

Trading Standards – Natashas Law

Advice for Community Food Groups

Advice from Emma Storey – West Sussex County Council – Trading Standards

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Prepackaged definition – anything in sealed packaging i.e. closed on *all* sides

Community Café

Sit in - receiving surplus food from businesses, food surplus charities and purchasing some food to redistribute in person at a location. Mainly in the form of sit-down cooked meals, but may also be pre-prepared goods pastries/bread/sandwiches, vegetables etc. offered for people to pick up to eat there or take home.

If a customer orders a meal to eat on site, from a menu, then no need to label. For example, ordering a sandwich from a menu. Allergen notice should be displayed, and staff should be able to access full ingredient information.

If a customer can walk into the site and pick up the ready packed item (for example a pre-made packed sandwich), then it needs full ingredients label (with allergens highlighted) and product name.

Only when an item is fully packed (i.e. full enclosed in the packaging) does it need labelling. If ordering to eat in and not picking up a pre-packed item, so from a menu/menu board for example, then no labelling.

Takeaway - receiving surplus food from businesses, food surplus charities and purchasing some food to redistribute in person at a location. Food is mainly cooked meals prepared by the organisation, given in takeaway packaging, but may also be surplus pre-prepared goods such as pastries/bread/sandwiches/pizza etc. offered for people to pick up to eat there or take home.

If a customer is ordering in advance for collection then no need to label, same as you ordering a pizza via a local takeaway. The customer should be able to see allergen information before ordering, or have the opportunity to ask advice if needed. Again staff should have access to ingredient information.

If meals are pre-packed on site and a customer walks in and chooses a box, picks it up and takes it to the counter to pay, (like a ready meal at a supermarket, or a pre-packed sandwich) then name and ingredients label (with allergens highlighted) required.

If a box is sold with an open lid, this is not considered pre-packaged. The information should be easily accessible on request.

Any food given out is the responsibility of the organisation distributing the food. If pre-prepared food was donated from another organisation e.g. local restaurant, the organisation distributing the food needs to be aware of all the ingredients. In the case that there was contamination, the organisation would have to prove they were not responsible (e.g. did the person picking up the food have an open packet of nuts in the car). The safest option is to not hand out food pre-prepared by another organisation to people with allergies.

Food Delivery

Receiving surplus food from businesses, food surplus charities and purchasing food as well as donations from organisations and individuals. Packing into shopping bags and delivering this directly to people's doors. Could include dividing up/repacking food, repackaging may include surplus food donations (pastries, donuts, bread) from local businesses and food surplus charities.

Anything not sealed in its packaging does not meet the definition of pre-packed for direct sale, so does not need to be labelled. It is fine for the driver to have allergy/ingredient info. As long as the person getting the food has some way of knowing what ingredients/allergens are in the unsealed products if they need to.

If specific items are ordered online or by phone this is considered distance selling. This means the person ordering needs to be aware of allergens at the point of ordering, and on delivery. If it is not a packed labelled item, this can be done on the receipt or on a leaflet.

This tool might help you make a decision:

<https://www.food.gov.uk/allergen-ingredients-food-labelling-decision-tool>

Generally, if breaking down and re-packing a packed, labelled item, then you would need a label with the food name and ingredients, with allergens highlighted. You also need to be careful if repackaging flour for e.g. gluten free items should be repackaged first, followed by any items with gluten. Flour containing gluten can very easily contaminate non-gluten foodstuffs.

Again, if you don't pack (so not pre-packed) then no label.

Food Collection

*Receiving surplus food from businesses, food surplus charities, individuals and purchasing food. Setting food out for people to choose what they like to take home. **The food is usually set out in separate packaging on tables**, so the person can easily lift it into their shopping bag, and also reduce chances of contamination.*

If the food is already packed and labelled, you don't need to do anything.

Items that may come to you like bread/pastries, if you don't re-pack, and offer in an un-sealed bag, then you would not need labelling.

If breaking down and re-packing a packed, labelled item, then you would need to re-label with name and ingredients. I would also recommend a durability date.

If the food is unpackaged and put out for people to pick from, allergen information needs to be available on request.

Allergen info would need to be available if needed.

*Receiving surplus food from businesses, food surplus charities, individuals and purchasing food. Packing into shopping bags for people to collect. **Could include dividing up/repacking food, repackaging** may include surplus food donations (pastries, donuts, bread) from local businesses and food surplus charities.*

If breaking down and re-packing a packed labelled item, then you would need a label with the name of the food and the ingredients (allergens highlighted). I would also recommend a durability date. Please be aware, if you are breaking down an already packaged, labelled product, you are then deemed to be legally responsible for that product, as you have changed what it was initially by re-packing.

Again, if you don't pack (so not pre-packed) then no label.

Generally

Generally, if you do re-label you would need the food name and the ingredients list with the allergens highlighted. I would also recommend a durability date.

The recent changes to the law (Natasha's Law) came in to address issues where allergen information was not clear for customers, and affects products that are classed as Pre Packed for Direct Sale (PPDS). This is where food is prepared by a business and is packed, labelled and sold by that business from the premise where it was prepared or from a stall operated by that business. Unfortunately, there is not an exemption for charities.

The following is useful easy to follow guidance that will help clarify any of the above, but also tell you what information you would need to put on any labels:

<https://www.businesscompanion.info/en/quick-guides/food-and-drink/labelling-of-prepacked-for-direct-sale-foods>