

# Allergy information and fast food takeaways

Reducing the risk to allergic consumers from takeaways breaking the law



Each year in the UK, some 5000 of the 2 million people living with food allergies need hospital treatment for severe allergic reactions and 10 die from food-induced anaphylaxis.<sup>1</sup> Food allergies are on the rise, having doubled over the last decade, while hospital admissions have risen 7-fold.<sup>2</sup> Unlike food intolerance, food allergy affects the immune system causing potentially life-threatening reactions

triggered by allergens used as ingredients in food. Long term consequences of exposure to allergens can be serious, for instance resulting in increased risk to coeliacs of developing bowel cancer.<sup>3</sup> Many deaths and hospitalizations are avoidable and most of those that are avoidable are the result of consumers being given the wrong information about ingredients.<sup>4</sup>

While clear allergen information on pre-packed food products has been required for some while, retailers of non-prepacked food (including fast food outlets, takeaways, hot food street vendors, and sandwich shops) have not been obliged to provide this information. Inaccurate information on takeaway meals has posed a particular threat, being implicated in a significant number of the severe and fatal allergic reactions in the UK. Around 1 in 10 of fatal food reactions since 1992 are supposed to have been caused by unannounced peanut or nut in curry meals, usually from takeaways.<sup>5</sup>

New food allergen and information requirements (EU Food Information for Consumers Regulation No. 1169/2011) came into force in December 2014, aiming to protect consumers by plugging this gap.

- They must declare the presence of any of the 14 major allergens used as ingredients in their food (including eggs, nuts, milk, fish and sulphites)
- This information can be supplied on the menu, on chalk boards, tickets or provided verbally by a member of staff or in other formats made available to the consumer

- It must be clear and conspicuous, not hidden away, easily visible, and legible
- If the information is given verbally, businesses must make it clear how customers can access the information by means of a notice, menu, ticket or label that can easily be seen
- There must be a system in place to make sure the information can be checked by others, is accurate, and the same information is given each time

It is no longer acceptable for a food retailer to say that they do not know whether or not a food contains a listed allergen, or that all their foods may contain allergens.

Many chains and independent operators have worked hard to ensure compliance and avoid health risks, in response to comprehensive efforts by the FSA and others to publicise guidelines and resources for businesses. Aside from being a criminal offence, failure to comply could be particularly hazardous if, in light of new regulations, allergy sufferers dine more confidently in takeaway restaurants, believing that allergen information will be complete and correct. It is therefore vital that these businesses know what is in their food and are able to convey this to consumers.

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Yet despite efforts, RSPH has uncovered an alarmingly low level of allergen awareness and provision of information persisting in the takeaway sector. **In a mystery dining investigation, we found that over two thirds (70%) of takeaways appeared to be flouting the law by not providing information in the right way. Over half (54%) did not know whether one of the major allergens was in their food. Worryingly, four in five (80%) did not appear to have system in place to ensure the information they are providing is accurate and verifiable, with nine in ten unable to evidence this when requested. Takeaways mainly serving fried chicken performed the worst: none of the outlets appeared to have a record of major allergens in their dishes or a notice to tell customer where to get information and four in five (80%) could not tell us whether one of the major allergens was in a meal.**

These findings add to other concerning evidence of problems around allergen awareness, management and misconceptions in the takeaway sector. A Local Government Survey carried out in 2011 found that 1 in 5 'nut free' portions of chicken tikka masala contained nuts, showing clear difficulties in communicating accurate information.<sup>6</sup> This echoes concerns that the flexibility of regulations, providing for verbal delivery, allows for mistakes. Many food handlers lack training in the complexities of allergy, meaning that correct messages may not be communicated. A 2013 survey of a subsection of takeaway restaurants found that only 25% of staff could name 2 common food allergens, and 1 in 4 incorrectly believed that cooking a food would prevent it from causing an allergic reaction. Despite poor knowledge, all respondents felt comfortable and 65% very comfortable with providing a safe meal for a customer with a food allergy.<sup>7</sup>

## We call on:

### 1) Food delivery platforms to request allergen information from takeaways before signing them up

Online businesses such as Hungry House, Just Eat and Deliveroo are gateways for consumers to access a wide range of different takeaways. We believe online delivery firms should secure confirmation from the takeaway restaurants on their platforms that they are providing allergen information for the 2 million food allergic consumers in the UK. Research carried out by the FreeFrom Awards shows the biggest priority for allergic consumers is not greater choice, but access to clear, reliable and transparent information about possible allergens in their food. This would entail asking takeaway operators whether they provide allergen information before registering, and rejecting those operators who do not appear to provide the legally required information. This would alert unaware businesses to the steps they need to take, and incentivise them to take it. For consumers, it would help in choosing a takeaway business that is more likely to provide good allergen information.

### 2) FSA to link food hygiene rating scheme to allergen management

The Food Hygiene Rating Scheme (Food Hygiene Information Scheme in Scotland) provides an important and widely recognised guide to hygiene standards in restaurants, takeaways and food shops across the UK. A high Food Hygiene Rating may give the impression that allergens are managed effectively on the business premises. While higher Hygiene Ratings in takeaways were associated with better allergen information, in our research we also found that nearly two thirds (64%) of takeaways with a rating of

4 or 5 did not appear to have a system in place to properly manage their allergen information. We are concerned that Food Hygiene Ratings give a false sense of security to food allergic consumers. Given that the FSA is now pressing for the compulsory display of these scores, we would like to see allergen information management assessed during inspection where possible and an allergy-type competency award displayed alongside Food Hygiene Rating where good practice is followed.

### 3) Takeaway operators to ensure staff are properly trained to manage the risks from allergens

Many of the problems in communicating information would be solved with a better understanding of food allergens amongst all members of staff. There are clearly serious gaps in knowledge and understanding in the sector, but also an enthusiasm to learn: in one study, 6 in 10 food handlers in takeaway restaurants expressed interest in future food allergy training.<sup>8</sup> This is not only vital for the safety of consumers but represents a commercial opportunity for takeaway operators to secure the business of growing numbers of food allergic customers.

Food handlers should complete high quality training in the control of food allergens. RSPH, among others, has developed a Level 2 Award in Identifying and Controlling Food Allergy Risks to meet this need and empower food handlers to be confident in dealing safely with requests.

We also call for providers of basic and advanced food hygiene certificates to integrate allergen management modules into courses.

#### 4) Takeaways to make sure they are not breaking the law over allergens

Takeaway operators have a responsibility to comply with all aspects of food law, designed to protect consumers. Failing to provide the right information in the right way is a criminal offence and persons found guilty are liable to pay a potentially large fine decided by a Magistrate. The FSA among others has produced excellent resources to help businesses get up to standard, including user-friendly guides to the law, printable information sheets on allergens in several languages, and 'matrix' sheets that kitchens are advised to print out and fill in, to keep a record of allergenic ingredients (found at <http://www.food.gov.uk/business-industry/allergy-guide/allergen-resources#toc-6>).

#### 5) Food allergic consumers to show understanding, communicate clearly and exercise caution

Allergen information is complex for a business to manage and requires significant thought and effort. Under various business pressures, providing information may not be seen as an immediate priority. Food allergic consumers should always communicate their needs as clearly and precisely as possible, and avoid eating food from outlets where they are not sure that staff understand the implications. If they do not feel the business is complying with regulations, they should report them to their local Environmental Health Department or Trading Standards Office. The more often these steps are taken, the more takeaways will see the business case for good practice.

## References

1. FSA, 2014. Available at: <http://www.food.gov.uk/news-updates/news/2014/13305/new-food-allergen-rules-for-consumers> (accessed 25/5/2015)
2. Increase in anaphylaxis-related hospitalizations but no increase in fatalities: An analysis of United Kingdom national anaphylaxis data, 1992-2012 Turner PJ, Gowland MH, Sharma V, Ierodiakonou D, Harper N, Garcez T, Pumphrey R, Boyle R <http://www.jacionline.org/article/S0091-6749%2814%2901516-4/pdf> November 2014
3. NHS, 2015. <http://www.nhs.uk/Conditions/Coeliac-disease/Pages/Complications.aspx3>. (accessed 25/06/2015)
4. DEFRA, 2013. Food supply networks: integrity and assurance review, Note of meeting with Hazel Gowland. Available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/279054/iafsn-hazel-gowland-20131127.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/279054/iafsn-hazel-gowland-20131127.pdf) (accessed 23/05/2015)
5. DEFRA, 2013. Food supply networks: integrity and assurance review, Note of meeting with Hazel Gowland. Available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/279054/iafsn-hazel-gowland-20131127.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/279054/iafsn-hazel-gowland-20131127.pdf) (accessed 23/05/2015)
6. Local Government Group, 2011. Survey of the composition of certain types of takeaway food. Available at: [http://www.local.gov.uk/c/document\\_library/get\\_file?uuid=c21e636b-b14c-4e6d-a7d2-51c933562db4&groupId=10180](http://www.local.gov.uk/c/document_library/get_file?uuid=c21e636b-b14c-4e6d-a7d2-51c933562db4&groupId=10180). (accessed 24/05/2015)
7. Common L, Corrigan C J, Smith H, Bailey S, Harris S, Holloway J A. How Safe is your Curry? Food Allergy Awareness of Restaurant Staff. *Allergy & Therapy* 2013, 4:4.
8. S. Bailey, R. Albardiaz, A. J. Frew and H. Smith, Restaurant staff's knowledge of anaphylaxis and dietary care of people with allergies, *Clinical & Experimental Allergy*, 2011 (41) 713-717.