

FOOD LAW FOR CATERING ESTABLISHMENTS

1. FOOD LABELLING

This covers the labelling for food which is:

Prepared by a retailer for sale by him on his premises or from a vehicle or stall used by him (when sold for eating elsewhere) for example

- Asian, Chinese, Italian takeaways
- Fish & Chip Shops
- Sandwich Bars
- Burger Stalls

Prepared by a retailer for sale and consumption on his premises for example:

- Restaurants
- Public Houses
- Cafes

Labelling requirements

Where food is sold by a catering establishment i.e. takeaways, restaurants, fish and chip shops, etc no labelling is required except

1. Where food or any ingredient in the food has been irradiated. Then it must be labelled with either 'irradiated' or 'treated with ionising radiation'. In particular it is worth checking herbs and spices, soft fruit and shellfish.
2. Where food contains genetically modified ingredients, this must be conspicuously shown on a notice where the food is selected. See section 2 Genetically Modified Foods.

Use of descriptions

All descriptions must be accurate. In addition to written descriptions in menus, blackboards, adverts, etc any illustration or verbal description must also be accurate.

Before you write your menu ensure that you look carefully at the label supplied with the products. Be careful not to mislead the customer.

Common Problem Areas

Fish & Shellfish

- Fish must be described by species (e.g. cod, haddock, and plaice. It cannot simply be described as 'fish and chips', the notice must state the type of fish).
- The name 'Scampi' can only be used if the product consists of the whole tail and cannot be used for formed fish produce. In this case 'Reformed Scampi' would be a more appropriate name as it gives an indication to the true nature of the food. Most scampi used by caterers is pre-packed therefore read the label
- carefully. A product with the bold name 'Breaded Scampi' may be further qualified 'Scampi tails chopped and shaped in bread crumbs'.
- Crab sticks, which contain little or no crab must be described as "crab flavour fish sticks".

Meat

- Doner Kebab – the word Doner should only be used if the kebab consists of lamb.
- “Ham” cannot be used as a menu description if the product consists of cured turkey, often called turkey stamp.
- Sandwiches cannot be described as ham if they are made with pork shoulder.
- Cooked or reformed beef cannot be described as roast beef.
- Descriptions such as ‘Steak’ or ‘Gammon’ means that you are supplying the unprocessed product, therefore they cannot be used if the packets are labelled ‘reformed’ ‘chopped and shaped’ or ‘with added water and gelatine’. The menu must differentiate the processed product from the natural food.
- You cannot call an economy burger simply a burger because by law a burger has a greater meat content than an economy burger.

Under current legislation the minimum meat contents are as follows:

	Pig Meat	Bird/Rabbit	Other meat e.g. Beef
Burger	67%	55%	62%
Economy Burger	50%	41%	47%

- If you use a weight to describe meat, it can be an approximate weight before cooking and may be given in imperial quantities e.g. sirloin steak approx. 8oz, ¼lb burger.

Other Products

- Desserts cannot be illustrated with fresh fruit when tinned fruit is used.
- The description ‘(Dairy) Ice Cream’ is deemed to indicate the ice cream is made solely with milk fat. It is not then it must be qualified with the words ‘contains non milk fat’ or ‘contains vegetable fat’. No other information, which could mislead customers as to the type of ice cream, or the manufacturer of ice cream, must be given.
- Chocolate flakes/sprinkles must be made of chocolate, if not they should be described as chocolate flavour.
- The term ‘Onion Rings’ (which implies a product made from natural onion rings) cannot be used to describe a product made from chopped onion and potato.
- Cheese analogue (processed vegetable oils and fats) or a mixture of cheese analogue and cheese should not be described as cheese.

Descriptive Terms

- The term ‘fresh’ should not be used to describe reconstituted or previously frozen products.
- The work ‘smoked’, e.g. smoked salmon, cannot be used when the product has only had smoke flavouring added. ‘Smoke flavour salmon’ would then be a better description.
- A meal cannot be described as ‘roast’ (e.g. Roast Beef) when the product used has been steamed and then flash roasted.
- The term ‘home-made’ should only be used for food which has been made on the premises and has not been mass-produced elsewhere.
- Care should be taken when referring to the origin of a product.
- Any ‘special claims’ made in relation to food must be justified e.g. ‘suitable for vegetarians’. In particular, care must be taken with cheeses and products which may contain gelatine derived from animal bones.
- Be aware of food allergens and intolerances. See section 3 entitled “Advice on Food Allergens and Intolerance.

- Information on describing foods as organic is available in a separate leaflet.

Bottles and Canned Drinks

When purchasing these from wholesalers it is advisable to check that the can or bottle contains the following details in English – a name and address of the manufacturer, a list of ingredients and a best before date. Irrespective of what else is on the can this information **MUST** be in English and if it is not you may be required to take the product off sale.

What is the best way to ensure I satisfy these requirements?

This leaflet provides general guidance on some of the likely problem areas. By taking care with the working on your menus and illustrations, you should be able to avoid misleading your customers and possibly committing a criminal offence. If in doubt please check with your supplier.

2. GENETICALLY MODIFIED FOODS

This section provides information about labelling of genetically modified organisms (GMOs) and applies to meals sold at restaurants and other catering establishments and to food that is sold loose or is packed on the premises where it is sold.

What is required?

Food retailers and caterers have to be able to tell their customers which foods and ingredients, if any, contain genetically modified organisms.

This does not include foods which are sold to consumers in the same container as they were packed in by the manufacturer where the responsibility lies with the manufacturer.

How are the customers to be told which foods contain genetically modified organisms?

Display a notice, menu, ticket or label which can be easily read by customers (at the place where they choose the food) with either of the following statements that is appropriate to the particular food in question:

- "genetically modified"; or
- "produced from genetically modified (name of organism)" for example, "bread produced from genetically modified maize."

How do I find out which foods contain genetically modified organisms?

This information will be passed on to you in writing by your supplier. For pre-packed products the information should be on the label. It is now a legal requirement for food products consisting of or containing GMOs (e.g. soya) to be accompanied by written documentation. Each person in the supply chain up to sale to the ultimate consumer must retain copies of the written documentation for a minimum of five years.

Please be aware that your cooking oil may contain genetically modified ingredients which must be brought to your customers attention.

Genetically modified (GM) free

Products consistently 100% free from GM material can be labelled as such but its use is discouraged.

Remember:

- It is possible to detect minute traces of genetically modified organisms in food.
- Additives, flavourings and extraction solvents you use may have been produced from genetically modified organisms.

3. ADVICE ON FOOD ALLERGENS AND INTOLERANCE

In the UK about ten people die every year from an allergic reaction to food, and many more end up in hospital. In most cases, the food that causes the reaction is from a restaurant or takeaway.

There is a legal prohibition on 'unsafe' food being placed on the market. When deciding whether a food is 'unsafe' - the information a business provides to its customers, including menu descriptions, price lists and the information provided by serving staff - will be taken into account.

For a person with a food allergy, dishes containing the food they react to are 'unsafe'. Businesses must therefore ensure that they give people with food allergies the information they need about whether the food they react to is contained in a particular dish. If someone with a food allergy asks you whether a dish contains a certain food, you should never guess the answer. Find out the information the customer wants and let them decide if they can eat the food.

What foods cause allergic reactions?

In theory **any food** could cause an allergic reaction but they are most commonly caused by the following:

- Cereals containing gluten
- Peanuts (also called groundnuts or monkey nuts)
- Nuts, such as almonds, hazelnuts, walnuts, Brazil nuts, cashews, pecans, pistachios, macadamia, chestnuts and pine nuts. Coconuts are not included.
- Fish
- Shellfish
- Sesame seeds and products made from them, including Tahini and Sesame oil.
- Eggs
- Milk
- Soybeans – terms such as soya or soy would be sufficient to indicate the soy bean origin.
- Celery and celeriac (including celery seeds)
- Mustard, including leaves, sprouted seeds, mustard flour, table mustard and mustard oil Sulphur dioxide and sulphites at levels above 10mg/kg or 10mg/litre expressed as SO₂ (a common preservative)
- Lupins (these are often found on seeded bread)
- Molluscs (such as oysters and mussels)

Some people need to avoid certain foods because of a food intolerance e.g. gluten, a protein found in wheat, rye, barley and oats. Other people need to avoid lactose, the sugar found in milk.

What you can do

- Display a notice (and also a message on the menu) to inform customers with food allergies that they can ask staff for advice about what dishes contain.
- Check the ingredients list of anything you buy in.
- Check the complete recipes of all your products so that you can fully answer questions.
- Always store foods separately in closed containers, especially peanuts, nuts, seeds, milk powder and flour.
- If a dish contains one of the foods that can cause severe allergic reactions, make sure that you state it in the name of the dish or the description on the menu. e.g. 'strawberry mousse with almond shortbread.'
- If you use unrefined nut or seed oils in cooking or in dressings, state this on the menu and/or on a notice displayed at the serving area.
- When you have been asked to prepare a meal that doesn't contain a certain food, make sure that you don't cook it in oil that has already been used to cook other foods that could contaminate.
- Train your staff to check with the kitchen every time someone asks for a meal that doesn't contain certain food.
- If you are unsure about a particular item don't guess.

4. COLOURS IN RESTAURANT AND TAKE-AWAY FOOD

This section provides guidance on the requirements of the **Colours in Food Regulations 1995** particularly in relation to food sold in restaurants and as take-away meals.

The regulations:

- allow only certain colours to be used in food;
- restrict the use of some colours to certain foods; and
- set maximum levels for some colours in certain foods.

To which foods do the Regulations apply?

The regulations apply to all foods but make specific requirements for certain foods, such as meat, fish and shellfish which may not be directly coloured.

Of particular relevance to restaurant and take-away meals are those which relate to "sauces, seasoning (for example - curry powder, tandoori), pickles, relishes, chutney and picalilli". In these cases, only 500mg/kg in total (1/2 gramme per 1kg of the final product) of the following permitted colours is allowed, whether used singly or in any combination:

E100 Curcumin

E102 Tartrazine

E104	Quinoline Yellow
E110	Sunset Yellow FCF, Orange Yellow S
E120	Cochineal, Carminic Acid, Carmines
E122	Azorubine, Carmoisine
E124	Ponceau 4R, Cochineal Red A
E129	Allura Red AC
E131	Patent Blue V
E132	Indigotine, Indigo Carmine
E133	Brilliant Blue FCF
E142	Green S
E151	Brilliant Black BN, Black PN
E155	Brown HT
E160d	Lycopene
E160e	Beta-apo-8'-carotenal (C30)
E160f	Ethyl ester of Beta-apo-8' carotenic acid (C30)
E161b	Lutein

Why are these controlled?

The use of these colours in food is controlled because excessive consumption has been linked to allergic reactions and sickness.

How can I avoid selling food with excess or non-permitted colours?

In each case you should obtain written confirmation from your supplier that a product complies with the provisions of the Food Safety Act 1990 and the Colours in Food Regulations 1995.

Always ensure that you and any employees follow the instructions supplied with the seasoning/colour. If there are no instructions, or if the instructions are not clear, ask your supplier for further details in writing. Do not guess or rely on information given only verbally.

If you import the seasoning/colour directly, or manufacture it yourself you should seek more detailed advice from us.

What about other additives?

There are other regulations which control the use of all additives used in food. It is important that you always obtain written confirmation from your suppliers that their products conform to the relevant requirements. If you import the products directly, ask us for further advice. You

must always ensure that any instructions for use are followed and, if in doubt, check - do not guess.

5. WHAT ARE THE CONSEQUENCES OF NON COMPLIANCE?

Failure to comply with the above requirements is a criminal offence and can result in a fine of up to £20000.

Remember if you require any specific advice or want to clarify anything in this leaflet please contact us. We will be happy to assist you.

Blackpool Council
Quality Standards Division
Food Control Group
125 Albert Road
Blackpool FY1 4PW
Tel: 01253 477477
Fax: 01253 478324