
STATUTORY INSTRUMENTS

2008 No. 0000

FOOD, ENGLAND

**The Food Labelling (Declaration of Allergens) (England)
Regulations 2008**

<i>Made</i>	- - - -	2008
<i>Laid before Parliament</i>		2008
<i>Coming into force</i>	- -	2008

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 16(1)(e), 17(1), 26(1)(a) and 48(1) of the Food Safety Act 1990(a), and now vested in him(b).

In accordance with section 48(4A) of that Act, he has had regard to relevant advice given by the Food Standards Agency.

As required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(c), there has been open and transparent public consultation during the preparation and evaluation of these Regulations.

Title, application and commencement

1. These Regulations may be cited as the Food Labelling (Declaration of Allergens) (England) Regulations 2008, apply in relation to England only and come into force on [— 2008].

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- (a) 1990 c. 16. Section 1(1) and (2) (definition of “food”) was substituted by S.I. 2004/2990. Sections 17 and 48 were amended by paragraphs 12 and 21 respectively of Schedule 5 to the Food Standards Act 1999 (1999 c.28), (“the 1999Act”). Section 48 was also amended by S.I. 2004/2990. Section 53(2) was amended by paragraph 19 of Schedule 16 to the Deregulation and Contracting Out Act 1994 (1994 c.40), Schedule 6 to the 1999 Act and S.I. 2004/2990.
- (b) Functions formerly exercisable by “the Ministers” (being, in relation to England and Wales and acting jointly, the Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with health in England and food and health in Wales and, in relation to Scotland, the Secretary of State) are now exercisable in relation to England by the Secretary of State pursuant to paragraph 8 of Schedule 5 to the 1999 Act. Functions of “the Ministers” so far as exercisable in relation to Wales were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) as read with section 40(3) of the 1999 Act and thereafter transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32). Those functions so far as exercisable in relation to Scotland were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (1998 c. 46) as read with section 40(2) of the 1999 Act..
- (c) OJ No. L31, 1.2.2002, p.1. That Regulation was last amended by Commission Regulation (EC) No. 575/2006 (OJ No. L100, 8.4.2006, p3).

Amendment of the Food Labelling Regulations 1996

2.—(1) The Food Labelling Regulations 1996(a) are amended (in so far as they apply in relation to England) in accordance with paragraphs (2) to (6).

(2) In regulation 2(1) (interpretation), in the definition of Directive 2000/13 for the words “Commission Directive 2005/26/EC” to the end substitute “Commission Directive 2007/68/EC amending Annex IIIa to Directive 2000/13/EC of the European Parliament and of the Council as regards certain food ingredients(b);”.

(3) In regulation 13(8)(c) and in regulation 34B(1) and (2)(b), omit the expression “paragraphs 1 to 11 of”.

(4) In regulation 34B(2)(b), omit the expression “subject to paragraph (3) of this regulation,”.

(5) In regulation 50 (transitional provision), after paragraph (14) insert the following —

“(15) In any proceedings for an offence under regulation 44(1)(a) it shall be a defence to prove that —

(a) the food concerned was sold before 31st May 2009 or marked or labelled before that date; and

(b) the matters constituting the alleged offence would not have constituted an offence under these Regulations if the amendments made by regulation 2 of the Food Labelling (Declaration of Allergens) (England) Regulations 2008(c) had not been in operation when the food was sold.”.

(6) For the contents of Schedule AA1 (allergenic ingredients) substitute the contents of the Schedule to these Regulations.

Revocations

3. The following Regulations or provisions are revoked —

(a) Regulation 34B(3) of, and Schedule 2A to, the Food Labelling Regulations 1996;

(b) The Food Labelling (Amendment) (England) (No.2) Regulations 2005(d);

(c) The Food Labelling (Amendment) (England) (No.2) (Amendment) Regulations 2005(e).

Signed by authority of the Secretary of State for Health

Dawn Primarolo
Minister of State
Department of Health

Date

(a) S.I. 1996/1499, as last amended by S.I. 2007/3256. Regulation 34B and the associated Schedule AA1 were inserted by S.I. 2004/2824. Regulation 34B was amended by S.I. 2005/2057; Schedule AA1 was amended by S.I. 2007/3256.

(b) OJ No. L310, 28.11.2007, p.11.

(c) S.I. 2008/

(d) S.I. 2005/2057.

(e) S.I. 2005/2969.

SCHEDULE

Content to be inserted as Schedule AA1 to the Food Labelling Regulations 1996

1. Cereals containing gluten (i.e. wheat, rye, barley, oats, spelt, kamut or their hybridised strains),
except:
 - (a) wheat-based glucose syrups including dextrose⁽¹⁾;
 - (b) wheat-based maltodextrins⁽¹⁾;
 - (c) glucose syrups based on barley;
 - (d) cereals used for making distillates or ethyl alcohol of agricultural origin for spirit drinks and other alcoholic beverages.
2. Crustaceans.
3. Eggs.
4. Fish,
except:
 - (a) fish gelatine used as a carrier for vitamin or carotenoid preparations;
 - (b) fish gelatine or isinglass used as a fining agent in beer and wine.
5. Peanuts.
6. Soybeans,
except:
 - (a) fully refined soybean oil and fat⁽¹⁾;
 - (b) natural mixed tocopherols (E306), natural D-alpha tocopherol, natural D-alpha tocopherol acetate, natural D-alpha tocopherol succinate from soybean sources;
 - (c) vegetable oils derived from phytosterols and phytosterol esters from soybean sources;
 - (d) plant stanol ester produced from vegetable oil sterols from soybean sources.
7. Milk (including lactose),
except:
 - (a) whey used for making distillates or ethyl alcohol of agricultural origin for spirit drinks and other alcoholic beverages;
 - (b) lactitol.
8. Nuts, i.e. almonds (*Amygdalus communis L.*), hazelnuts (*Corylus avellana*), walnuts (*Juglans regia*), cashews (*Anacardium occidentale*), pecan nuts (*Carya illinoensis* (*Wangenh.*) *K.Koch*), Brazil nuts (*Bertholletia excelsa*), pistachio nuts (*Pistacia vera*), macadamia nuts and Queensland nuts (*Macadamia ternifolia*),
except:
 - (a) nuts used for making distillates or ethyl alcohol of agricultural origin for spirit drinks and other alcoholic beverages.
9. Celery.
10. Mustard.
11. Sesame seeds.
12. Sulphur dioxide and sulphites at concentrations of more than 10 mg/kg or 10 mg/litre expressed as SO₂.
13. Lupin.
14. Molluscs.

⁽¹⁾ The exception only applies to products derived from these products in so far as the process they have undergone is not likely to increase the level of allergenicity assessed by the European Food Safety Authority for the relevant product from which they originated.

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations further amend the Food Labelling Regulations 1996 (“the principal Regulations”) in so far as they apply in relation to England. The principal Regulations extend to the whole of Great Britain.

2. These Regulations implement in England Commission Directive No. 2007/68/EC (OJ No. L310, 28.11.2007, p.11) amending Annex IIIa to Directive 2000/13/EC of the European Parliament and of the Council as regards certain food ingredients.

3. *Text to be inserted after consultation has been completed.*

4. A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Labelling, Standards and Allergy Division of the Food Standards Agency, Aviation House, 125 Kingsway, London WC2B 6NH and is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website.

Summary: Intervention & Options

Department /Agency: Food Standards Agency	Title: Impact Assessment of The Food Labelling (Declaration of Allergens) (England) Regulations 2008	
Stage: Consultation	Version: 1.7	Date: 15 January 2008
Related Publications:		

Available to view or download at:

<http://www.food.gov.uk/consultations>

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What is the problem under consideration? Why is government intervention necessary?

The European Union establishes legislation to ensure that foods that contain allergenic ingredients are correctly labelled. However, it recognises that some ingredients lose their allergenic properties when they are processed. In order to address this and prevent unnecessary labelling requirements Directive 2007/68/EC sets out a list of permanent exemptions for certain ingredients derived from a specified list of allergenic ingredients that have been processed and are therefore no longer allergenic. The Food Labelling (Declaration of Allergens) (England) Regulations 2008 will bring the permanent exemptions in Directive 2007/68/EC into force in UK law.

What are the policy objectives and the intended effects?

The objective of the policy is to ensure that consumers have clear information about allergens in food so that they can make fully informed choices. Implementation of this legislation on processed ingredients derived from allergenic sources will lead to greater clarity.

What policy options have been considered? Please justify any preferred option.

1. Do nothing.
2. Amend the Food Labelling Regulations 1996 (as amended) in line with the new EC changes.
3. To revoke the Food Labelling Regulations 1996 (as amended) and introduce new legislation consolidating the existing food labelling rules and this new EC change, within a single SI.

Option 2 is our preferred option, for the reasons set out in Section 3 of the Evidence Base.

When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects? May 2011.

Ministerial/CEO Sign-off For consultation stage Impact Assessments:

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister/Chief Executive*:



Date: 31 January 2008

* for Impact Assessments undertaken by non-ministerial departments/agencies and NOT being considered by Parliament

Summary: Analysis & Evidence

Policy Option: 2

Description: Implementing in to UK the European Commission Directive (2007/68) to establish a list of ingredients exempt from allergen labelling.

COSTS	ANNUAL COSTS		Description and scale of key monetised costs by 'main affected groups' Reading and understanding the new legislation as required by industry (£403,000) and local authorities (£9,000).
	One-off (Transition)	Yrs	
	£ 82,500	5	
	Average Annual Cost (excluding one-off)		
	£ 0		Total Cost (PV) £ 385,500
Other key non-monetised costs by 'main affected groups'			

BENEFITS	ANNUAL BENEFITS		Description and scale of key monetised benefits by 'main affected groups'
	One-off	Yrs	
	£ 0	5	
	Average Annual Benefit (excluding one-off)		
	£ 0		Total Benefit (PV) £ 0
Other key non-monetised benefits by 'main affected groups' Consumers will benefit from new rules, as more comprehensive labelling will increase information and choice as well as further protecting consumer health.			

Key Assumptions/Sensitivities/Risks

Price Base Year 2007	Time Period Years 5	Net Benefit Range (NPV) £ -385,500	NET BENEFIT (NPV Best estimate) £ -385,500
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What is the geographic coverage of the policy/option?	England			
On what date will the policy be implemented?	31/05/2008			
Which organisation(s) will enforce the policy?	local authorities			
What is the total annual cost of enforcement for these organisations?	£ Zero			
Does enforcement comply with Hampton principles?	Yes			
Will implementation go beyond minimum EU requirements?	No			
What is the value of the proposed offsetting measure per year?	£ n/a			
What is the value of changes in greenhouse gas emissions?	£ Zero			
Will the proposal have a significant impact on competition?	No			
Annual cost (£-£) per organisation (excluding one-off)	Micro zero	Small zero	Medium zero	Large zero
Are any of these organisations exempt?	No	No	N/A	N/A

Impact on Admin Burdens Baseline (2005 Prices)		(Increase - Decrease)	
Increase of	£ zero	Decrease of	£ zero
		Net Impact	£ zero

Key: Annual costs and benefits: Constant Prices (Net) Present Value

Evidence Base (for summary sheets)

1. PURPOSE AND INTENDED EFFECT OF MEASURE

The proposed legislation will further amend the Food Labelling Regulations 1996 (FLR), by implementing into UK law Commission Directive 2007/68/EC which amends Directive 2000/13/EC of the European Parliament and Council of 20 March 2000, on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs.

The key objective of the proposed Regulations would be to ensure that consumers are properly informed about the presence of allergens in the pre-packed foods they buy, by amending the FLR to introduce a new Schedule AA1.

Separate but parallel legislation will be made in respect of Scotland, Wales and Northern Ireland.

2. BACKGROUND

Food labelling in Great Britain is governed by the Food Labelling Regulations 1996 (as amended), certain provisions of the Food Safety Act 1990 and the Trade Descriptions Act 1968. The rules aim to:

- ensure that consumers are properly informed about the nature and substance of the foods they buy;
- protect consumers from false or misleading descriptions; and
- give industry a clear regulatory framework to work from, which does not restrict product innovation or inhibit the free movement of goods within the EU.

The requirement to label allergenic ingredients used in pre-packed food was introduced in 2004 through the Food Labelling (Amendment) (England) (No.2) Regulations 2004. In addition, the Food Labelling (Amendment) (England) (No 2) Regulations 2005 provided temporary exemptions for a number of products derived from the specified allergenic ingredients identified in the Food Labelling (Amendment) (England) (No.2) Regulations 2004 for the period from November 2005 until November 2007. On 28 November 2007, in light of the opinions from the European Food Safety Authority (EFSA) on dossiers submitted by industry, the European Commission published Directive 2007/68/ EC identifying those derived ingredients that should be permanently exempt from the allergen labelling provisions.

EU legislation ensures that those consumers with allergies are properly informed about the allergens in the pre-packed foods they buy and are protected from false or misleading descriptions. This is in line with the Agency's commitment to ensure that consumers are properly informed and can make informed choices through accurate labelling. By implementing the exemption list into UK law, consumer choice will not be restricted by the unnecessary labelling of products derived from allergenic substances that have been processed and are no longer allergenic. Some allergenic ingredients that have been covered by the temporary exemption have not been granted permanent exemptions and will now require allergen labelling. The new Regulations will clarify which foods are, and which foods are not, allergenic and increase the foods available to allergic consumers. In addition, the proposal will prevent unnecessary allergen labelling requirements for pre-packed products that contain ingredients on the exemption list.

3. OPTIONS

There are three options for the implementation of the provisions of Commission Directive 2007/68/EC. These are:

Option 1: Do nothing

Option 2: Implement EC requirements by further amending the Food Labelling Regulations 1996

Option 3: To revoke the Food Labelling Regulations 1996 (as amended) and introduce new legislation consolidating the existing food labelling rules and the new European Requirements, within a single set of Regulations .

Option 1: Do nothing

This would not fulfil the Agency's commitment to provide the consumer with comprehensive labelling information in order to allow them to make fully informed choices and would lead to over-labelling of ingredients that are no longer allergenic. This option would also risk infraction proceedings from the European Commission. Option 1 is therefore not a practical option.

Option 2: Implement EC requirements

Implementing the Commission Directive would fulfil the UK's obligation under the EC Treaty, ensure consistency of labelling rules across the EU, facilitate informed consumer choice and allow UK manufacturers to operate freely and competitively within the single market. It would also maintain the exemption from allergen labelling requirements for products that contain many of the ingredients that were on the temporary exemption list (i.e. ingredients that, due to processing, are no longer allergenic), although a number of temporarily exempt derived products did not gain permanent exemption.

Option 3: To revoke the Food Labelling Regulations 1996 (as amended) and introduce new legislation consolidating the existing food labelling rules and the new European Requirements, within a single set of Regulations.

The area of food information and labelling is currently the subject of a fundamental review by the European Commission. It is expected that the outcome of the review will produce a single consolidated piece of legislation in the form of a directly applicable EC Regulation on food labelling. Therefore, it would be pragmatic to wait for the outcome of the European review before undertaking any exercise to consolidate all UK food labelling legislation.

In the light of the analysis above, the preferred option of the Agency is therefore Option 2.

4. CONSULTATION

Before the Directive was published the Food Standards Agency alerted businesses to the proposal and contacted both consumer and business stakeholders to obtain their opinions on the proposal. This ensured that the Agency negotiated with the Commission in the areas that would have the biggest impact on UK consumer groups and businesses.

The responses received from stakeholders fell broadly into two categories:

- The wine producing industry was concerned that no fining agent would receive permanent exemption. This would mean that a bottle of wine would have to declare the allergenic food source of the fining agent used in this process i.e. egg, milk or fish. However, the Food Standards Agency worked with the Commission and the wine industry and obtained a permanent exemption for using isinglass as a fining agent in wine making, as well as beer production.
- Industry was concerned that they would only receive six months to implement any label changes. An additional six months was negotiated, so that label changes would now have to be in place by 31 May 2009.

In addition, the Agency will be holding a public consultation to allow all those interested in food and allergen labelling to contribute to the development of the domestic piece of legislation.

The new measures do not impact directly on the work of other government departments; however, they have been informed of the new Regulations and given the chance to be involved in their development. The Local Authorities Coordinators of Regulatory Services (LACORS) will be consulted on the enforcement of the Regulation and their response will be added to this document, when it is received.

5. COSTS AND BENEFITS:

Business sectors affected

The businesses affected would be all food manufacturers engaged in the production of pre-packed foods.

Option 1

Costs

Under this option all manufacturers of pre-packed foods currently taking advantage of the temporary labelling exemptions would have to immediately start labelling ingredients derived from allergenic food, even if these ingredients have been designated as exempt, as the previously available temporary exemptions expired in November 2007, resulting in costs of designing and printing new labels.

There are unlikely to be any costs passed on to the NHS as a result of doing nothing. In this instance there would be inaccurate information available to consumers due to unnecessary labelling but there should not be an increase in hospital admissions or fatalities. However, the cost to the allergic consumer under this option would be in terms of a reduction in the foods available to them to consume, as ingredients that are in practice no longer allergenic, would still be labelled with reference to the source allergenic food.

There would also be costs to UK Government if infraction proceedings were taken by the European Commission because of non-implementation.

Benefits

There are no benefits of not implementing this legislation.

Option 2

Under this option, most of the ingredients previously given temporary exemptions from labelling would be confirmed as permanently exempt.

There are a few cases where permanent exemptions from labelling were not given but transitional periods will be in place. These were:

- egg albumin fining agent for wine and cider,
- isinglass fining agent for cider (manufacturers did not supply a further dossier to support an exemption for this use),
- milk (casein) fining agent for wine and cider,
- almonds/walnuts to flavour spirits,
- celery – in any form,
- mustard – in any form.

Costs

For ingredients that were temporarily exempt and which have gained permanent exemption, no label changes are needed. For temporarily exempt ingredients that did not gain permanent exemption, labels and/or ingredient lists will have to be amended to indicate the specified allergens, or product formulations changed to remove or replace them with non-allergenic materials. This is not considered to have a significant impact on UK businesses as a result of the extended transition period that was negotiated.

As there is a transition period until 31 May 2009, it is anticipated that changes to the labels of pre-packed foods can be made within manufacturers' existing labelling cycles. Any costs arising should therefore be minimal. The British Retail Consortium has estimated the costs of re-labelling at approximately £1000 per product. However, the twelve months transitional period will cushion this effect by negating any extra costs that might be incurred as a result of having to print new labels out of the commercial cycle or remove products from sale whilst the labels are changed, and so the overall costs of any new labelling required is likely to be insignificant..

Businesses will need to allow time to read and understand the Regulations. However, due to the simplicity of the Regulations this should not be onerous. For most businesses we estimate that this would take approximately 30 minutes to read this at a rate of £11.19 (2006 Annual Survey of Hours and Earnings (ASHE) analysis by industry) based on 2 people to read the new legislation. There are

approximately 18,000 UK manufacturers who may need to understand these Regulations, thus yielding a gross one-off administrative cost of £403,000.

There are 469 local authorities in the UK and, based on allowing 2 people ½ hour to read the new legislation at a rate of £9.95, it would cost £9333. Source – 2006 Annual Survey of Hours and Earnings analysis by Government Office by occupation.

The Agency considers that many firms will have an existing understanding of the composition of their ingredient inputs and therefore normal commercial sourcing practices are likely to inform producers of the likely allergenic make up of their product inputs. Even if clarification of the potential allergenic nature of upstream supplies is required this is not expected to involve significant cost.

Benefits

Implementing the Directive would fulfil the UK's obligation under the EC Treaty ensuring consistent labelling of pre-packed foods across the EU. Consumers will benefit from the new rules, as more comprehensive labelling will increase information and choice, and potentially further protect health.

In the absence of implementation, many products, which currently contain ingredients that are given exemption by the new Directive, would have to be labelled in future - even though that ingredient no longer has the potential to cause an allergic reaction. It is therefore entirely possible that allergic consumers will assume that, if they eat these foods that are labelled as containing an allergenic ingredient and do not react, they have overcome their allergy. They may then start to eat other foods which contain the allergen and could suffer severe adverse reactions. It is therefore an advantage for the allergic consumer for these ingredients that do not pose an allergic risk, to be exempt from the allergen labelling legislation. In addition, implementing the Directive will improve consumer choice as the ingredients that should be exempt, would not have to be labelled.

It is further the case that by not implementing this Directive many more pre-packed foods will be subject to the allergen labelling legislation than would be by implementing it. It is therefore to the food industry's advantage to implement this Directive.

Option 3

Costs

Under this option, the costs given in option 2 would apply. However, option three would require a significant review and consolidation of the FLR which would delay the implementation of this Directive and would result in additional costs for Government. In addition, it would not be sensible to undertake such a review at a time when a Commission proposal for updating and consolidating EC general labelling rules is expected in the near future.

Benefits

Under this option, the benefits in option 2 would apply.

Consultation questions:

- **Can you provide any figures on the cost/benefits of the regulation to your sector?**
- **Can you foresee any additional cost/benefits that have not already been included in the impact assessment?**

ENFORCEMENT, SANCTIONS AND REVIEW

Port Health Authorities (in relation to imported food) and Local Authority Trading Standards and Environmental Health Departments will be responsible for the enforcement of the new provisions. This remains unchanged from the existing enforcement arrangements.

REVIEW

The effectiveness of the Regulations will be monitored continuously through feedback from stakeholders. Agency mechanisms for monitoring and review include: open fora, stakeholder meetings, surveys and general enquiries from the public. The FSA will conduct a full review of the effectiveness of the Regulations by 2011.

GUIDANCE

Guidance on the application of the new requirements will be drawn up in full consultation with stakeholders and their impact kept under regular review, via a revision of guidance notes on existing allergen information

ADMINISTRATIVE BURDENS

There are no requirements in the proposed legislation which require additional records to be kept. Therefore, no additional administrative burdens are envisaged.

Specific Impact Tests: Checklist

Use the table below to demonstrate how broadly you have considered the potential impacts of your policy options.

Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.

Type of testing undertaken	<i>Results in Evidence Base?</i>	<i>Results annexed?</i>
Competition Assessment	No	Yes
Small Firms Impact Test	No	Yes
Legal Aid	No	No
Sustainable Development	No	Yes
Carbon Assessment	No	No
Other Environment	No	Yes
Health Impact Assessment	No	No
Race Equality	No	Yes
Disability Equality	No	Yes
Gender Equality	No	Yes
Human Rights	No	No
Rural Proofing	No	Yes

EU Annex

Directive 2000/13/EC (as amended) of the European Parliament and the Council of 20 March 2000, on the approximation of the laws of Member States relating to the labelling, presentation and advertising of foodstuffs, requires labelling of a specified list of allergenic ingredients as set out in Annex IIIa of that Directive.

Commission Directive 2005/26/EC, as corrected by Commission Directive 2005/63/EC, established a list of food ingredients or substances provisionally excluded from Annex IIIa mentioned above.

A number of applications for permanent exemption from the labelling requirement were submitted to the European Food Safety Authority (EFSA). On the basis of EFSA opinions and other available information, it was concluded that certain ingredients are not likely to cause adverse reactions in susceptible individuals and as such those ingredients should therefore be permanently exempted from Annex IIIa.

This resulted in Commission Directive 2007/68/EC of 27 November 2007, which amends Annex IIIa and sets out certain food ingredients or substances derived from these specified allergenic ingredients that can no longer cause adverse reactions in susceptible individuals.

Competition Assessment

The results from the Competition Assessment Guidelines indicate that the proposed Regulations will have little impact on the competitive structure or process within the pre-packed food markets. The potential costs are those relating to the updating of labels to reflect the new requirements of those ingredients that were not permanently exempt from labelling requirements in pre-packed foods. In almost all cases it is likely that these changes will be absorbed into the normal labelling changing cycle. All manufacturers would be affected and therefore there appears to be little significant threat to competition.

Small Firms Impact Test

An initial assessment of the impact to small businesses shows a potential impact via the need to determine whether or not allergenic ingredients are used in part-prepared foods or ingredients that are bought in and any re-labelling cost. Businesses of all sizes which handle these ingredients may incur some additional costs from setting in place these information checks and for re-labelling products to reflect the new requirements. Any such costs will be in relation to their size, turnover and number of product ranges, but as noted are not expected to be significant in nature.

Evidence from the Taskforce Report on the burdens of food regulations on Small Businesses suggests that some small food businesses have difficulties in keeping up to date with changes in legislation and getting advice on legal requirements. Failure to do so can prove expensive and the cumulative effect is often significantly burdensome. To help businesses understand the changes to the legislation the Agency has produced comprehensive guidance on allergen labelling requirements.

In addition, the Agency negotiated for a twelve month period to implement any label changes, which should help small businesses to reduce the cost by working these changes into their normal label review process.

Sustainable development

There may be a small impact on sustainability as small numbers of labels which remain unused by 31 May 2009 will have to be discarded at the end of this period. There will be a positive benefit for allergic consumers in clearly defined roles for processed allergenic ingredients.

Rural Impact

There are no impacts on rural issues

Race equality issues

The Food Standards Agency does not consider the proposed legislation will have any impact on race equality as there is no evidence to suggest that any one racial group will be affected any differently from any other.

Gender equality issues

The proposed legislation is not considered to have any impact that may vary according to a person's gender.

Disability equality issues

The proposed legislation is not considered to have any negative impact on persons with a disability.

DRAFT

Guidance Notes and Best Practice on Allergen and Miscellaneous Labelling Provisions

This document replaces the previous Guidance Notes on the 2004, 2005 and 2007 Regulations (as described below) and also includes new guidance relating to the 2008 Regulations.

These Guidance Notes cover: amendments to general food labelling requirements, food allergen labelling for pre-packed foods, definitions and declaration of ingredients that must be labelled. These Guidance Notes also include examples of best practice.

Our aims in producing these Guidance Notes are to help:

- manufacturers, producers, retailers and caterers adopt consistent and transparent labelling practices; and
- enforcement authorities to identify and take action on misleading labelling.

A guide for small businesses entitled 'Allergy: What to consider when labelling food' is also available at www.food.gov.uk/allergy

These Guidance Notes cover the following Regulations:

'The 2004 Regulations' are

- The Food Labelling (Amendment) (England) (No. 2) Regulations 2004
- The Food Labelling Amendment (Scotland) (No. 2) Regulations 2004
- The Food Labelling (Amendment) (No.2) (Wales) Regulations 2004
- The Food Labelling (Amendment No. 2) Regulations

'The 2007 Regulations' are:

- Food Labelling (Declaration of Allergens) (England) Regulations 2007
- Food Labelling (Declaration of Allergens) (Scotland) Regulations 2007
- Food Labelling (Declaration of Allergens) (Wales) Regulations 2007
- Food Labelling (Declaration of Allergens) Regulations (Northern Ireland) 2007

'The 2008 Regulations' are:

- Food Labelling (Declaration of Allergens) (England) Regulations 2008
- Food Labelling (Declaration of Allergens) (Scotland) Regulations 2008
- Food Labelling (Declaration of Allergens) (Wales) Regulations 2008
- Food Labelling (Declaration of Allergens) Regulations (Northern Ireland) 2008

Separate but parallel Regulations exist for England, Scotland, Northern Ireland and Wales. As the Guidance Notes cover the interpretation of the Regulations, they should be relevant across the UK.

Also see:

Annex 1 for background on the legislative changes,

Annex 2 for Schedule AA1 the list of ingredients that must be declared on labels and exemptions to the declaration,

Annex 3 for other relevant legislation and guidance documents,

Annex 4 for the key provisions organisation of the 2004 Regulations, and

Annex 5 for FSA contacts

IMPORTANT NOTE

Some examples of best practice have been included. To distinguish these from the guidance on legal requirements, all best practice is in shaded boxes and labelled 'Best Practice'.

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INTENDED AUDIENCE

1. These Guidance Notes are intended to help all food manufacturers, producers, retailers, caterers and enforcement authorities understand the requirements of these Regulations. The Guidance Notes also offer best practice advice to businesses.

PURPOSE AND LEGAL STATUS

2. These Guidance Notes have been produced to provide informal, non-binding advice on the 2004, the 2007 and the 2008 Regulations, which amend the Food Labelling Regulations and should be read in conjunction with the legislation itself. The text should not be taken as an authoritative statement or interpretation of the law, as only the courts have this power. Every effort has been made to ensure that these Guidance Notes are as helpful as possible. However, it is ultimately the responsibility of individual businesses to ensure their compliance with the law. Businesses with specific queries may wish to seek the advice of their local enforcement agency, which will usually be the Local Authority Trading Standards or Environmental Health Department.
3. The best practice advice given in this document is in a shaded box and labelled 'Best Practice'. Compliance with this advice is **not** required by law.

LABELLING REQUIREMENTS IN THE 2004 REGULATIONS

4. Directive 2003/89/EC amended Directive 2000/13/EC, mainly in respect of Article 6 and the declaration of ingredients, including additives. It also introduced a list of 12 ingredients known to cause allergies or intolerances, as listed in the Annex to Directive 2003/89/EC which introduces Annex IIIa into Directive 2000/13/EC.

Ingredients listing

Regulations 5 & 15 to the 2004 Regulations

5. Regulation 5 of the 2004 Regulations:
 - removed 'mixed nuts' from the exemptions in existing regulation 13(5) of the Food Labelling Regulations 1996 (as amended) but included mixed mushrooms.
 - allowed for individual ingredients that make up less than 2% of the finished product to be listed in a different order after other ingredients.
 - allowed for ingredients which are similar or mutually substitutable, that are not likely to alter the nature or perceived value of the finished product and which make up less than 2% of the finished product, to be listed using the phrase 'contains...and/or...', where more than one and no more than two of such ingredients are present in the finished product. For example: for varieties of dried vine fruit; varieties of citrus peel; sources of vegetable oil; glucose syrup or dextrose. In the example of dried vine fruit the label could indicate "Dried vine fruit (Contains sultanas and/or raisins)".

However, allergens and additives **must** be declared on the label in accordance with food labelling and allergen labelling regulations

6. Regulation 15 no longer allows 'crystallised fruit' and 'vegetables' from the collective (generic) names to be used in a list of ingredients. These collective terms may only be used if followed by a list of the types of vegetables/fruit concerned and, if appropriate, the phrase 'in varying proportions'.

Removal of the 25% compound ingredients exemption

Regulation 7 of the 2004 Regulations

7. The 2004 Regulations removed the 25% compound ingredient exemption. With the exception of a very few cases (see paragraph 8), all ingredients now have to be listed on food labels.

Exceptions

8. The 2004 regulations exempted a small number of compound ingredients from the requirement to list their ingredients in cases where:
- the compound ingredient is a foodstuff whose composition is defined in Community legislation (for example, spreadable fats, cocoa and chocolate products, fruit juices and similar products, fruit jams, jellies, marmalade and sweetened chestnut puree) **and** it made up less than 2% of the finished product,
 - the compound ingredient is made up entirely or almost entirely of a single basic ingredient (for example, carbonated water, fermentation vinegars, cheese, butter, fermented milk and cream in certain circumstances), or
 - the compound ingredient is made up of a mixture of spices or herbs or both **and** made up less than 2% of the finished product.

However, allergens, additives and irradiated ingredients, used in compound ingredients **must** be declared on the label in accordance with food labelling and allergen labelling regulations.

Drinks with an alcoholic strength by volume (abv) of more than 1.2%

Regulation 12 of the 2004 Regulations

9. Alcoholic drinks are subject to special rules. Drinks with an alcoholic strength by volume (abv) of more than 1.2% are exempt from ingredient listing under general food labelling rules. In these cases, the label should declare the allergenic ingredient with the word 'contains' followed by the Schedule AA1 name, unless already in the name of the drink or any list of ingredients provided. This information should be provided in a language that is easily understood by consumers in the country in which the product is to be sold. For drinks with an alcoholic strength by volume (abv) of 1.2% or less, where ingredient listing is required, the provisions for indication of allergenic ingredients and their derivatives is the same as for other foods.

ALLERGEN LABELLING

10. The scope of the 2004 Regulations, the 2007 Regulations and the 2008 Regulations includes all pre-packed food, as well as alcoholic drinks. A number of exemptions to these rules and other allergen labelling that is not covered by these rules are explained in paragraphs 38 - 49.

Ingredients covered by the allergen labelling requirements

11. All added ingredients and components of added ingredients are covered by the requirements, if they are present in the finished product, even in an altered form, including:

- **carry-over additives** – additives allowed by the relevant Regulations in one of the ingredients of a compound food, such as, pepperoni on a pizza;
- **processing aids** – substances not consumed by themselves as food ingredients which are used for technological purposes during the treatment or processing of raw materials, foods or their ingredients where unavoidable residues remain in the final (provided that these residues do not present a hazard to health and do not have any technological function in the final food, such as baking tray release agents); and
- **solvents and media for additives or flavourings** – substances used to dissolve, dilute, disperse or otherwise physically modify a food additive or flavouring without altering its function (and without exerting any technological effect themselves) in order to facilitate its handling, application or use.

Declaration of allergenic ingredients

Regulation 12 to the 2004 Regulations

Schedule AA1 to the Food Labelling Regulations 1996⁹

Regulation 2 of the 2007 Regulations

12. Only the ingredients and their derivatives specified in Schedule AA1 (Annex 2 of these Guidance Notes) to the Food Labelling Regulations 1996 will need to give allergen information.

13. Where an allergenic ingredient or its derivative is not clearly identified in the name of the food (e.g. malt vinegar), the ingredient should always be identified on the labelling with a clear reference to the name of the allergenic ingredient concerned, for example “malt vinegar (from barley)”. In order to avoid ambiguity and confusion, this reference should be made in words.

BEST PRACTICE

The Agency’s Clear Food Labelling Best Practice Advice already recommends the use of simple language and also refers to examples of recommended ingredient names for consistent identification of the presence of food allergens and gluten (IGD – Voluntary Labelling Guidelines for Food Allergens and Gluten – website: <http://www.igd.com>). Three illustrative examples are “stock (from fish)”, “couscous (wheat)”, and “tahini (sesame)”.

See <http://www.food.gov.uk/multimedia/pdfs/clearlabelling.pdf>

Foods in small packaging and certain indelibly marked bottles *Regulation 4*

of the 2004 Regulations

as read with Regulation 26 of the Food Labelling Regulations 1996 (as amended)

14. These products need to indicate the presence of the specified allergens and their derivatives, although they do not need to provide a full ingredients list.

⁹ The Food labelling Regulations (NI) 1996 (as amended) in Northern Ireland

BEST PRACTICE

As there are no provisions in the Regulations to avoid repetition of listing the same allergenic source for more than one ingredient in an ingredient list, it would seem reasonable to apply the following guidance:

- Where an allergenic ingredient in Schedule AA1 is already clearly indicated on the label, it would be acceptable not to have to declare it again as the source of a derived allergenic ingredient.
- Where several ingredients are derived from the same allergenic ingredient, it would be acceptable to asterisk them to a single source allergenic ingredient (for example, *from soya), provided that this would not be confused with other uses of asterisks (for example, with reference to GM ingredients). The referenced allergenic ingredient could be placed in a separate allergy information/alert box, if used. **10**

2 Note that this will only work where there is one allergen source referenced using an asterisk. Where there are more than one, multiple asterisks could make the information confusing.

Multi-pack foods

Section 35 of the Food Labelling Regulations 1996

15. Under the food labelling Regulations all mandatory labelling information must appear on either: the outermost packaging, a label attached to the outermost packaging, or be clearly visible through the outer packaging. For multi-packs not for individual sale the above applies. Where the products within the multi-pack are for individual sale, all the information should appear on each product.

Foods which fall within scope of the list in Schedule AA1 (ANNEX 2 of these Guidance Notes)

Regulation 12 to the 2004 Regulations

Schedule AA1 to the Food Labelling Regulations 1996

Regulation 2 of the) 2007 Regulations

16. The following is meant to provide guidance and best practice advice on the scope of each allergenic ingredient in Schedule AA1 to the Food Labelling Regulations 1996. The terms used in listing allergenic ingredients should closely resemble those used in Schedule AA1 to avoid confusing the consumer. Whilst there is no official guidance regarding terms that should be used in every case, where species are identified (for example for cereals containing gluten and for nuts) the common names listed are those that should be used in labelling. In other cases, guidance is provided here, which is based on EFSA opinion.¹¹

Celery

17. This term is used generically in the Regulations to refer to both celery (stick celery) and celeriac (root celery). The term 'celery' also includes celery seeds.

BEST PRACTICE

Use the words 'celery' and/or 'celeriac' to identify the nature of the ingredient to consumers.

Cereals containing gluten

18. The Regulations define these as: wheat, rye, barley, oats, spelt, kamut or their hybridised strains. Other types of cereals containing gluten would therefore not be included in the scope of these rules. Spelt is a type of wheat, which is not usually a suitable substitute for people with coeliac disease and wheat allergy.

BEST PRACTICE

There is no requirement for gluten itself to be indicated in the ingredient list but manufacturers may wish to declare it in an allergy information/alert box.

Crustaceans

¹¹ The opinion of the Scientific Panel on Dietetics Products, Nutrition and Allergies, Request No.: EFSA-Q-2003-016 adopted 19 February 2004. Website: http://www.efsa.eu.int/science/nda_opinions_nda_04_en1.pdf.

19. The rules do not name any species of crustaceans. However, 'crustaceans' includes all species of crustaceans (for example lobster, crab, prawns and langoustines). The generic terms provisions allow the generic name 'crustacean' to be used in an ingredient list only where there is no other reference to a species of crustacean on the label.

BEST PRACTICE

Use of the common species names should be sufficient to indicate the 'crustacean' content of a product, but care should be taken to use the term 'crustacean' where its presence might not be appreciated and to ensure that the nature of any exotic crustacean is made clear

Eggs

20. The rules do not name any species of eggs, because 'eggs' refers to eggs from laying hens as well as eggs from other birds, such as duck, turkey, quail, goose, gull, and guinea fowl.

Fish

21. The rules do not name any species of fish because 'fish' includes fish from all species of fish and fish products. The generic terms provisions allow the generic name "fish" to be used in an ingredient list only where there is no other reference to a species of fish on the label, for example fish stock. A list of common species names to be used for different types of fish can be found in the schedule to the Fish Labelling (England) Regulations (SI 2003 No. 461) and parallel legislation elsewhere in the UK¹². Please note that the schedule was updated in 2006, with the latest version being found in The Fish Labelling (Amendment) (England) Regulations 2006 (SI 2006 No. 506).

BEST PRACTICE

Use of the common species names (e.g. cod, mackerel) should be sufficient to indicate the 'fish' content of a product, but care should be taken to use the term 'fish' where its presence might not be recognised and to ensure that the nature of any exotic fish is made clear.

Lupin

22. The term is used generically in the Regulations to refer to both lupin seed and lupin flour, which was introduced into the UK in 1996. The appropriate terms should be used in labelling. The rules do not name any particular species of lupin and therefore should be

¹² The relevant Regulations elsewhere in the UK are:-
The Fish Labelling (Scotland) Regulations 2003 No 145,
The Fish Labelling (Wales) Regulations 2003. (SI No. 1635 (W.177)),

applied to all. There is cross reactivity to lupin in a significant number of people allergic to peanuts.

Milk.

23. The rules do not name any species of milk, because 'milk' includes milk from sheep, goats, and buffalo etc. It should be noted that all mammalian milk proteins have a similar structure and if someone has an allergy or intolerance to cows' milk, they are likely to be allergic or intolerant to other mammalian milk.

BEST PRACTICE

Under general food labelling rules, dairy products such as cheese, butter, fermented milk and cream do not have to have an ingredients list in certain circumstances. In order to ensure that consumers still receive the information they need to clearly identify the presence of milk in such cases, the following advice may be applied. The use of sales names such as 'cheese', 'butter', 'cream', and 'yoghurt' is considered to refer clearly to the milk base of these products. In such cases, further reference to 'milk' may not be necessary. However, the labelling should make a clear reference to milk in the case of unfamiliar dairy products used as ingredients (e.g. fromage frais, Mascarpone, Cantal, Quark) or products being sold under a name which does not clearly refer to milk, in non-transparent packaging on a non-dairy shelf.

In addition, components derived from milk, such as casein and whey, should be declared with reference to milk.

Molluscs

24. The rules do not name any species of mollusc because 'molluscs' includes all species of mollusc (for example oyster, squid, cockles, mussels, periwinkle and scallops as well as land molluscs like snails). The generic terms provisions allow the generic name 'molluscs' to be used in an ingredient list only where there is no other reference to a species of mollusc on the label.

BEST PRACTICE

Use of the common species names should be sufficient to indicate the 'mollusc' content of a product but care should be taken to use the term 'molluscs' where its presence might not be appreciated and to ensure that the nature of any exotic mollusc is made clear

Mustard

25. This term refers to the mustard plant and other forms which originate from it, such as leaves, sprouted seeds, mustard flour, table mustard and mustard oils. The appropriate terms should be used in labelling. The rules do not name any particular species of mustard and therefore should be applied to all.

Nuts

26. The rules list these as: almond, hazelnut, walnut, cashew nut, pecan nut, Brazil nut, pistachio nut, macadamia nut and Queensland nut. The type of nut should be listed in the ingredients panel.

BEST PRACTICE

Other types of nuts, and other foods called nuts, for example pine nut, coconut, and chestnuts, are not named in the rules. However, chestnuts and pine nuts are also known to cause allergy in some people. Best practice would therefore be to include them in allergen handling and labelling procedures.

Peanuts

27. Whilst these may also be commonly referred to as groundnuts or monkey nuts, the term 'peanuts' should be used for allergen labelling purposes, as this is the term specified in Directive 2000/13/EC as amended.

28. Refined or unrefined peanut oil has to be labelled with reference to peanut., However there is no requirement to indicate whether the oil has been refined or is cold-pressed (unrefined).

Sesame seeds

29. Sesame seeds and products deriving from it such as tahini, humous and sesame oil have to be labelled under the allergen derivative requirement.

Soybeans

30. Terms such as 'soya' or 'soy' are sufficient to indicate the soybean origin.

Sulphur dioxide and sulphites at levels above 10mg/kg or 10mg/litre expressed as SO₂

(This requirement relates only to products that have had sulphur dioxide and sulphites intentionally added.)

31. Certain foods may naturally contain sulphur dioxide and sulphites (for example garlic, onion and certain dried fruits like apricots), but food-labelling rules apply only to ingredients that have been deliberately added in the preparation of the food. The rules require this ingredient to be labelled when present above the level indicated (calculated in terms of the total SO₂ in the finished product as consumed, i.e. prepared according to the manufacturer's instructions). This additive must be declared by reference to the terms 'sulphur dioxide and sulphites', 'sulphur dioxide' or 'sulphites', depending on the form of the ingredient added. The term 'sulphites' (or 'sulfites') may also be used as a generic term for this ingredient. Furthermore, depending on the particular sulphite present, the *chemical name* may be used, for example, sodium metabisulphite. The use of the category name (such as preservative in the case of sulphur dioxide) followed by the E-number (E-220 series), which is permitted under the additives Directive (95/2/EC) alone, is not sufficient, nor is the use of the chemical symbol 'SO₂' .

Ingredients that were temporarily exempted by Directive 2005/26/EC but did not gain permanent exemption

32. Certain ingredients were given temporary exemption before the permanent exemption list was published. Whilst the exemption list maintained many of the temporary exemptions, the following ingredients used in certain processes are no longer exempt and, subject to transitional arrangements explained below, must be declared on labels:

- egg albumin fining agent for wine and cider
- isinglass fining agent for cider
- milk (casein) fining agent for wine and cider
- almonds/walnuts to flavour spirits
- celery – in any form
- mustard – in any form.

Products containing these will be exempt from labelling until 31 May 2009 after which time they must be labelled. Any products that have been labelled under the old rules and are still on the market at that date may continue to be sold until stocks are exhausted.

Foods supplied to businesses

33. Although foods that are sold non-prepacked are exempt from providing most of the general labelling requirements, in many cases foods being supplied to businesses are accompanied by full labelling information, including ingredients information. This could be on the packaging itself or on the documentation delivered alongside the goods.

Derived ingredients

34. The scope of the allergen labelling extends to ingredients originating from ingredients listed in Schedule AA1 and any derivatives of those derivatives, and assumes that, unless otherwise demonstrated, the allergenic potential remains.
35. Based on the European Food Safety Authority's (EFSA's) opinion, the Commission has agreed which derived ingredients should be permanently exempt from the allergen labelling provisions. A list of the permanently exempt ingredients is set out in Directive 2007/68/EC and implemented into national legislation by the Food Labelling (Declaration of Allergens) Regulations 2008 which is in force from 31 May 2008. See paragraph 40 for further information.
36. Micro-organisms that have been fed on allergenic substrates are not considered to be derived from the allergenic substrates for the purposes of labelling.

BEST PRACTICE

In cases where an ingredient such as a food additive is produced using micro-organisms (which have been fed on the specified allergens or their derivatives), manufacturers will have to consider the likelihood of any contamination and whether any precautionary labelling (such as "may contain") is required. Such a situation is outside the scope of these Regulations, which apply only to ingredients added to foodstuffs and not contamination.

Listing of additives and flavourings

Regulation 12 to the 2004 Regulations Schedule AA1 to the Food Labelling Regulations 1996 as read with Regulation 14 of the Food Labelling Regulations 1996

37. Where a flavouring or other additive contains an allergenic ingredient or its derivative and this is not clearly identified in the name under which the flavouring or additive is listed, the ingredient should always be identified with a clear reference to the name of the allergenic ingredient concerned.

EXEMPTIONS TO THE RULES ON ALLERGEN LABELLING

Allergen labelling of non-prepacked foods and foods sold at catering establishments

Regulation 11 of the 2004 Regulations

38. The rules do not apply to foods sold loose (non-prepacked) or foods sold pre-packed for direct sale (see paragraph 2). The Agency is providing voluntary guidance on the provision of allergen information on food sold loose or pre-packed for direct sale. See <http://www.food.gov.uk/allergy>.

Seasonal Selection Packs

Regulation 28 of the Food Labelling Regulations 1996

39. There is an exemption for ingredient listing on seasonal selection packs that states that such packs do not need to be marked or labelled with any of the particulars specified in those Regulations, provided that the individual packs are labelled.

Ingredients on the 2007/68/EC Permanent Exemptions List

Schedule in the 2008 Regulations

40. Directive 2005/26/EC, as amended, made provision for a temporary exemption from allergen labelling rules for certain allergenic derivatives that are no longer allergenic (based on the opinions of the European Food Safety Authority). These exemptions expired on 35 November 2007.

41. Following an assessment of the dossiers provided by the food industry to the Commission many of those ingredients which had been temporarily exempt from food labelling rules were granted permanent exemption status. These are listed in Schedule AA1 under the allergenic substance they are made from.

See paragraph 32 for a list of ingredients that were on the temporary list but from 31 May 2009 will no longer be exempt.

42. Under these rules, the exempt ingredients do not have to be indicated on the labelling with a reference to the parent allergen. However, they still have to be indicated according to the general food labelling rules in the Food Labelling Regulations 1996. For example, glucose

syrup would have to be listed in the ingredient list but it would not have to declare that it was “from wheat”.

Labelling a source allergen that is no longer present in the final product

43. Although the 2008 Regulations exempt ingredients listed in Schedule AA1 from the requirement to make reference to the source allergen on the labelling, there is no legal requirement preventing reference being made to it on the label.

BEST PRACTICE

In order to avoid consumer confusion by labelling non-allergenic ingredients as an allergen, best practice would be not to make reference to the source allergen in the label.

Other similar derived ingredients manufactured by methods other than that specified in the dossiers submitted to the European Food Safety Authority (EFSA)

44. We understand the exemptions to be linked to the specific methods of manufacture and uses specified in the individual dossiers submitted to EFSA. It will be up to manufacturers who want to benefit from exemptions already granted to ensure that the sourcing of their particular ingredient is consistent (in terms of method of manufacture and use) with those for which exemptions have been granted, as set out in the relevant dossier. Website links to the EFSA opinions, including descriptions and intended applications, on the ingredients for which exemptions have been granted are included in these Guidance Notes and can be found in Annex 2.

Labelling of ingredients made from soya oil (such as lecithin and mono and di-glycerides of fatty acids and their esters (E471 and E472))

45. Ingredients derived from those ingredients in the Schedule to the 2008 Regulations which are marked with footnote 2 are also exempt from the allergen labelling requirements, provided that the process they have undergone is not likely to have increased the level of allergenicity above that of the original product evaluated by EFSA. So products made from fully refined soya oil do not have to be labelled with reference to soya; however products made from unrefined or partially refined soya bean oil or fat would have to be labelled with reference to soya.

LABELLING THAT IS NOT COVERED BY THESE REGULATIONS

Allergy information boxes and statements

46. Allergy information/alert boxes are not covered by the legislation and their use is entirely voluntary.

BEST PRACTICE

If a separate allergy information/alert box is used on the label, best practice would be for all specified allergens present in the food to be included and for the box to be in the same field of vision as the ingredient list. If an allergy information/alert box is used on the label of a product containing several species of crustacean or molluscs then it may be sufficient to use the term 'shellfish' in the box. However, if the generic term 'nuts' is used to represent more than one species of tree nut it is important not to include peanuts in the generic term and to list this separately.

The use of 'may contain' (nut trace) warnings to indicate possible allergen cross-contamination

47. The allergen rules apply to the labelling of Schedule AA1 ingredients and their derivatives that have been intentionally added in the course of preparing the food. There is no legal requirement in the Regulations to use 'may contain' or nut trace warnings to indicate possible allergen cross-contamination. However, many manufacturers and retailers provide this information voluntarily in order to indicate the possible presence of unintentional ingredients that people may be allergic to in pre-packed food.

48. Consumers have raised concerns that inappropriate use of nut trace warnings could unnecessarily restrict consumer choice and undermine valid warnings. In response to these concerns, and requests from the food industry for guidance on this matter, the Food Standards Agency has published voluntary best practice guidance on the appropriate and

proportionate use of label statements to warn allergic consumers of the risk of cross-contamination with allergens.

See <http://www.food.gov.uk/multimedia/pdf/maycontainguide.pdf>.

Claims that products are ‘free from a particular allergen’

49. Currently there are no specific regulations covering such claims, but under the provisions of the General Food Law Regulations 2004 (as amended)¹³, labelling, advertising and presentation of food, including the information made available, should not mislead consumers. In addition, under the general provisions of the Food Safety Act 1990 claims must not be false or mislead as to the nature, substance or quality of the food. Manufacturers should ensure that they have adequate Quality Assurance and Good Manufacturing Practice systems to back up any such claims that are made.

¹³ The General Food Law Regulations (NI) 2004 (as amended) in Northern Ireland

ANNEX 1 – Background on Legislative Changes

The 2004 Regulations implemented Directive 2003/89/EC, which is an amendment to Directive 2000/13/EC. This came into force in England on 26 November 2004. These Regulations established a list of allergens that have to be indicated on the label whenever they or their derivatives are used as deliberate ingredients in pre-packed food, including alcoholic drinks, (Annex IIIa of Directive 2000/13/EC or Schedule AA1 of the Food Labelling Regulations 1996 (as amended)).

The Food Labelling (Amendment) (England) (No. 2) Regulations 2005 and parallel legislation elsewhere in the UK¹⁴ implemented Commission Directive 2005/26/EC and established a list of food ingredients or substances provisionally excluded from Annex IIIa of Directive 2000/13/EC of the European Parliament and of the Council. These Regulations expired on 25 November 2007.

The Food Labelling (Amendment) (England) (No.2) (Amendment) Regulations 2005 and parallel legislation elsewhere in the UK¹⁵ implement Directive 2005/63/EC, which amended the list of ingredients provisionally exempt from the allergen labelling rules to include fish gelatine used as a carrier for vitamin or carotenoid preparations and flavours. These Regulations also expired on 25 November 2007.

The 2007 Regulations implement Commission Directive 2006/142/EC, of 22 December 2006, amending Annex IIIa of Directive 2000/13/EC of the European Parliament and of the Council by adding two more allergens to the list of ingredients which must under all circumstances appear on the labelling of foodstuffs.

The 2007 Regulations came into force on 23 December 2007, from which date products complying with the new rules may be sold. Manufacturers will have a further 12 months to make the necessary label changes. It will not be permitted as from 23 December 2008 to produce products with labels that do not comply with these provisions. However, products that were labelled before this date may be sold while the stocks last.

¹⁴ The relevant Regulations elsewhere in the UK are:-

The Food Labelling (Amendment) (No. 2) (Scotland) Regulations 2005 (SI No 456)

The Food Labelling (Amendment) (No. 2) (Wales) Regulations 2005 (SI No. 2835 (W.200))

The Food Labelling (Amendment No. 2) Regulations (Northern Ireland) 2005 (SI. No. 396)

¹⁵ The relevant Regulation elsewhere in the UK are:

The Food Labelling Amendment (No. 3) (Scotland) Regulations 2005 (SI No. 542.)

The Food Labelling (Amendment) (Wales) (No. 2) (Amendment) Regulations 2005 (SI No. 3236 (W.241))

The Food Labelling (Amendment No.2) (Amendment) Regulations (Northern Ireland) 2005 (SI No.275)

The 2008 Regulations came into force on [xx May 2008] and implemented Commission Directive 2007/68/EC which further amended Annex IIIa to Directive 2000/13/EC. These Regulations set out a list of permanent exemptions from the allergen labelling rules in the case of ingredients derived from specified allergens in Schedule AA1 of the Food Labelling Regulations 1996 (as amended) that are no longer allergenic. This legislation confirms the exemption status of many of the ingredients originally set out in the Food Labelling (Amendment) (England) (No.2) (Amendment) Regulations 2005.

ANNEX 2 – Schedule AA1 the list of all ingredients that must be declared on labels and exemptions to those declarations

The ingredients listed in Schedule AA1 (as amended by the 2007 and 2008 Regulations) are as follows:

- Cereals containing gluten (i.e. wheat, rye, barley, oats, spelt, kamut or their hybridised strains), except:
 - (a) wheat-based glucose syrups including dextrose*;
 - (b) wheat-based maltodextrins*;
 - (c) glucose syrups based on barley;
 - (d) cereals used for making distillates or ethyl alcohol of agricultural origin for spirit drinks and other alcoholic beverages.
- Crustaceans.
- Eggs.
- Fish, except:
 - (a) fish gelatine used as a carrier for vitamin or carotenoid preparations;
 - (b) fish gelatine or isinglass used as a fining agent in beer and wine.
- Peanuts.
- Soybeans, except:
 - (a) fully refined soybean oil and fat*;

* The exception only applies to products derived from these products in so far as the process they have undergone is not likely to increase the level of allergenicity assessed by the European Food Safety Authority for the relevant product from which they originated.

- (b) natural mixed tocopherols (E306), natural D-alpha tocopherol, natural D-alpha tocopherol acetate, natural D-alpha tocopherol succinate from soybean sources;

(c) vegetable oils derived from phytosterols and phytosterol esters from soybean sources;

(d) plant stanol esters produced from vegetable oil sterols from soybean sources.

- Milk (including lactose), except:
 - (a) whey used for making distillates or ethyl alcohol of agricultural origin for spirit drinks and other alcoholic beverages;
 - (b) lactitol.
- Nuts, i.e. almonds (*Amygdalus communis L.*), hazelnuts (*Corylus avellana*), walnuts (*Juglans regia*), cashews (*Anacardium occidentale*), pecan nuts (*Carya illinoiesis (Wangenh.) K.Koch*), Brazil nuts (*Bertholletia excelsa*), pistachio nuts (*Pistacia vera*), macadamia nuts and Queensland nuts (*Macadamia ternifolia*), except:
 - (a) nuts used for making distillates or ethyl alcohol of agricultural origin for spirit drinks and other alcoholic beverages.
- Celery.
- Mustard.
- Sesame seeds.
- Sulphur dioxide and sulphites at concentrations of more than 10 mg/kg or 10 mg/litre expressed as SO₂.
- Lupin.
- Molluscs.

This list may continue to be revised or amended by the European Commission as and when appropriate scientifically validated data (based on the opinion of the European Food Safety Authority - EFSA) becomes available, and may involve the addition or deletion of certain ingredients or products. EFSA opinions can be found at http://www.efsa.europa.eu/cs_p/KSearch.do

The Commission has also indicated that it may issue technical guidelines for the interpretation of the list, where this is deemed to be necessary.

ANNEX 3 – Other Relevant Legislation and Guidance

These notes are intended to be read in conjunction with

- The Regulations listed at the start of this document;
- Directive 2000/13/EC of the European Parliament and the Council of 20 March 2000, on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs;
- The Food Labelling Regulations 1996 (as amended), which implement (among other EC legislation) Directive 2000/13/EC as amended;
- Directive 2000/13/EC as amended
<http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/consleg/2000/L/02000L0013-20040501-en.pdf>
- The Food Standards Agency's Clear Labelling Advice, published in 2002
[Currently under revision and due to be published in 2008];
- Other relevant guidance documents that are available on the Food Standards Agency's website (www.food.gov.uk);
- The Food Safety Act 1990 (in Northern Ireland the Food Safety (N.I.) Order 1991 applies); and
- It should be noted that Commission Directive 2005/26/EC, which established a list of food ingredients or substances provisionally excluded from Annex IIIa of Directive 2000/13/EC of the European Parliament and of the Council, as corrected by Commission Directive 2005/63/EC, expired on 25 November 2007.

ANNEX 4 – Key provisions in the 2004 Regulations

Interpretation (regulation 3)

Includes a definition of 'allergenic ingredient' by reference to Schedule AA1.

Exemptions (regulation 4)

Small packages and certain indelibly marked glass bottles brought into this country from other Member States of the EU or European Economic Area are not exempt from the allergen labelling requirements.

Order of ingredients (regulation 5)

Sets out new provisions for the order in which ingredients may be listed under certain circumstances.

Names of ingredients (regulation 6)

Ensures allergen labelling requirements override the rules on indicating generic names, flavourings and additives.

Compound ingredients (regulation 7)

Sets out new provisions exempting specified compound ingredients from ingredients listing in certain circumstances and abolishes the 25% compound ingredient listing exemption.

Ingredients that need not be named (regulation 8)

Adds a further ingredient to those that do not need to be named.

Foods that need not bear a list of ingredients (regulation 9)

Ensures the allergen labelling requirements override the exemption for foods which need not bear a list of ingredients.

Foods sold non-prepacked or pre-packed for direct sale and fancy confectionery products (regulation 10)

Exempts food sold otherwise than at a catering establishment (namely food that is not pre-packed, similar food and certain fancy confectionery products) from the allergen labelling requirements.

Certain foods sold at catering establishments (regulation 11)

Exempts food sold at catering establishments which is not pre-packed or which is pre-packed for direct sale, from the allergen labelling requirement.

Foods containing allergenic ingredients or their derivatives (regulation 12)

Sets out new provisions for indicating Schedule AA1 ingredients in the case of foods containing such ingredients and their derivatives in pre-packed food.

Insertion of Schedule AA1 in the Food Labelling Regulations 1996 (regulation 14)

Indicates insertion point of new Schedule AA1 in the Food Labelling Regulations 1996. It should be noted that this has now been superseded by the 2008 Regulations.

Amendment of Schedule 3 to the Food Labelling Regulations 1996 (regulation 15)

Deletes entries relating to 'crystallised fruit' and 'vegetables' from Schedule 3 (generic names in list of ingredients) in the Food Labelling Regulations 1996.

ANNEX 5 – Contact Details for Further Information

The address for all correspondence relating to the issues set out in this advice is:

In England: Labelling, Standards and Allergy Division
Food Standards Agency
Aviation House
125 Kingsway
London
WC2B 6NH
Tel: 0207-276-8531
Fax: 0207-276-8513
E-mail: dionne.davey@foodstandards.gsi.gov.uk

In Wales: Food Standards Agency Wales
11th Floor, Southgate House
Wood Street
Cardiff
CF10 1EW
Tel: 029 2067 8911
Fax: 029 2067 8918/8919
E-mail: wales@foodstandards.gsi.gov.uk

In Scotland: Food Standards Agency Scotland
St Magnus House
6th Floor
25 Guild Street
Aberdeen
AB11 6NJ
Tel: 01224 285165
Fax: 01224 285168

In Northern Ireland: Food Standards Agency Northern Ireland
10 A-C Clarendon Road
Belfast
BT1 3BG
Tel: 028 9041 7742
Fax: 028 9041 7726
E-mail: Mervyn.Briggs@foodstandards.gsi.gov.uk

LIST OF INTERESTED PARTIES

A G BARR
A H ALLEN & PARTNERS
ABBOT LABORATORIES LIMITED
ABR FOODS
ACE LABELS PLC/ELLIS LABELS & SYSTEMS LTD
ADAMS PORK PRODUCTS
ADVERTISING ASSOCIATION
ADVERTISING STANDARDS AUTHORITY
ADVISORY BODY FOR SOCIAL SERVICES CATERING
AGRICULTURAL INDUSTRIES CONFEDERATION
ALCONTROL LABORATORIES
AL-KHOEI FOUNDATION
ALLCHEM INTERNATIONAL
ALLERGY ALLIANCE
ALLIANCE PHARMACEUTICALS LTD
ALLIED BAKERIES LID
ALLIED DOMEQ RETAILING LTD
ALLIED TECHNICAL CENTRE
ALLSPORTS INTERNATIONAL LTD
ALPHA FLIGHT SERVICES
AMERICAN FOOD INTERNATIONAL
AMERICAN PEANUT COUNCIL
AMICUS
ANAPHYLAXIS CAMPAIGN
ANDREW JOHNSON
ANDREW MURPHY
AN-NISA SOCIETY
AQUINAS COLLEGE
ARKARIUS LIMITED
ARKOPHARMA (UK) LTD
ARLA FOODS PLC
ASDA STORES LIMITED
ASHTOWN FOOD RESEARCH CENTRE
ASHURST
ASHWELL ASSOCIATES
ASSISTANTE SECTORIELLE AGRO-ALIMENTAIRE UNITED KINGDOM
ASSOCIATION OF BRITISH PAEDIATRIC NURSES
ASSOCIATED BRITISH FOODS PLC
ASSOCIATED BRITISH PORTS PLC
ASSOCIATION OF BAKERS INGREDIENTS MANUFACTURERS
ASSOCIATION OF BRITISH ABATTIOR OWNERS
ASSOCIATION OF CEREAL FOOD MANUFACTURERS LTD
ASSOCIATION OF CHEESE PROCESSORS
ASSOCIATION OF CONVENIENCE STORES
ASSOCIATION OF MUSLIM PROFESSIONALS
ASSOCIATION OF MUSLIM SCHOLARS
ASSOCIATION OF PASTRY CHEFS
ASSOCIATION OF
ASSOCIATION OF PUBLIC ANALYSTS OF SCOTLAND
ASSOCIATION OF RADICAL MIDWIVESHOWARD FOUNDATION RESEARCH GROUP
ASSURED BRITISH MEAT
ASSURED FOOD STANDARDS
ASTRAL HOUSE
ATWOOD BARRY
AUTHENTIXS
BABY MILK ACTION
BAKERS (NAMB)
BAKER & MCKENZIE
BANGLADESH CATERERS ASSOCIATION UK
BARBOUR INDEX PLC
BAREFIELDS LTD
BARENTZ BV
BARNET LONDON BOROUGH COUNCIL
BASIC SKILLS AGENCY
BATEMANS SALEM BRIDGE BREWERY
BBSRC INSTITUTE OF FOOD RESEARCH
BEE FARMERS ASSOCIATION OF THE UK
BELSO'S (UK) CEREALS LTD
BERNARD MATTHEWS LTD
BERRY OTTAWAYAND ASSOCIATES LIMITED
BETH-DIN
BIOFORCE (UK) LTD
BIRD & BIRD
BIRMINGHAM CHILDRENS HOSPITAL
BIRMINGHAM CITY LABORATORIES
BISCUIT, CAKE, CHOCOLATE & CONFECTIONERY ALLIANCE
BISCUIT, CAKE, CHOCOLATE & CONFECTIONERY ASSOCIATION
BODYCOTE LAWLABS
BOLTON MBC
BONNIA PETITE BANQUETING LTD
BOOKER LTD
BOOTS THE CHEMIST
BOROUGH OF REIGATE & BANSTEAD
BOTTLED WATER COOLER ASSOCIATION
BOURNE SALADS
BOURNEMOUTH UNIVERSITY
BOWYERS (WILTSHIRE) LTD
BRADFORD COUNCIL OF MOSQUES
BRAKE CO LTD
BRENT COUNCIL
BRISTOL CITY COUNCIL (855)
BRITANNIA HEALTH PRODUCTS LTD
BRITISH AIRWAYS HEALTH SERVICES
BRITISH BEEKEEPER'S ASSOCIATION
BRITISH BEER & PUB ASSOCIATION
BRITISH CAMEL MANUFACTURERS ASSOCIATION
BRITISH CHEESE BOARD
BRITISH COFFEE ASSOCIATION
BRITISH DENTAL ASSOC
BRITISH DIETETIC ASSOCIATION
BRITISH EGG INDUSTRY COUNCIL
BRITISH ESSENTIAL OILS ASSOCIATION
BRITISH ESSENCE MANUFACTURERS' ASSOCIATION (BEMA)

LIST OF INTERESTED PARTIES

BRITISH FERMENTATION PRODUCTS
BRITISH FOOD IMPORTERS & DISTRIBUTORS
ASSOCIATION
BRITISH FROZEN FOOD FEDERATION
BRITISH FRUIT JUICE ASSOCIATION
BRITISH GOAT SOCIETY
BRITISH HEART FOUNDATION
BRITISH HERBAL MEDICINE ASSOCIATION
BRITISH HOSPITALITY ASSOCIATION
BRITISH HUMANIST ASSOCIATION
BRITISH MEAT PROCESSORS ASSOCIATION
BRITISH MEDICAL ASSOCIATION
BRITISH NUTRITION FOUNDATION
BRITISH PIG ASSOCIATION
BRITISH OAT & BARLEY MILLERS'
ASSOCIATION (BSA)
BRITISH POTATO MARKETING ASSOCIATION
BRITISH POULTRY COUNCIL
BRITISH RETAIL CONSORTIUM
BRITISH SANDWICH ASSOCIATION
BRITISH SOFT DRINKS ASSOCIATION LTD
BRITISH STANDARDS INSTITUTION
BRITISH SUGAR PLC
BRITISH STARCH INDUSTRY ASSOCIATION
(BSIA)
BRITISH VETERINARY ASSOCIATION
BRITVIC SOFT DRINKS LTD
BUCKINGHAMSHIRE COUNTY COUNCIL
BUCKINGHAMSHIRE HEALTH AUTHORITY
BUDDHIST SOCIETY
BUSINESS IN SPORT & LEISURE
CADBURY SCHWEPPE'S PLC
CAMACOM LAW (SOLICITORS) LTD
CAMBRIDGE MANUFACTURING COMPANY
LTD
CAMPAIGN FOR REAL ALE LTD
CAMPDEN & CHORLEYWOOD FOOD
RESEARCH ASSOCIATION
CANTOX HEALTH SCIENCES INTERNATIONAL
CARGILL FLAVOR SYSTEMS /DUCKWORTH
GROUP
CARTMEL STICKY TOFFEE
CATALENT PHARMA SOLUTIONS
CATERER & HOTELKEEPER
CATERING UPDATE
CCI
CENTRE FOR FOOD & HEALTH STUDIES LTD
CEREAL INGREDIENT MANUFACTURERS'
ASSOCIATION (CIMA)
CEREAL PARTNERS WORLDWIDE
CHARLES BARKER PLC
CHARLES ROWE
CHARTERED INSTITUTE OF
ENVIRONMENTAL HEALTH
CHEMIST & DRUGGIST
CHICHESTER COLLEGE OF ARTS SCIENCES &
TECHNOLOGY
CHILD ACTION PREVENTION TRUST
CHILLED FOOD ASSOCIATION LTD
CHINESE NATIONAL HEALTHY LIVING
CENTRE
CHOCOLATES FOR CHOCOHOLICS LTD
CHRISTCHURCH BOROUGH COUNCIL (084)
CHURCHES' COMMISSION FOR INTER-FAITH
RELATIONS
CITY OF YORK COUNCIL
CLARKE WILLMOTT SOLICITORS
COASTAL TRADING
COBRA
COCA COLA TRADING COMPANY
COELIAC UK
COFFEE TRADE FEDERATION LTD
COLETTE WHITEHEAD
COMMUNITY FOODS LTD
COMMUNITY PRACTITIONERS AND HEALTH
VISITORS ASSOCIATION
CONFEDERATION OF BRITISH INDUSTRY
CONFEDERATION OF INDIAN
ORGANISATIONS (UK)
CONFEDERATION OF SUNNI MOSQUES
CONSULTING CO LTD
CONTRACT FOOD LTD
COOKIE MAN LTD.
CO-OPERATIVE GROUP
CO-OPERATIVE UNION LTD
CO-OPERATIVE WOMEN'S GUILD
COORS BREWERS PLC
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COTT BEES LTD
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COUNSEL LTD
COUNTRY MARKETS LTD
COVENTRY HEALTH AUTHORITY
COVINGTON & BURLING
CP KELCO UK LTD
CRAIGAVON AREA HOSPITAL GROUP NSS
CRANBERRY FOODS
CULLINANE ASSOCIATES LTD
CUMBRIA COUNTY COUNCIL
D & T ASSOCIATION
DABUR INDIA LTD
DABUR RESEARCH FOUNDATION
DAILYCER LTD
DAIRY (UK) LIMITED
DAIRY COUNCIL
DAIRY CREST GROUP
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DANISCO INGREDIENTS UK LTD
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DANISH BACON COMPANY PLC
DAVE EDWARDS
DEFENCE CATERING GROUP
DEL MONTE FOODS (UK) LTD
DEPARTMENT FOR BUSINESS, ENTERPRISE
AND REGULATORY REFORM
DEPARTMENT FOR CULTURE, MEDIA AND
SPORT

LIST OF INTERESTED PARTIES

DEPARTMENT FOR INTERNATIONAL DEVELOPMENT
DEPARTMENT OF ENVIRONMENT FOOD AND RURAL AFFAIRS
DEPARTMENT OF HEALTH
DEPARTMENT OF LOCAL GOVERNMENT & ENVIRONMENT (ISLE OF MAN)
DERBYSHIRE COUNTY COUNCIL
DIAGEO
DKSH GREAT BRITISH LTD
DORSET COUNTY COUNCIL
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DR C JACKSON
DR E EDWARDS
DR IAN R GORDON
DR JULIET GRAY
DR LEN LEVY
DR MOHAMMAD RAHMAN
DR PAUL BRANTOM
DR SALLY BUTLER
DR STUART'S BOTANICAL TEAS
DR T KNOWLES
DR W R HARE
DR Y K TOHANI
DRINK WORKS
DRUCES & ATTLÉE
DURHAM CITY COUNCIL (095)
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EUROPEAN FEDERATION OF HEALTH PRODUCT MANUFACTURERS ASSOCIATION
EUROPEAN FOOD LAW ASSOCIATION UK
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EWAN MCLACHLAN
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FEDERATION OF SMALL BUSINESSES
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G R LANE HEALTH PRODUCTS LTD
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GOODMAN DERRICK
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GRAMPIAN COUNTRY FOOD GROUP LTD
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HALAL MEAT
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HAMPSHIRE TRADING STANDARDS
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HAZELWOOD PRESERVES LTD
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LIST OF INTERESTED PARTIES

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SOUTH AFRICA
HILDRED & COCKER LTD
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HOME OFFICE HEALTH & SAFETY SERVICES
HONEY ASSOCIATION
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HORTICULTURE RESEARCH INTERNATIONAL
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HOULSTON MANOR WATER
HOWARD FOUNDATION RESEARCH GROUP
HUSH (HAEMOLYTIC URAEMIC SYNDROME
HELP)
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IAN TWINN
ICE CREAM ALLIANCE
ICE FRESH FOODS LTD
ILCHESTER CHEESE CO LTD
ILS LTD
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INDEPENDENT NUTRITION LOGIC
INFANT & DIETETIC FOODS ASSOCIATION
(IDFA)
INNOCENT LTD
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INSTITUTE OF FOOD SCIENCE &
TECHNOLOGY
INSTITUTE OF HOSPITALITY
INSTITUTE OF PRACTITIONERS IN
ADVERTISING
INSTITUTE OF REFRIGERATION
INTER FAITH NETWORK FOR THE UK
INTERNATIONAL FEDERATION OF ESSENTIAL
OILS & AROMA TRADES
INTERNATIONAL FISH MEAL & OIL
MANUFACTURERS ASSOCIATION
INTERNATIONAL FLIGHT CATERING
INTERNATIONAL MARKETING
INTERNATIONAL MEAT TRADE ASSOCIATION
INTERNATIONAL SOFT DRINK COUNCIL
INTERSERVE (FACILITIES MANAGEMENT)
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IRISH YOGURTS LTD
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ISLAMIC CENTRE OF GLASGOW
ISLAMIC CULTURAL CENTRE
ISLAMIC FOOD & NUTRITION COUNCIL
ISLAMIC FORUM OF EUROPE
ISLAMIC SHARIAH COUNCIL
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IVER, BUCKS
J RALPH BLANCHFIELD CONSULTANCY
J SAINSBURY PLC
JAIN NETWORK
JAMES GILBERTSON & CO
JEAN GARON PUBLIC RELATIONS
JEREMY PARDY
JETRO LONDON
JOANNE WOOLGAR
JOHN RUSSELL ASSOCIATES/FAIA
JOHN TAYLOR AND SON
JOHN WEST FOODS LTD
JOHN WYETH & BROTHER LTD
JOHNSTON CONSULTING
JOINT COUNCIL FOR ANGLO CARIBBEAN
CHURCHES
JUST RACHEL QUALITY DESSERTS
K J LOVERING & CO LTD
KELLER & HECKMAN LLP
KELLOGG COMPANY (GB) LTD
KELLOGG EUROPE TRADING LTD
KENT TRADING STANDARDS
KERRY FOODS UK
KETTLE FOODS
KIKKOMAN TRADING EUROPE GMBH
KINNERTON CONFECTIONARY CO LTD
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KNIGHT INTERNATIONAL
KRAFT FOODS UK LTD
L B CROYDON FOOD TEAM
L HEPNER & ASSOCIATES LTD
LA LECHE LEAGUE (GREAT BRITAIN)
LABORATORY OF THE GOVERNMENT
CHEMIST (LGC)
LAMBETH TRADING STANDARDS
LANCASHIRE COUNCIL OF MOSQUES
LANCASHIRE COUNTY COUNCIL
LAW COMMISSION
LAW LABORATORIES LTD
LAWCODE
LAWDATA LTD
LAWRENCE GRAHAM
LEAD DEVELOPMENT ASSOCIATION
INTERNATIONAL
LEATHERHEAD FOOD INTERNATIONAL
LEE KEE KUM (HONG KONG) FOODS LTD
LEEDS CITY COUNCIL (413)
LEEDS METROPOLITAN UNIVERSITY
LEICESTER REFERENCE AND INFORMATION
LIBRARY
LEICESTERSHIRE COUNTY ANALYSTS LAB
LEON PROSKY ASSOCIATES
LEWIS SILKIN SOLICITORS
LGC (TEDDINGTON) LTD
LIDL UK GMBH
LINX PRINTING TECHNOLOGIES PLC
LIVERPOOL CITY COUNCIL
LIZ BAILEY
LOCAL AUTHORITIES CO-ORDINATORS OF
REGULATORY SERVICES
LONDON BOROUGH OF BARKING &
DAGENHAM

LIST OF INTERESTED PARTIES

LONDON BOROUGH OF BRENT
(ENVIRONMENTAL HEALTH)
LONDON BOROUGH OF ENFIELD
LONDON BOROUGH OF SOUTHWARK
LONDON RETAIL MEAT TRADERS
ASSOCIATION
LOVELL WHITE DURRANT SOLICITORS
LOVELLS
LYN ANDERSON
LYONS TETLEY LTD
LYSI HS
MACFARLANES
MALTSTERS ASSOCIATION OF GREAT
BRITAIN
MANCHESTER METROPOLITAN UNIVERSITY
MANCHESTER RUSK CO LTD
MARDON PLC
MARGARINE AND SPREADS ASSOCIATION
MARKAZI JAMIAT AHLE HADITH
MARKETING LAW ADVISORY SERVICE
MARKS & SPENCER PLC
MARKS & SPENCER PLC
MATTHEW CLARK LTD
MCCAIN FOODS
MCCORMACK FOODS
MCDONALD'S RESTAURANTS LTD
MCKENNA & CO
MEAT & LIVESTOCK COMMISSION
MEDICINES & HEALTHCARE PRODUCTS
REGULATORY AGENCY
MERIDIAN FOODS - TECHNICAL
DEPARTMENT
MERRYDOWN PLC
MERRYVALE
METAL PACKAGING MANUFACTURERS
ASSOCIATION
MIDWIVES INFORMATION & RESOURCE
SERVICE
MIGRAINE TRUST
MILTON KEYNES COUNCIL
MISS C HAYDEN
MISS JACQUIE SALFIELD
MJSR ASSOCIATES
MOTHERHEMP LTD
MOY PARK LTD
MP MEDIA SERVICES
MR ALAN TURNER
MR C ROBINS
MR D C CANN
MR D W WILLIAMS
MR D YARDLEY
MR DAVID CLARKE
MR DENNIS T GORDON
MR EDWARD LANGRIDGE
MR H PLANT
MR J HOWLETT
MR J MARSH
MR J W MCCANDLESS
MR JAMES BLACKBAND
MR JAMES LEGGE
MR JOHN CORNER
MR KEITH LISTER
MR LEON HANSON
MR LESTER FIRKINS
MR M COLEMAN
MR M MCBRIDE
MR M RAYNER
MR MARTIN FORSYTH
MR MATTI ALDERSON
MR MICHAEL PICTOR
MR N J CODY
MR PAUL ANTHONY TAYLOR
MR PETER WIGHT
MR R C KILL / E I KILL
MR R J BRIEN
MR R MCKINLEY
MR RAY RICE
MR RYAN MATHIE
MR SHREE OM PARKASH SHARMA
MR STEVE RHODES
MR T EDWARDS
MR T LYNN
MR TIM MCGOUGH
MR TREVOR HANNA
MRS HOLLAND
MRS A CAMPBELL
MRS ALISON FITCH
MRS ANNE HEUGHAN
MRS B TURLEY
MRS BRIDGET MACDONALD
MRS BUNTY BENHAM
MRS FIONA HODGSON
MRS FIONA HORNE
MRS FRAYBIN GOTTLIEB
MRS G WARD
MRS HELEN GARDINER
MRS I WARN
MRS IONA LIDINGTON
MRS J AMMON
MRS J HINCHCLIFFE
MRS J PARTRIDGE
MRS KATIE PALMER
MRS M GEARE
MRS MARGARET SPIRITO-PERKINS
MRS S HAMMOND
MRS S J HIGGINS
MRS S WHITTLE
MRS SUE CADEN
MRS TRACEY ADAMS
MRS V REVILL
MS A JAMESON
MS ANNA MORRIS
MS ANNE CLAYSON
MS ANNE WILSON
MS BARBARA SAUNDERS
MS CATHERINE LEMMON
MS CHRISTINE SEYMOUR
MS DIANA COAD
MS ELEANOR CULLEN
MS ELIZABETH SMITH

LIST OF INTERESTED PARTIES

MS EVA LEWIS
MS HEATHER PAINE
MS J FLEMING-YATES
MS J HUTTON
MS J NETHERCOTT
MS JENNIE WILDE
MS LARISSA BRUVERIT
MS LOREEN WILLIAMS
MS LYNETTE GOH
MS MARGARET ANDERSON
MS MAUREEN BYRNE
MS MELANIE RUFFELL
MS MICHELLE LA BELLE
MS P YEOMAN
MS PAULETTE JONES
MS PAULINE RIGBY
MS SARAH PARSONS
MS SHEILA GRAHAM
MUFTI MOHAMMED ASLAM
MULLER GROUP UK
MULTI LABELS LIMITED
MUSHROOM GROWERS ASSOCIATION
MUSLIM COLLEGE
MUSLIM DOCTORS & DENTISTS
ASSOCIATION
NAT SOCIETY FOR PHENYLKENORIA (UK
NATIONAL AGRICULTURAL CENTRE
NATIONAL ASSOCIATION OF BRITISH & IRISH
MILLERS
NATIONAL ASSOCIATION OF CIDER & PERRY
MAKERS
NATIONAL ASSOCIATION OF HEALTH
STORES
NATIONAL ASSOCIATION OF MASTER
BAKERS
NATIONAL BEEF ASSOCIATION
NATIONAL CHILDBIRTH TRUST
NATIONAL CHILDREN'S BUREAU
NATIONAL CONSUMER COUNCIL
NATIONAL CONSUMER FEDERATION (NCF)
NATIONAL COUNCIL OF HINDU TEMPLES UK
NATIONAL COUNCIL OF WOMEN
NATIONAL COUNCIL OF WOMEN OF GREAT
BRITAIN
NATIONAL EDIBLE OIL DISTRIBUTORS
ASSOCIATION
NATIONAL FARMERS UNION (NFU)
NATIONAL FEDERATION OF FISHERMEN'S
ORGANISATIONS
NATIONAL FEDERATION OF MEAT & FOOD
TRADERS
NATIONAL FEDERATION OF WOMEN'S
INSTITUTES
NATIONAL HEART FORUM
NATIONAL INSTITUTE FOR HEALTH &
CLINICAL EXCELLENCE
NATIONAL INSTITUTE OF MEDICAL
HERBALISTS LTD
NATIONAL MARKET TRADERS' FEDERATION
NATIONAL PHAMACEUTICAL ASSOC

NATIONAL PIG ASSOCIATION
NATURE'S OWN LTD
NCH ACTION FOR CHILDREN
NESTLE UK LTD
NETWORK OF SIKH ORGANISATIONS UK
NEVILLE CRADDOCK ASSOCIATES
NEW COVENT GARDEN FOOD CO LTD
NEWRY & MOURNE DISTRICT COUNCIL
NEWSPAPER SOCIETY
NINEWELLS HOSPITAL
NORTH HERTFORDSHIRE NHS TRUST
NORTH SOMERSET COUNCIL TRDG STDS
NORTH YORKSHIRE EAST FEDERATION OF
WOMEN'S INSTITUTE
NORTHAMPTONSHIRE COUNTY COUNCIL
NORTON ROSE
NORWEGIAN FOOD CONTROL AUTHORITY
NOTTINGHAMSHIRE COUNTY COUNCIL
NOVARTIS MEDICAL NUTRITION
NUTRAGEN
NUTRICIA LTD
NUTRILAW
OBESITY AWARENESS & SOLUTIONS TRUST
OBI AMADI
ODDBINS
OMYA CROXTON + GARRY LTD
ORANGINA GROUP
ORGANIC AND FAIR CONSULTING
ORGANIC FOOD FEDERATION
ORGANIX BRANDS PLC
OXFAM FAIR TRADING COMPANY
OXFORD UNIVERSITY DEPARTMENT OF
PUBLIC HEALTH & PRIMARY CARE
OXFORDSHIRE COUNTY COUNCIL
PAI LTD
PEPSICO INTERNATIONAL
PERCHARD'S
PERRIGO UK
PERSHORE GROUP OF COLLEGES
PESTICIDE ACTION NETWORK UK
PETTIFOR MORROW & ASSOCIATES LTD
PIZZA HUT (UK)
PLYMOUTH AND DISTRICT SOROPTIMIST
INTERNATIONAL
PLYMOUTH CONSUMER GROUP
POOLE TRADING STANDARD DEPT
POTATOE PROCESSORS' ASSOCIATION
(PPA)
POTTERS HERBAL SUPPLIES LTD
POWER HEALTH PRODUCTS LTD
PREMIER GROCERY PRODUCTS LTD
PREMIER INTERNATIONAL FOODS
PRE-PACKED FLOUR ASSOCIATION
PRISON SERVICE CATERING
PROFESSOR GREG BEALES
PROPRIETARY ASSOCIATION OF GREAT
BRITAIN
PROTEIN TECHNOLOGY INTERNATIONAL
PROVISION TRADE FEDERATION
QUAKER TRADING LIMITED

LIST OF INTERESTED PARTIES

QUALITY MEAT SCOTLAND
QUEENWAY GOVERNMENT OFFICES
QUEEN ELIZABETH HOSPITAL
QUEST VITAMINS LTD
QVC
R E BELL
R TWINING AND CO LTD
RCC REGISTRATION AND
READING SCIENTIFIC SERVICES LTD
REGISTER OF NUTRITIONAL THERAPISTS
RHM GROCERY
RHM GROUP
RHM TECHNOLOGY LTD
RIO TRADING COMPANY (HEALTH) LTD
RICE ASSOCIATION (RA)
ROBERT LIPPETT
ROCWELL NATURAL MINERAL WATER
RON DEWDNEY LTD
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ROTHERHAM HEALTH AUTHORITY
ROUSE & CO
ROYAL COLLEGE OF MIDWIVES
ROYAL COLLEGE OF PAEDIATRICS & CHILD
HEALTH
ROYAL COLLEGE OF PHYSICIANS
ROYAL COMMISSION ON ENVIRONMENTAL
POLLUTION
ROYAL DANISH EMBASSY
ROYAL INSTITUTE OF PUBLIC HEALTH
ROYAL LONDON HOSPITAL
ROYAL PHARMACEUTICAL SOCIETY OF
GREAT BRITAIN
ROYAL SOCIETY FOR THE PROMOTION OF
HEALTH
ROYAL SOUTH HAMPSHIRE HOSPITAL
RUPERT STANLEY COLLEGE OF FURTHER
EDUCATION
RUSSELL HUME
RUSSELLS HALL HOSPITAL
RYVITA CO LTD
S M A NUTRITION
S&N UK
SALT MAUFACTURERS ASSOCIATION (SMA)
SAFEHARM LABORATORIES LTD
SAMUEL SMITH BREWERY
SCHWARZ PHARMA LTD
SCOTCH FOOD CO-ORDINATING COMMITTEE
SCOTCH WHISKY ASSOCIATION
SCOTTISH EXECUTIVE RURAL AFFAIRS DEPT
SCOTTISH FEDERATION OF MEAT TRADERS
ASSOCIATION
SCOTTISH FOOD AND DRINK FEDERATION
SCOTTISH QCOTTISH QUALITY SALMON LTD
SEA FISH INDUSTRY AUTHORITY
SEAFOOD LABORATORIES LTD
SEASONING AND SPICE ASSOCIATON (SSA)
SEED CRUSHERS'AND OIL PROCESSORS'
ASSOCIATION (SCOPA)
SEFCOL INGREDIENTS LIMITED
SEVEN SEAS LTD
SHELLFISH ASSOCIATION OF GREAT BRITAIN
SHROPSHIRE BOROUGH COUNCIL
SHS INTERNATIONAL LIMITED
SIKH MISSIONARY SOCIETY UK
SIMKINS PARTNERSHIP
SIMMONS & SIMMONS SOLICITORS
SIMPLY ORGANIC - SERIOUS FOOD
COMPANY
SIMTOM FOOD PRODUCTS
SIS (SCIENCE IN SPORT) LTD
SLEAFORD QUALITY FOODS LTD
SLOUGH BOROUGH COUNCIL
SMA NUTRITION LTD
SMALL INDEPENDENT BREWERS
ASSOCIATION
SMH CONSULTANCY
SNACK, NUT & CRISPS MANUFACTURERS
ASSOCIATION
SODEXHO BUSINESS & INDUSTRY
SOMERFIELD STORES LTD
SONNENBERG
SOUTH BANK UNIVERSITY
SOUTHALL AREA COMMUNITY NETWORK
SOUTHEND HOSPITAL
ST BARTHOLOMEWS HOSPITAL
ST GEORGE'S HOSPITAL MEDICAL SCHOOL
ST IVEL SPREADS
STAFFORDSHIRE COUNTY ANALYST
STARBAKE YORKSHIRE LTD
STEPHEN RHODES ASSOCIATES
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STOKE MANDEVILLE HOSPITAL
STOKE ON TRENT CITY COUNCIL
STUTE FOODS LTD
SUFFOLK SAUCERY LIMITED
SUGAR BUREAU
SURREY COUNTY COUNCIL TRADING
STANDARDS
SURREY TRADING STANDARDS
T WEBB & CO LTD
TAMESIDE METROPOLITAN BOROUGH
COUNCIL
TANYA CARR
TAYLOR JOYNSON GARRETT
TECHNICAL SEVICES
TESCO STORES PLC
THE DAIRY COUNCIL
THE FOOD COMMISSION
THE FOOD PARK
THE HUNDRED HOUSE
THE LANTERN HOUSE
THE NUTRITION SOCIETY
THE PIZZA,PASTA & ITALINA FOOD
ASSOCIATION (PAPA)
THE SNACK,NUT,AND CRISP
MANUFACTURERS ASSOCIATION (SNACMA)
THOMAS LOWNES AND CO LTD
THOMPSON & CAPPER LTD
THORNTONS PLC
TONY MACE MARKETING

LIST OF INTERESTED PARTIES

TRADEWINDS
TRADITIONAL FARM FRESH TURKEY
ASSOCIATION
TRANSPORT & GENERAL WORKERS UNION
TREATS ICE CREAM LTD
TRUST
TULIP INTERNATIONAL (UK) LTD
UDEX LTD
UK ACTION COMMITTEE ON ISLAMIC
AFFAIRS
UK ASSOCIATION OF FROZEN FOOD
PRODUCERS
UK ASSOCIATION OF MANUFACTURERS OF
BAKERS' YEAST (UKAMBY)
UK VINEYARDS ASSOCIATION
UK VLCD INDUSTRY GROUP
UNIGREG LIMITED
UNILEVER UK LIMITED
UNION OF MUSLIM ORGANISATIONS OF UK &
EIRE
UNION PSD
UNITED BISCUITS (UK) LTD
UNITED GROUP RMD
UNITED KINGDOM VINEYARDS ASSOCIATION
UNIVERSITY OF BIRMINGHAM
UNIVERSITY OF BRADFORD
UNIVERSITY OF CENTRAL LANCASHIRE
UNIVERSITY OF LEICESTER
UNIVERSITY OF LIVERPOOL
UNIVERSITY OF READING
UNIVERSITY OF SUSSEX
UNIVERSITY OF TEESIDE
UNIV-VIBE EXPORT LTD
VEGA
VEGAN SOCIETY
VEGETARIAN & VEGAN FOUNDATION
VEGETARIAN SOCIETY OF THE UNITED
KINGDOM

VENTRESS TECHNICAL SERVICES LTD
VENTURE FOODS (UK) LIMITED
VINEGAR BREWERS FEDERATION
VISIE OP VOEDING & COMMUNICATIE
VITRION UK LTD
VOICEVALE LTD
WAITROSE LTD
WALKER & SONS (LEICESTER) LTD
WALKERS CHARNWOOD BAKERY
WALSALL METROPOLITAN BOROUGH
COUNCIL
WARWICKSHIRE COUNTY COUNCIL
WATERSIDE HOUSE
WEETABIX LIMITED
WELSH ASSEMBLY GOVERNMENT
WELSH CONSUMER COUNCIL
WELSH FOOD ALLIANCE
WESSEX FOODS
WEST BERKSHIRE DISTRICT COUNCIL
WEST YORKSHIRE JOINT SERVICES
WESTLER FOODS LTD
WHICH?
WHITBY SEAFOODS LTD
WHITEHOUSE CONSULTANCY LTD
WICKHAM LABORATORIES LTD
WILTSHIRE COUNTY COUNCIL
WILTSHIRE DIRECT SERVICES
WIM CAERS
WINE & SPIRIT TRADE ASSOCIATION
WM MORRISON SUPERMARKETS PLC
WOMEN'S FOOD & FARMING UNION
WORCESTERSHIRE COUNTY COUNCIL
XYROFIN (UK) LTD
YAKULT UK
YORK NUTRITIONAL LABORATORY
YORKSHIRE PANTRY (THE)
ZOROASTRIAN TRUST FUNDS OF EUROPE