



M. E. Voisin
His Majesty's Senior Coroner
Area of Avon

[REDACTED]
Deputy Director Food
[REDACTED]

23 January 2023

Sent by email

Dear Sir,

We are writing to respond to the recommendations addressed to the British Retail Consortium (BRC) in the Coroner's report on the enquiry into the death of Celia Marsh.

The British Retail Consortium (BRC) is the trade association for UK retail businesses. Our purpose is to make a positive difference to the retail industry and the customers it serves, today and in the future. We tell the story of retail, work with our members to drive positive change and use our expertise and influence to create an economic and policy environment that enables retail businesses to thrive and consumers to benefit. Our membership comprises over 200 major retailers - whether operating physical stores, multichannel or pureplay online - plus thousands of smaller, independent retailers through a number of niche retail Trade Associations that are themselves members of BRC.

We support our members with their decision process on what appears on labels and associated policies, but it is their individual company responsibility to make the decision.

We have considered the recommendations with interest. In relation to the first recommendation - to produce vegan products to a 'free-from' standard, with the exemption of 'gluten-free' *, free-from is not legally defined and neither is the term 'vegan'. Businesses have the responsibility to comply with the general principles of General Food Law**, to ensure that food products placed on the market are safe, and the Food Information Regulations††, which require the presentation and labelling of products to accurately reflect their nature and to not mislead consumers.

In the absence of more specific requirements, the BRC, jointly with the Food and Drink Federation (FDF), worked on a guidance document on how to manufacture and label 'free-from' products*††. The Food Standards Agency and allergy charities were consulted during the development process of the document. The document is used by our members and is publicly available for other companies to use.

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Regarding vegan products, our members work to the standards set out by the Vegan Society, or to their own standards which are largely based on the Vegan Society's. These generally recognised standards allow the use of precautionary allergen labelling statements for ingredients such as milk and eggs.

'Free-from' products and vegan or plant-based products are aimed at two different types of customers. 'Free-from' supports customers managing an allergy, while vegan products offer options to customers who have chosen a certain lifestyle. This is reflected in the extensive range of products that are available labelled as 'vegan' compared to the relatively restricted 'free-from' range of products that undergo very rigorous development to ensure that they meet the needs of allergic consumers.

Our members take great care in labelling products accurately to avoid any implication that vegan products are suitable for those customers trying to avoid certain allergens.

Regarding the second recommendation - including a statement that 'free-from' products are not safe for all allergic consumers - we believe such an explanation should be given by practitioners and allergy clinicians, after patient diagnosis, when explaining and guiding allergic patients on how to manage their diets. The statement could have unintended consequences confusing customers and potentially contradicting what their medical teams have advised and limiting their food choices.

The level of severity of allergy varies between individuals, with the majority of allergic people able to consume 'free-from' products safely.

Our members take their responsibility very seriously and work with customers, allergy charities and health professionals to understand the needs of allergic consumers. We would be supportive of exploring how we could work with these organisations to help educate consumers about the differences between free from and vegan products.

Our industry has always led the way with the provision of a wide range of products for allergic consumers, produced to high standards and presented with accurate and clear information. Both the standards and the information provided to consumers are periodically reviewed.

Please do not hesitate to contact us if you wish to discuss any aspects of our response.

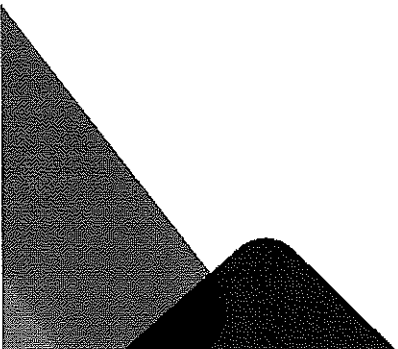
Yours sincerely,

[Redacted signature]

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** Commission Implementing Regulation (EU) No 828/2014 of 30 July 2014 on the requirements for the provision of information to consumers on the absence or reduced presence of gluten in food*

*** Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 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*

**† The Food Information Regulations 2014*

**†† [brc-free-from-guidance.pdf\(fdf.org.uk\)](http://brc-free-from-guidance.pdf(fdf.org.uk))*

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