

Food labelling for catering establishments

This leaflet provides advice on food labelling requirements for businesses selling food to eat on the premises or as a takeaway service.

Food labelling is regulated by the Food Safety Act 1990 (<http://www.legislation.gov.uk/ukpga/1990/16/contents>) and the Consumer Protection from Unfair Trading Regulations 2008 (<http://www.legislation.gov.uk/uksi/2008/1277/contents/made>). There are fewer labelling requirements for food sold from restaurants and takeaways than for packaged food. Any information that you do provide must be accurate and not misleading. This applies to all information whether provided in writing (such as on a menu or chalkboard) or verbally (in response to a customer's question for example).

Common descriptions used in catering:

Scampi - Products made from complete scampi whole tails may be referred to as 'wholetail scampi' or 'scampi'. The term 'wholetail scampi' must not be used for products made from reformed scampi pieces. This product must be advertised as 'reformed scampi'.

King prawn - This description can only be used where the prawns are of one of three specific species of prawn listed in the Fish Labelling (England) Regulations 2010 (<http://www.legislation.gov.uk/uksi/2010/420/contents/made>), and which are the correct size.

Tiger prawn - This description can only be used where the prawns are of one of the species listed in the Fish Labelling (England) Regulations 2010 (<http://www.legislation.gov.uk/uksi/2010/420/contents/made>) which may be described as such.

Chicken fillet and breast - These terms must not be used where the chicken has been chopped and shaped. Care must also be taken to check that you are not buying chicken with added water and other proteins, such as from another animal species or milk derived. Should your chicken be labelled as containing other ingredients, you may break the law if it you fail to make it clear to consumers that the product does not contain 100% pure chicken meat.

Meat Products such as sausages, beef burgers, pasties, pies and sausage rolls have legal compositional requirements regarding the minimum meat content. A food cannot be called a sausage / pasty, etc., unless it complies with the minimum meat content for that product. Products described as 'ham' should be sliced from a whole cured piece of meat from the hindquarters of a pig. Products which are from the shoulder or are 'formed' or 'reformed' must be correctly described.

Roast - This description should not be used where a food has been steamed and flash roasted.

Smoked - This description should only be used where the product has been subject to a smoking process. Where only a smoke flavouring has been added, the description 'smoke flavour' should be used.

Fresh, Local, Seasonal, Pure, Natural, Homemade, etc. - Care should be taken when making claims about the provenance or production of the ingredients used or the final product that you are selling. Guidance on the use of claims of this type is available on the Food Standards Agency website (<http://www.food.gov.uk/multimedia/pdfs/markcritguidance.pdf>).

Vegetarian - Any vegetarian dishes must have been produced without any contact or contamination with meat, fish or seafood. This includes using separate oils for frying vegetarian dishes and careful checking of sauce ingredients. Some cheeses contain rennet, which is an animal by-product, and may not, therefore, be suitable for vegetarians.

Free from nuts, wheat, milk, shellfish - Particular care should be taken with food described as suitable for an allergy sufferers, either via a written description or verbally. You need to exercise extreme caution, particularly in relation to nut allergic consumers who could suffer a fatal reaction from minute levels of contamination. Detailed advice regarding control of allergens can be found on the Food Standards Agency website (<http://www.food.gov.uk/foodindustry/guidancenotes/>).

Portion sizes - Descriptions such as 'pancake rolls (6)' or '½ duck', for example, must be accurate.

Colours - The law sets maximum levels for colours in various foods, and only certain colours may be used. Some sauces, such as sweet and sour and tandoori spice mixes, have occasionally been found to contain excess colours. Care should be taken when making these, if you use colours or mixes containing colours. More information can be found in our leaflet 'Colours in restaurant and take-away food' (http://www.derbyshire.gov.uk/images/std08_tcm44-8349.pdf), or from the Food Standards Agency website (<http://www.food.gov.uk/foodindustry/guidancenotes/>).

EU Protected Food Names - Cornish Pasties and Traditional Cumberland Sausages are two examples of products have been accredited with protected status. Any products using these names must comply with the compositional and/ or origin requirements. More information, including a list of UK registered names, is available on the Defra website (<http://www.defra.gov.uk/food-farm/food/protected-names/>).

Other commonly misdescribed food or ingredients include:

- 'imitation cheese analogue' described as 'cheese' on pizzas
- 'crab' when the product is made from 'crabsticks'
- 'margarine' described as butter, e.g., 'bread and butter'
- 'non-brewed condiment' described as 'vinegar'

Other legal labelling requirements:

Food containing irradiated ingredients must be show a description stating they are 'irradiated' or 'treated with ionising radiation'.

Raw milk must have an accompanying description: 'Milk supplied in this establishment has not been heat radiated and therefore may contain organisms harmful to health'.

Allergen labelling is not currently compulsory for catering establishments, but you may wish to provide information to your customers about allergenic ingredients.

Calorie labelling. If you choose to give information about calorie or other nutrient content of your dishes we would advise you obtain advice from your local trading standards or environmental health service (depending on the arrangements in your area). Further information has also been published about calorie labelling on menus by the Department of Health

http://www.dh.gov.uk/en/Publichealth/Publichealthresponsibilitydeal/BeingaResponsibilityDealpartner/DH_125222).

Good practice advice

- check that the descriptions that you make are correct, and agree with the descriptions given by your supplier (on order forms, delivery documents, invoices or on product packaging) - for example if the supplier description is 'reformed scampi', the menu description should also be 'reformed scampi'
- remember that product specifications may change over time, so you need to keep checking
- take particular care when you change supplier
- advise customers of any changes to product descriptions - if the change is permanent, the menu will need to be amended
- always ensure that you and all employees follow the instructions supplied with any seasoning/colour - if there are no instructions, or if they are not clear, ask your supplier for further details in writing - do not guess or rely on verbal information

Conclusion:

It is an offence to display misleading or incorrect information. The accuracy of descriptions used in catering premises is the responsibility of the business owner. The name or description of food should be the same as used by your supplier, with whom you should check if you are in any doubt.

Where can I get further help?

This leaflet is not an authoritative document on the law and is only intended for guidance. For further details or clarification contact Derbyshire Trading Standards at:

Chatsworth Hall
Chesterfield Road
Matlock
Derbyshire
DE4 3FW

Telephone:

Businesses:	Call Derbyshire	08 456 058 058
Consumers:	Citizens Advice consumer helpline	08454 040506

Fax: 01629 536197

Website: www.derbyshire.gov.uk/tradingstandards

We want everyone to be able to understand us. On request, we will arrange:

- Language interpreters, including for sign language
- Translation of written materials into other languages
- Materials in large print, on tape or in Braille.

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http://www.derbyshire.gov.uk/images/std32_tcm9-90311.pdf

or telephone us on 01629 536166.

