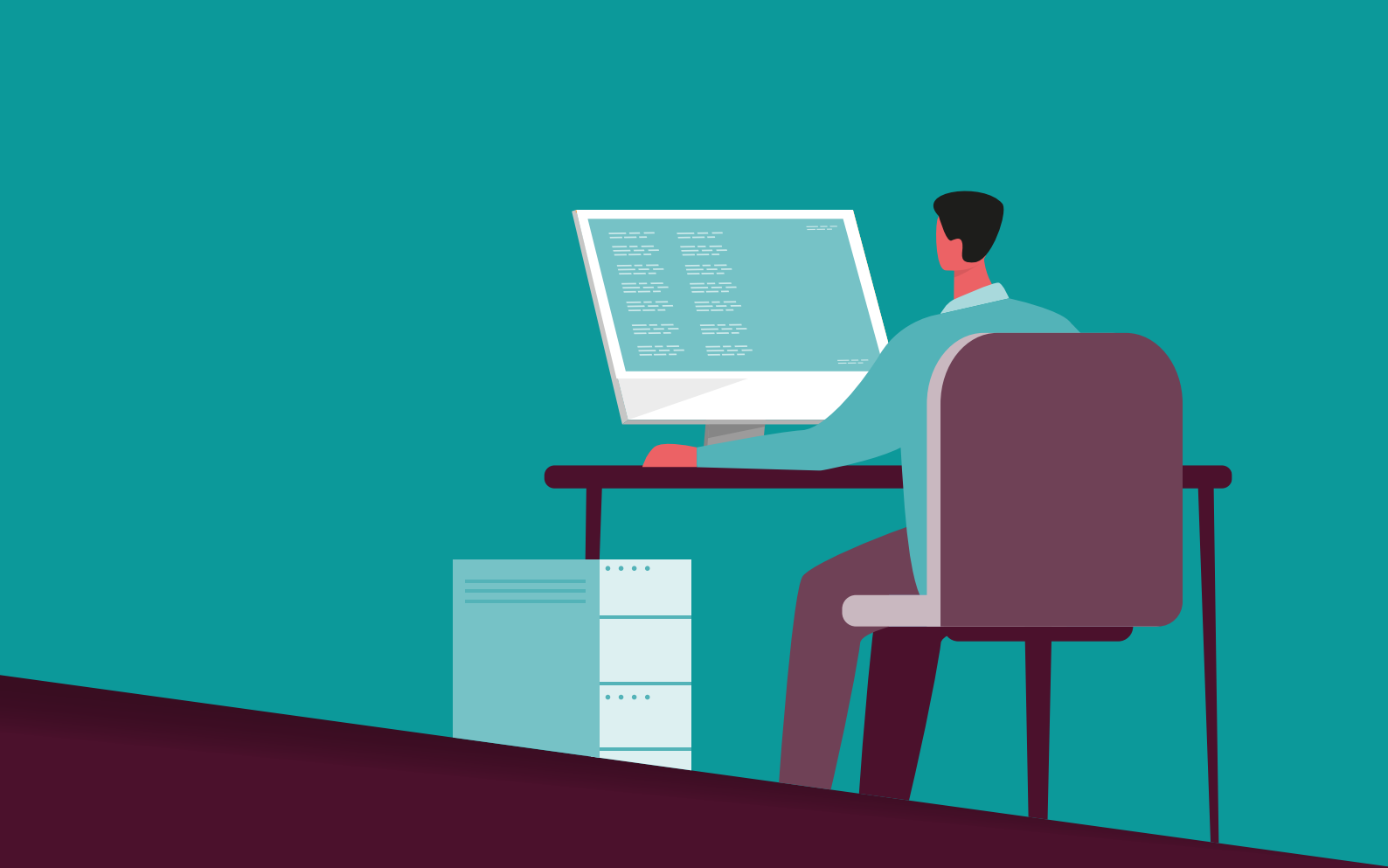


39%

of GB consumers either have a food allergy, an intolerance, a dietary preference or another restriction on the food they eat

22%

having a food allergy or intolerance

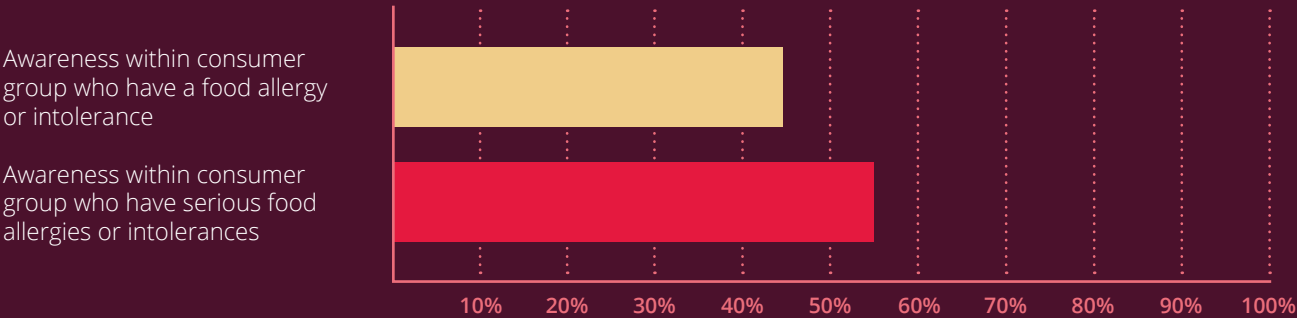


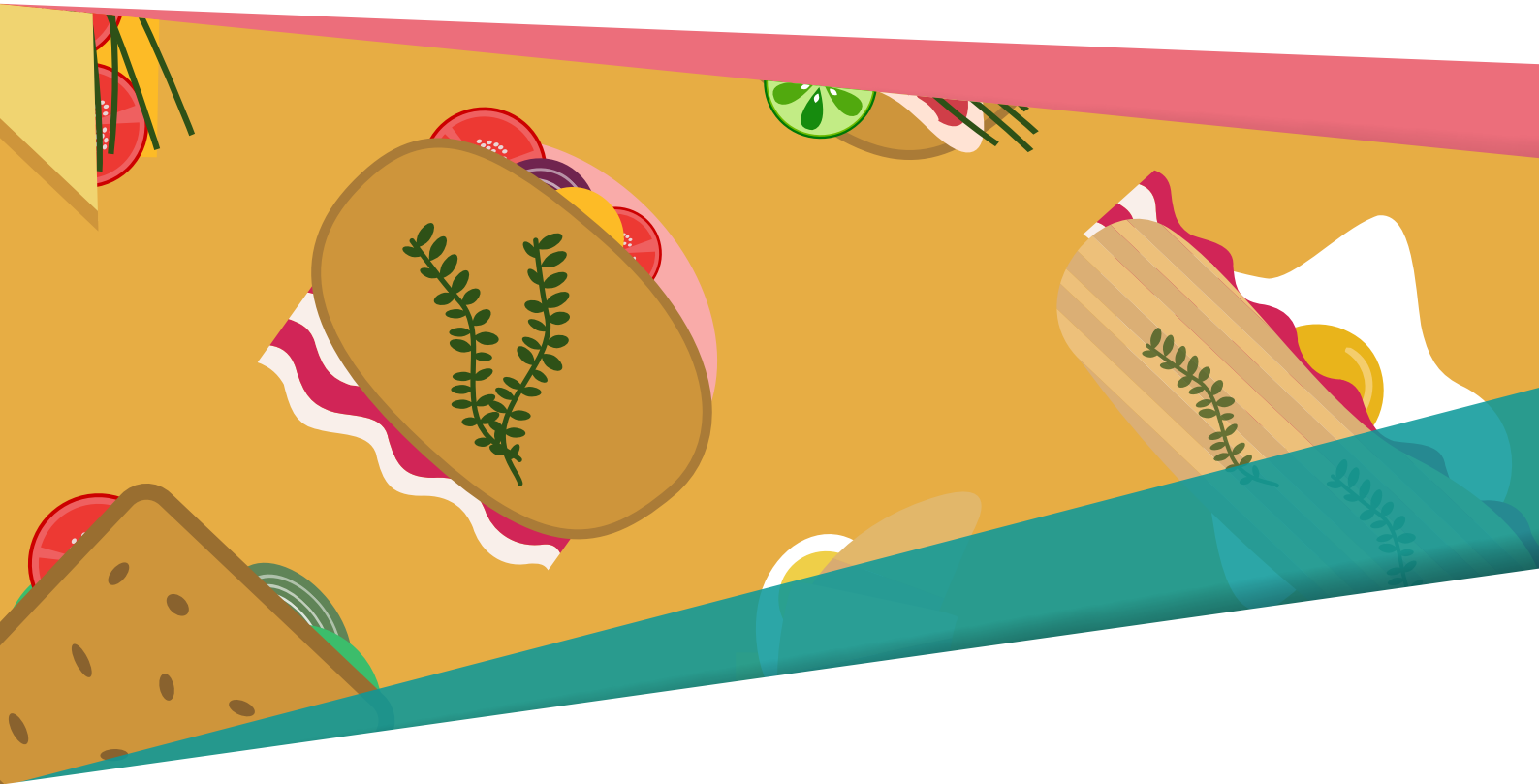
There is some awareness of Natasha's Law amongst consumers, with 26% being fully aware and 34% aware but without knowing much about it. However, there is an increase for those who will be impacted most, with 44% of consumers with a food allergy or intolerance being fully aware of Natasha's law as are 54% of those with serious food allergies or intolerances.

With 84% of consumers agreeing that Natasha's Law is a positive change, a total of 88% said that they would feel the benefit of the law or know someone who will, with 33% saying that they would benefit from having more transparency on the ingredients being used.

Three quarters (75%) of consumers with serious food allergies or intolerances find the idea of having a full ingredient list on pre-packaged food 'very' or 'quite' appealing and 84% of this group also said that they 'agree' or 'strongly agree' that Natasha's Law should be extended to all food consumed out of home and not just pre-packaged food.

% of people aware of Natasha's Law





Trust in the content of pre-packaged food is likely to improve dramatically once Natasha's Law is in place. Particularly amongst consumers with serious food allergies and dietary requirements, where 87% of this audience feel 'more' or 'much more' confident in trusting the content of pre-packaged food out of home once Natasha's Law is in place. Such trust may be hard to win, though, with consumers being more likely to trust the ingredient lists on pre-packaged food from chains rather than independent outlets, with 83% of the high risk group believing that the ingredients list of a chain will be 'very' or 'quite' reliable compared to 76% for independent food outlets.

Consumers who depend on accurate ingredient lists most, expect to distrust labels due to outlets relaxing over time (43%) or illegible handwriting (40%) and both factors are in the hands of business owners to prevent.

Trust and confidence will remain as consumers with serious food allergies aren't prepared to trust labels yet, with over half (51%) predicting that they'll still have to check the ingredients with staff every time they make a purchase even after Natasha's Law has come into effect.

Consumers with food allergies or intolerances are valuable to the out of home market, as they are likely to visit and spend more than the average consumers. Some 64% of consumers with a serious food allergy or intolerance eat out weekly, with an average monthly spend of £94 on food and drink compared to 42% and £76 respectively for the average GB consumer. Age is also a factor, with 43% of people who have either a food allergy, intolerance or a dietary preference or restriction being in the 18-34 age group, a group which makes frequent visits to out of home food outlets.

Outlets should therefore make protecting their core market for pre-packaged food their priority by ensuring they follow Natasha's Law rigorously, as 61% of the group with serious food allergies or intolerances are likely to purchase food to go 'more' or 'much more' frequently than they did once the law is in place.



% of consumers with a serious food allergy or intolerance eat out weekly, with an average monthly spend of **£94 on food and drink**



% of average GB consumers who eat out weekly, with average monthly spend of **£76 on food and drink**



The Regulations -

Arvind Thandi, Team Leader Food Hypersensitivity, Food Standards Agency

It is the Food Standards Agency's (FSA) ambition to make the UK the best place in the world to be a hyper-sensitive consumer and supporting consumers in making safe and informed choices. As such, the implementation of Natasha's Law across all four UK administrations is an area of high importance for the FSA.

Natasha's Law states that foods prepared and packed on premises where they are sold or offered must have ingredients labelling with allergens clearly emphasised. This labelling will benefit consumers by knowing what is in the packaged food they are eating and allow those with food hypersensitivities to make safer food choices.

An FSA consultation on the proposed legislation in 2019 showed that consumers overwhelmingly supported full ingredient labelling for grab & go food whereas the current situation is that they may have to refer to an allergen book or menu or ask a member of staff for details.

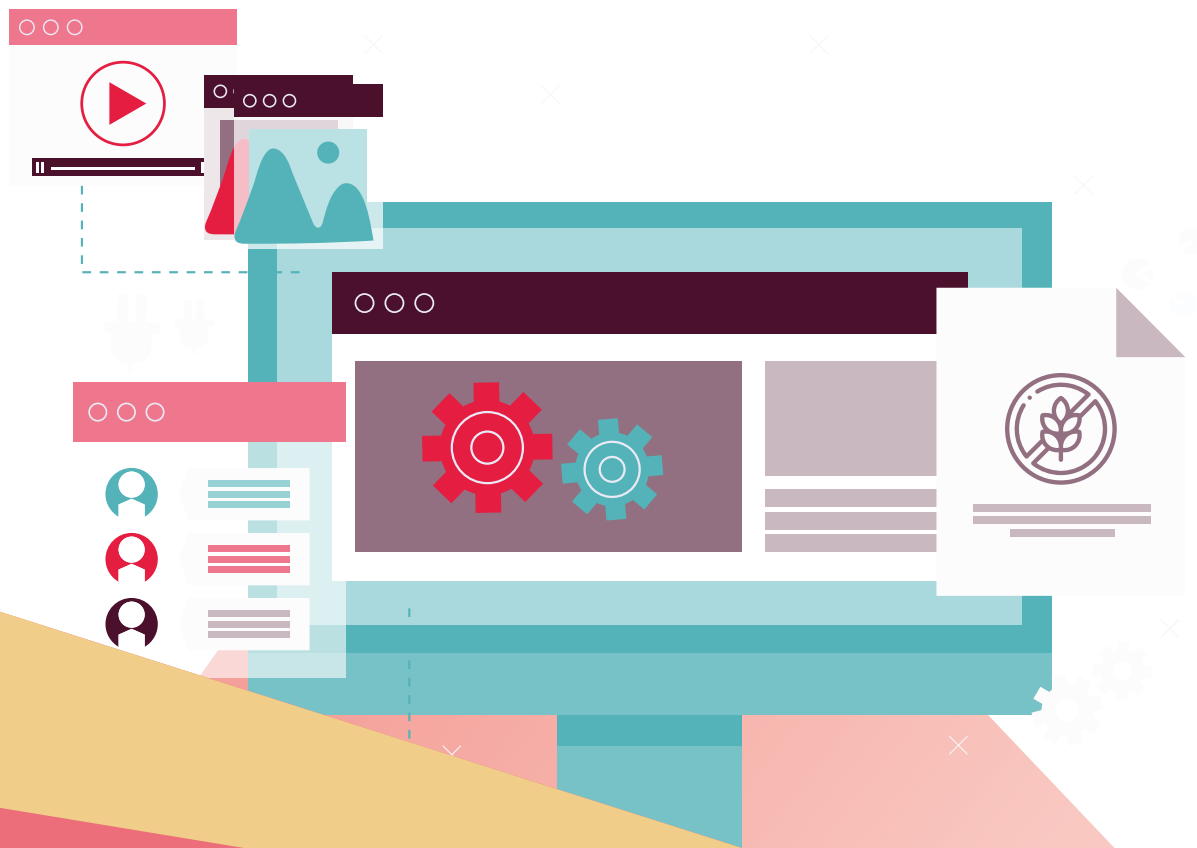
The introduction of Natasha's Law will impact on businesses selling prepacked for direct sales food and how they operate in an arena where they may not have had to think about labelling before and now have to implement appropriate processes to comply with the regulations.

The definition of PPDS is food that is packed before being offered for sale by the same food business to the final consumer

- On the same premises or
- The same site (e.g. a building complex such as a shopping centre or airport terminal in which the same food business operates from more than one unit within the complex) or
- 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) if the food is offered for sale by the same food business that packed it

It does not include food packed at a consumers request, food not in packaging or food in packaging that can be altered without opening or changing the packaging





For clarity, the legal definition of packaging is that 'packaging encloses the food completely or only partially, but in any event in such a way that the contents cannot be altered without opening or changing the packaging'.

Food falls into one of three categories

- **Prepacked food** – food packed by one business and supplied to another business or packed by the same business at a different site (e.g., a bag of crisps)
- **PPDS food** – food which is packaged at the same place it is offered or sold to consumers and is in this packaging before it is ordered or selected (e.g., a loaf of bread)
- **Non-prepacked food** – any food that is not in packaging or is packaged after being ordered by the consumer (e.g., pizza in a box)

The changes will see rules for PPDS change from its existing parity with non-prepacked foods, which requires information to be provided on 14 major allergens, with some discretion on how this information is provided.

From 1st October, PPDS will be treated in a way more aligned with prepacked food in terms of ingredient and allergen information provision and the FSA has produced a decision tree to help food businesses clarify what is covered by the new PPDS rules.

The decision tree considers three key questions:

1. Is the food presented to the customer in packaging?
2. Is it packaged before the customer selects or orders it?
3. Is it packaged at the same place it is sold?



Following the guidance, some examples of **WHAT IS** PPDS include:

- Sandwiches packaged by the food business and sold or offered from the same premises
- Fast food which is wrapped or packaged before a customer selects or orders it
- Bakery products which are packaged before a customer selects them
- Supermarket products which are produced and packaged in store, such as pizzas, rotisserie chicken, pre-weighted and packed cheese and meats, and baked potatoes

And examples of what **IS NOT** classified as PPDS

- Food not in packaging
- Pre-packed food (packaged at a different premises)
- Food packaged at the customer's request
- Distance sales (e.g. foods ordered online), but note that businesses that do supply PPDS via distance selling need to ensure that mandatory allergen information is available to the consumer before they purchase the product and also at the moment of delivery



Under Natasha's Law, from 1st October 2021, PPDS food must display the following information, either on the package or on a label attached to the package:

- The name of the food
 - ✓ Must be descriptive and inform the customer of the true nature of the food
 - ✓ Customary names which are commonly understood can be used, e.g. BLT sandwich
 - ✓ Where names are prescribed in law, they must be used. This mainly applies to food containing certain seafood, fish and meat ingredients
- An ingredients list including the 14 mandatory allergens. The allergens within the food must be emphasised every time they appear in the ingredients list by using, for example CAPITALS, **bold**, **contrasting colours** or underlined
 - ✓ The list of ingredients must be headed by a suitable heading which consists of or includes the word 'ingredients'
 - ✓ It must include all of the ingredients of the food, in descending order of weight, as recorded at the time of their use in the manufacture of the food
 - ✓ If the product contains any of the 14 allergens they must be clearly highlighted on the listed ingredients and alternative allergen statements, such as 'contains wheat, egg and milk' are not permitted
 - ✓ Mandatory allergen information must be easily visible, clearly legible, not obscured in any way, hidden in the fold of packaging or be visually difficult to read due to poor lettering or poor colour contrast
 - ✓ The ingredient list must also adhere to legal requirements in respect of a minimum font size where x-height is 1.2mm or more. If products have a packaging surface less than 80cm², the x-height can be reduced to 0.9mm
 - ✓ Labels can be handwritten as long as they meet the requirements of being easily visible and clearly legible





Retailers are advised to consider their individual business model and what works best in terms of labelling e.g., whether labels will be handwritten or printed and prepare a contingency for unforeseen circumstances. It may be appropriate, for example, to have some pre-printed labels available in case of labelling equipment malfunction. All food businesses and suppliers should bear in mind that they already have an obligation to pass accurate ingredient and allergen information onto consumers with processes in place to update ingredient information if it changes.

Whilst reviewing and amending operations to adhere to mandatory regulations, food businesses should also consider providing Advisory or Precautionary Allergen Labelling (PAL). This is voluntary information if it is believed there is a real risk of an unintentional presence of allergens because of unavoidable cross contamination. Where an ingredient supplier provides PAL, this should be passed onto the consumer.

The FSA has resources available to support implementation including a specific [PPDS web page](#), [technical guidance](#) and online [food allergy training](#).

The Supply Chain -

Sam Elliott, Nutritionist, Bidfood

Although the supply chain will usually comprise several steps, the flow can be different for every food sales process, so maintaining robust systems and checks is essential.

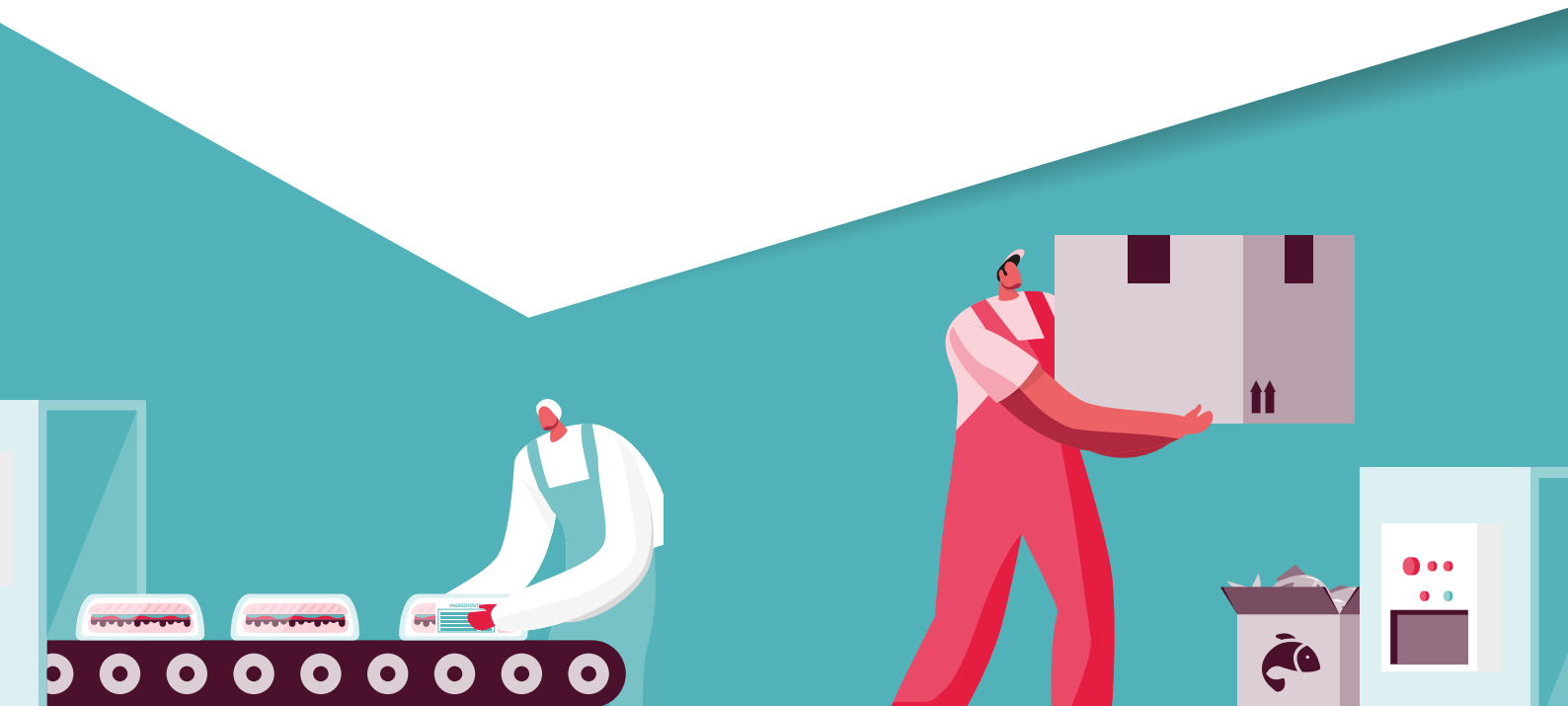
One consistent factor is that the manufacturer of any food product has control of the recipe and controls the ingredient information and any subsequent alterations when there is a change in the production. They are required to produce a full ingredients list according to their legal obligations and share this with other partners in the supply chain. In turn, this information must be passed along the chain whilst custody of the product recipe remains with the manufacturer.

Manufactured goods may pass through a wholesaler and/or mass caterer which, in turn, may have several different sites so consideration must be given to how the accurate ingredient and allergen information is shared correctly. Sales of food from business to business must be accompanied by sufficient information to enable everyone to meet their responsibilities and keep the end consumer safe.

When capturing and sharing allergen information, the details must mirror what's on the product packaging and must include mandatory ingredient fields:

- **Contains** – the allergen as a deliberate ingredient
- **May contain** – precautionary allergen labelling
- **Does not contain** – the allergen as a deliberate ingredient and carries no precautionary labelling

Although the manufacturer has custody of the recipe, everyone in the supply chain has a responsibility to make sure that they are passing on the correct allergen information. But they also have a responsibility to check that they are receiving the right information, too and must undertake due diligence to confirm that the information passed onto them is accurate. This will include any packaging but cross reference any other forms of sharing such as data or digital references.





Wholesaler good practice

Bidfood routinely checks ingredient and allergen information that it receives to make sure that it is robust and precise. There is no margin for error when dealing with food safety and their thorough processes include:

- Validation of information provided by a supplier for new products by actively checking for discrepancies and challenge if the allergen details don't match
- Existing products are scrutinised through an annual exercise called project verify
- Conduct ad-hoc labelling checks to ensure that details are still correct, including when ingredients in other products from the same supplier have been amended
- Remind suppliers of their obligations to provide accurate information

Collecting precise details is the starting point, but food businesses must be aware that allergen information may change when ingredients are substituted or product recipes are changed and be ready to update records and labelling immediately.

To remove any potential confusion, it may be appropriate to change product codes or identifications if there is an increase in allergen status. For any downscale of allergens, moving from a 'contains' classification to 'may contain', for example it would be advisable to issue a notification for reference





Summary of advice to food business operators within the supply chain to be ready for Natasha's Law

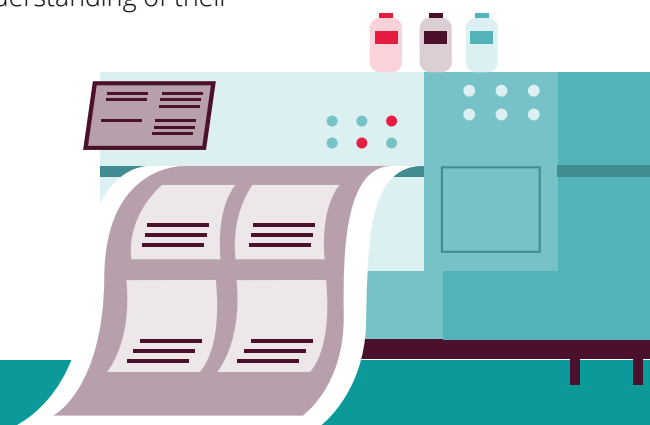
- Review what your business may need to create PPDS compliant labels
- Speak to suppliers – including recipe analysis and label printer software providers
 - Understand the journey the data has taken to get to you
 - Check how the information is being managed at each point of the chain
 - Ask what support they can provide
 - How will information from different suppliers be integrated
 - How often are updates provided by suppliers and label providers
 - How will the ingredients list be ordered
 - How will the allergens be emphasised
 - Identify what happens when information changes – will you be notified or will the system just update in the background? If it does change, how will you know when to update your labels or will updates be made manually
 - What steps need to be taken to update details for a new recipe when stocks of the previous one are still running through?
- Implement a plan to audit product packing information against the data provided and run a trial to make sure that the plan is effective
- If any doubt, speak to primary authority as they are responsible for enforcement of legislation

Compliance Through Technology -

David Whyte, Hospitality Solutions Consultant, Access Hospitality

Access Hospitality has been preparing for the introduction of Natasha's Law since it was first announced and data from its snap survey, conversations and round table discussions with customers have helped get a clear understanding of their feelings, priorities, concerns and wish list.

Technology can simplify and help navigate the processes needed to be safe and compliant and there are some straightforward steps operators can take to prepare for Natasha's Law.

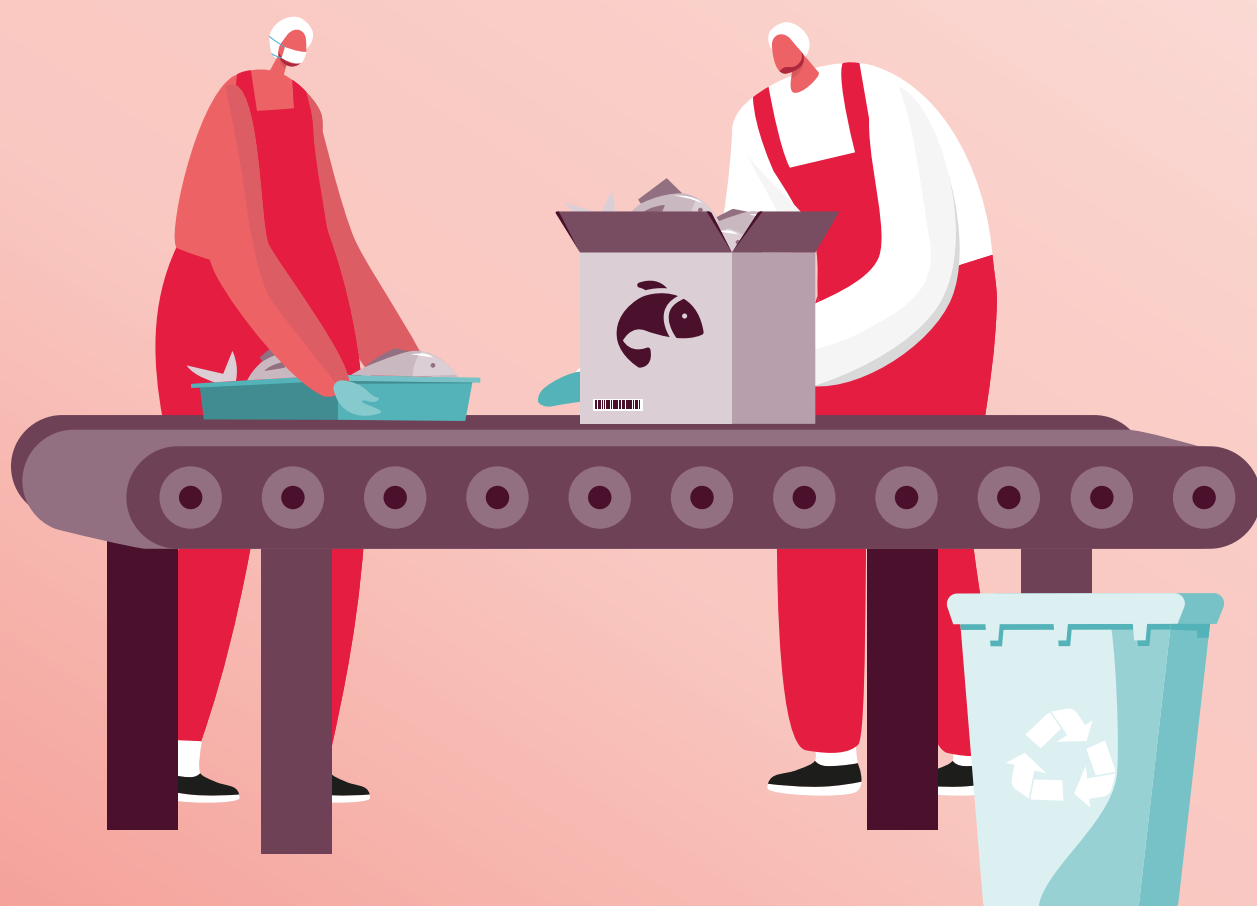


- 1. Supply chain** – Analyse your products and suppliers purchasing guides to rationalise the ingredients that your business will use. Audit the detail through action based reporting to reduce the number of items that will be present in the packaging stage
- 2. The printing solution** – Look at the software and speak to your software supplier to confirm the capabilities of the system, particularly in respect of supplier information, links to your dishes and how this connects with the physical printing. Hardware and software must be integrated and enable adaptable printing and live links to the ingredient information held on your system
- 3. Education** – Create a range of documentation and learning guides that will assist, not only how staff will absorb the requirement and processes for the initial introduction of Natasha's Law, but how that will continue to be applied and implemented in the future when new staff or new products are brought on board. Consider a plan for online training, accreditation, regular retraining and how this education is linked and recorded on the HR system
- 4. Final build** – Once the suppliers and ingredients have been confirmed, produce the final recipe and create live links between the systems and online portals including menu structures, associated products and allergen breakdowns. Run training sessions, troubleshoot any issues and review the overall process of getting the correct information onto printed labels or specification guide
- 5. Test & review** – Revise current processes, live tests on the software and hardware with physical sense checks on the information provided by suppliers and shared with consumers. Create sign off processes and repeat through each area of the business
- 6. Natasha's Law, October 1st 2021** - Operations must produce information in line with government regulations, including a robust audit trail and historical information detailed in analytical views all the way through the supply chain to packaged food products

To get the most support and best value from technology, food business operators should invest in a supplier that delivers core solutions to provide all the information that they need, run updates and amends quickly and efficiently, and seamlessly transfer details to third party label printers.

Your technology solution should comprise integrated modules that incorporate:

- ✓ Collation of information from suppliers, including ingredient, allergen and nutrition details plus barcode data
- ✓ Control of your product catalogue – empowering your staff through price list management, data reporting, product restrictions and user management tools
- ✓ A purchase management system to clarify a defined buying guide, implement purchase order control and goods receipting process that will automatically identify if an ingredient has been swapped out or substituted and invoice matching to check accuracy from the supplier
- ✓ Automate menu engineering from the price file at the start of the process covering recipe build, dish creation, menu structures and reporting dashboard
- ✓ Final menu specification that includes allergens, ingredients, nutrition, barcode data but also the price and price look up with all the elements transferred to the labelling and available for display in multiple areas across the retail outlet



Summary

Consumers are supportive of Natasha's Law and the regulations will give anyone with serious food allergies or intolerances more confidence to buy pre-packaged food. Changes required when the legislation comes into effect on 1st October 2021 may seem relatively straightforward but have the potential to be life-changing and food businesses must be prepared.

One of the key factors identified by our experts was to monitor every stage of the supply chain and ensure that information about ingredients and allergens are clearly communicated throughout. There can be no room for error on what are classified as PPDS food products and the details required on their labels, and technology can play a significant role in implementing the regulations accurately and consistently.

Support is readily available – speak to your suppliers to understand how you will work together; to your local authority if you need any guidance and refer to the [FSA resources](#) for further clarification. **Access Hospitality** offers a range of technology to assist in applying Natasha's Law with integrated EPoS, Purchase to Pay and kitchen management technology as well as relevant training options as we look forward to working with clients on a smooth transition to the new regulations.



0845 340 4542
www.theaccessgroup.com/hospitality
hospitality@theaccessgroup.com