

Food allergen labelling and information requirements technical guidance: Enforcement of the measures

How the measures in this guidance are enforced

Local authority responsibilities

104. In the UK, authorised food officers at Local Authorities have responsibility for official controls relating to allergen rules.

105. In England, there is a dual enforcement responsibility in areas where there are county councils and district councils. County councils are under a duty to enforce the FIRs. District councils have the power to enforce elements of the FIRs. Authorised food officers are encouraged to discuss and reach an understanding on how to enforce allergen requirements at a local level.

Penalties and offences

106. Failure to comply with the requirements set out in [Regulation 10\(1\) and \(2\)](#) of the FIR on the labelling of allergenic ingredients is a criminal offence and may result in a criminal prosecution being brought against an FBO. This position is the same in relation to a failure to comply with Regulation 10(1)(b) of the FIR relating to the provision of allergen information for non-prepacked foods and PPDS etc. in a manner other than one provided for in the FIC.

107. A person convicted of an offence under the FIR will be liable to a potentially unlimited fine. The level of the fine would be determined by Magistrates on a case-by-case basis.