

M E Voisin  
Senior Coroner Area of Avon  
The Coroner's Court  
Old Weston Road,  
Flax Bourton  
BS48 1UL

16 January 2023

Dear Ms Voisin,

Thank you for sending the FDF a copy of your report into the death of Celia Marsh. We welcome your observations on the need for appropriate allergen labelling which is not misleading to consumers. Ensuring food is safe is fundamental, and of upmost importance to all food manufacturers. When this is not the case, particularly when it tragically leads to a fatality, then it is essential we understand what went wrong and take any steps required to ensure the food is safe in the future.

We recognise the need to provide clear, accurate information to food hypersensitive consumers. To support food manufacturers provide appropriate labelling, we have developed technical guidance, working in collaboration with the Food Standards Agency (FSA) as our regulator, other industry bodies like the British Retail Consortium (BRC) and non-governmental organisations like Anaphylaxis UK. In particular, we consider there are key-differences between "free-from" allergen claims and vegan claims, and believe it is important to ensure food producers understand this and label appropriately.

To expand; there is no specific UK or EU legislation covering "free-from" claims. The FDF supports the FSA position that a *"free-from claim is a guarantee that the food is suitable for all with an allergy or intolerance"* and that *"Making free-from claims for foods requires strict controls of ingredients, how they are handled and how they are prepared"*.

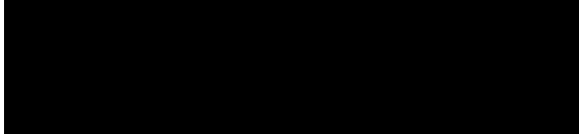
In 2015, aware that a growing number of food business operators - including manufacturers, retailers and caterers - were making such claims for their food products, the FDF produced industry guidance in conjunction with the BRC to explain the appropriate use of "free-from" claims in relation to food allergens. The guide clarifies that a "free-from" claim is the absence of a specific food allergen in any food and must be based on a comprehensive risk assessment accompanied by rigorous controls (which should include analytical testing). This is to ensure that the claim is valid and not misleading.

Subsequently with the rapid growth and development of vegan suitable food products, it became clear there was potential for consumers to be confused by vegan claims in terms of their allergy safety. In 2020, the FDF published subsequent guidance on 'allergen'-free and vegan claims to explain the important difference between them. It aims to dispel any misunderstanding that a vegan claim automatically means a food product is safe and suitable for an allergic consumer, as this is not the case. Each claim communicates to different consumer groups, with only the allergen absence claim being food safety information and subject to stringent substantiation.

The 'Allergen'-Free & Vegan Claims guidance includes a forward from the FSA and has been commended by the Anaphylaxis UK and the Vegan Society. We have made this guidance freely available so that all food businesses can access it, regardless of whether they are a member of the FDF. It has been widely shared and well received across the UK and internationally, and we will continue to look at ways of promoting this to companies.

There of course remains a need to be vigilant and to consider what else can be done so that food is labelled appropriately and can be trusted by all consumers. We will continue to support the work of the FSA as it looks to ensure consistent allergen information is provided no matter the setting, and that food is safe for people living with food allergies.

Yours Sincerely

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Chief Scientific Officer  
Food and Drink Federation