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# **DRAFT Allergen Information for Non-Prepacked Foods Best Practice**

**Providing allergen information to  
consumers effectively**

**Draft Published: October 2024**

# Summary

## Purpose

This publication sets out best practice guidance for food businesses supplying non-prepacked foods, on how they can provide mandatory allergen information to consumers. The guidance is intended to support businesses to comply with regulations in the most effective ways, and meet consumer expectations by adopting good practices and enabling consumers to make informed choices about the food they eat more easily.

## Legal Status

Best Practice Guidance (for example, helpful examples of approaches you might employ, but which you are not legally required to follow). An approach consistent with this guidance will help you comply with and exceed your relevant responsibilities.

## Who is this publication for?

This guidance is aimed at:

- retailers, caterers, institutional caterers and other food businesses supplying non-prepacked food in person or online.

## Which UK countries does this guidance apply to?

- England
- Wales
- Northern Ireland

## Review date

We will review this guidance by [Month 202X].

## Key words

- allergy and intolerance
- hygiene and food safety
- Out of home sector (restaurants, cafes. Etc.,)
- Non-prepacked food

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# Introduction

1. Food businesses must inform consumers if they have used any of the [14 mandated allergens](#) as an ingredient in their food.
2. This information is particularly important for consumers who have a food hypersensitivity (food allergy, intolerance or coeliac disease) and can have adverse reactions when eating certain foods (allergens). These reactions can range in severity, however, at worse can cause anaphylaxis, which can be life threatening.
3. Businesses must ensure that all mandatory food allergen information is accurate, available to, and easily accessible by the consumer. This applies to all food supplied by food businesses, including when food is offered complimentary or otherwise without charge.
4. The FSA have carried out [extensive research and engagement with consumers and food businesses](#) to understand the most effective ways allergen information can be delivered to consumers and have reflected our findings in this guidance.
5. This best practice guidance covers how to provide allergen information for non-prepacked foods in the most effective way and manner preferred by consumers which, is, in writing and supported by a conversation. Non-prepacked foods include all foods that are not prepacked, in cafés and restaurants, loose meat and cheese at a deli counter or drinks made to order in a coffee shop. This guidance does not cover prepacked for direct sale (PPDS) foods, which have their own [rules](#).
6. The provision of voluntary information is also mentioned, for example precautionary allergen labelling (PAL) and 'free from' claims; this is covered in more detail in our [Food allergen labelling and information technical guidance](#).
7. This best practice guidance is strictly in relation to allergens, and does not cover other information requirements such as name of the food, the quantitative ingredients declaration (QUID) on products containing meat etc.
8. The legislative framework around the provision of food allergen information is largely contained in assimilated Regulation (EU) No. 1169/2011 (for England and

Wales) and Regulation (EU) No. 1169/2011 (for Northern Ireland) and The Food Information Regulations 2014 (FIR), the Food Information (Wales) Regulations 2014 and the Food Information Regulations (Northern Ireland) 2014.

9. More information on the legal requirements for allergen information provision for all types of foods can be found in our [Food allergen labelling and information technical guidance](#).

## Intended audience

10. This guidance is intended to support food businesses such as retailers and caterers (specifically those selling non-prepacked foods such as coffee shops, cafés, restaurants, delis and market stalls) to provide allergen information to consumers.
11. The guidance is relevant to businesses of all sizes including small and micro enterprises.

## Purpose of the guidance

12. The purpose of this guidance is to demonstrate how food businesses can provide allergen information in a way that is most useful, meaningful and easily accessible to consumers.
13. By following best practice guidance, businesses can promote consumer confidence in their food businesses by ensuring customers can access and understand the allergen information they need to make safe and informed choices about the food they eat.

## Legal status of guidance

14. Directly applicable EU legislation no longer applies in GB. EU legislation retained when the UK exited the EU became assimilated law on 1 January 2024.
15. References to any legislation in FSA guidance with 'EU' or 'EC' in the title (for example Regulation (EC) 178/2002) should now be regarded as assimilated law

where applicable to GB. References to 'Retained EU Law' or 'REUL' should now be regarded as references to assimilated law.

16. For businesses moving goods from Great Britain to Northern Ireland, information on [the Windsor Framework](#) is available on GOV.UK.
17. The Windsor Framework was adopted by the UK and EU on 24 March 2023. The Framework provides a unique set of arrangements to support the flow of agrifood retail products from Great Britain (GB) to Northern Ireland (NI), allowing GB standards for public health in relation to food, marketing and organics to apply for pre-packed retail goods moved via the NI Retail Movement Scheme (NIRMS).
18. These guidance notes have been produced to provide best practice guidance. You are not required by law to follow best practice guidance. While you are not required by law to follow best practice guidance, an approach consistent with this guidance should ensure you meet the relevant responsibilities and consumer expectations.
19. Businesses with specific queries may wish to seek advice from their local enforcement agency, which will usually be the trading standards department of their local authority.

## Review

20. We aim to keep all guidance up to date and undertake regular reviews to ensure guidance remains relevant. The next scheduled review date for this guidance is **[Insert review date]**.

## Contact us

21. We welcome your feedback on this guidance [hyperlink to general FHS mailbox will be added when final guidance is published].

## Approach

22. The overarching approach in this guidance is designed to meet the expectation from consumers that allergen information should be:

- easily available in writing
- and be underpinned with a conversation

23. The following sections set out how best to deliver this expectation for the 14 regulated allergens along with additional best practice for conversations regarding other allergens. This best practice has been developed following extensive discussions with both consumers and businesses. Recognising the wide range of businesses this guidance is designed to cover, it also sets out circumstances where it may be necessary to deviate from the approach set out above and how to minimise the impact of doing so.

24. The approach set out in this document represents a change in best practice to meet the expectation for there to be both written allergen information *and* a conversation. The minimum legislative requirement for information to be provided by any means (with a sign indicating when it will be provided verbally) has not changed.

## The 14 allergens

25. There are 14 allergens that food businesses must tell consumers about if they are used as ingredients or processing aids in food. The 14 allergens (which will be referred to as 'allergens' throughout this document) are:

- Cereals containing gluten namely wheat (such as spelt and Khorasan wheat), rye, barley, oats and their hybridised strains and products thereof, except:
  - a) wheat based glucose syrups including dextrose
  - b) wheat based maltodextrins
  - c) glucose syrups based on barley
  - d) cereals used for making alcoholic distillates including ethyl alcohol of agricultural origin



- Crustaceans and products thereof (for example prawns, lobster, crabs and crayfish)
- Egg and products thereof
- Fish and products thereof, except
  - a) fish gelatine used as carrier for vitamin or carotenoid
  - b) preparations of fish gelatine or Isinglass used as a fining agent in beer and wine
- Peanuts and products thereof
- Soybeans and products thereof, except
  - a) fully refined soybean oil and fat
  - b) natural mixed tocopherols (E306), natural D-alpha tocopherols, natural D-alpha tocopherol acetate and natural D-alpha tocopherol succinate from soybean sources
  - c) vegetable oils derived phytosterols and phytosterol esters from soybean sources
  - d) plant stanol ester produced from vegetable oil sterols from soybean sources
- Milk and products thereof (including lactose), except
  - a) whey used for making alcoholic distillates including ethyl alcohol of agricultural origin
  - b) lactitol
- Nuts (namely almond, hazelnut, walnut, cashew, pecan nut, Brazil nut, pistachio nut and Macadamia nut (Queensland nut)) and products thereof except for nuts used for making alcoholic distillates (e.g., spirits such as vodka or whisky) including ethyl alcohol of agricultural origin
- Celery and products thereof

- Mustard and products thereof <sup>1</sup>
- Sesame seeds and products thereof
- Sulphur dioxide and/ or sulphites at concentrations of more than 10 mg/kg or 10 mg/ (litre) in terms of the total SO<sub>2</sub> which are to be calculated for products as proposed ready for consumption or as reconstituted according to the instructions of the manufacturers.
- Lupin and products thereof
- Molluscs and products thereof (for example mussels, clams, oysters, scallops, snails, and squid)

26. More information on these allergens can be found in our [Food allergen labelling and information requirements technical guidance](#).

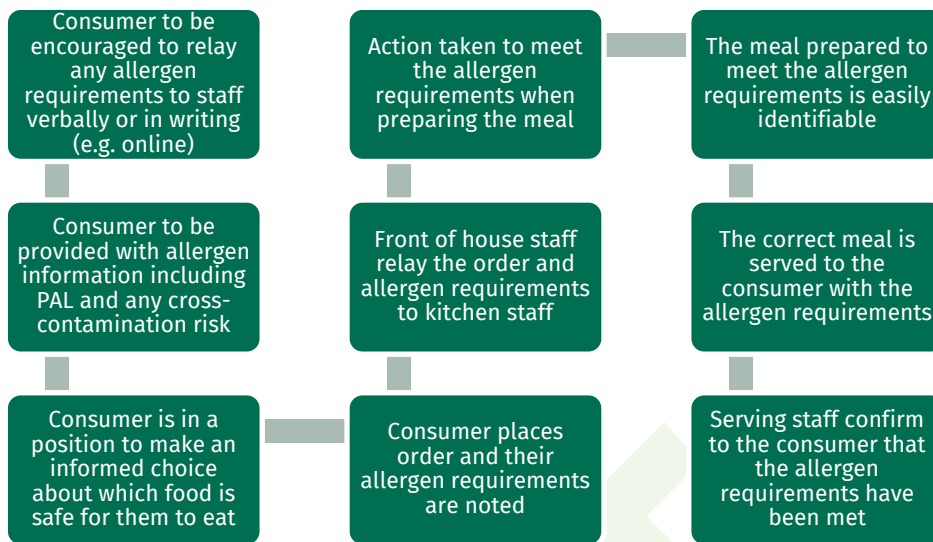
## Allergen information cycle

27. It is extremely important that consumers receive the information they need about the presence of allergens in food. For consumers to receive a safe meal, it is just as important that food businesses are aware of consumers allergen requirements and act on these appropriately.

28. An example of an effective flow of information is shown here:

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<sup>1</sup> As of 1<sup>st</sup> April 2025, Commission Implementing Regulation (EU) XX/2024 will apply for Northern Ireland businesses producing for the Northern Ireland/EU market. The allergen listing for Mustard in [Regulation \(EU\) 1169/2011](#) will read as “Mustard and products thereof, except behenic acid with a minimum of 85% of purity and obtained after two distillation steps used in the manufacturing of the emulsifiers E 470a, E 471 and E 477.



## Providing written allergen information

29. It is best practice that food businesses should make allergen information easily available in writing for consumers *and* ensure staff are able to support this with a conversation.

30. When deciding how to provide written allergen information, food businesses should be mindful of the following principles that will help them communicate the allergens in their food most effectively:

- Easy to use - It should be easy for staff and consumers to identify dishes/products that are safe for consumers to eat.
- Clear - It should clearly indicate which allergens are present in dishes/products.
- Comprehensive – It should provide information on all 14 allergens (as opposed to just focusing on a subset, for example those deemed by the FBO as most prevalent or severe)
- Accurate – It can be regularly reviewed and updated to ensure that it remains accurate, correctly displaying the presence of allergens in each dish.

31. Food businesses should choose the format of the written allergen information that best suits their business model and allows them to keep the information accurate and up to date.

## How to present written allergen information

32. Food businesses can choose whether to provide the information using words or symbols with accompanying words. If symbols are used, the name of the allergen should form part of it e.g. be written underneath, however if the allergen name does not make up part of the symbol, a legend or key with the allergen name in written form, clearly defining which allergen each symbol represents, must be present allowing easy cross-referencing for consumers.

### Example

Allergen information could be provided as a 'Contains' statement, for example 'Chicken Salad (Contains: **milk, egg, mustard**)'. This could be used on a menu or on a label/ticket next to foods in a deli counter for example.

33. For groups of allergens such as tree nuts and cereals containing gluten, when expressing the allergen information in words the specific nut or cereal should be provided.

### Example

Chicken Tikka Masala (Contains: **milk, nuts (almond)**).

34. If using symbols, a single symbol can be used to represent the group of allergens, for example one symbol for cereals containing gluten and one for tree nuts, however the food business should be able to advise the specific nut or cereal if a consumer requires more specific information.

**AN EXAMPLE WITH SYMBOLS WILL BE ADDED TO THE PUBLISHED VERSION WHEN WE HAVE PRODUCED SYMBOLS.**

35. To give a better service and choice to consumers, food businesses could provide a breakdown of the components within a dish, rather than just providing the information on the allergens present in the whole dish. This will allow consumers to request dishes are amended to omit or substitute their allergens rather than discount the dish when choosing what to eat.
36. This practice could also work in instances where a consumer chooses the components of a dish for example the contents of a sandwich or salad.

37. Food businesses should take appropriate steps to minimise cross-contamination risks when adjusting dishes to meet allergen requirements.

### Example

BBQ Chicken Burger and Coleslaw (Chicken Burger: **wheat, fish, celery**; BBQ sauce: **celery, fish**; Bap: **wheat, eggs, sesame**; Coleslaw: **egg, celery, mustard**)

If a customer had an allergy to mustard for example, the dish could be served without the coleslaw.

## Where should it be?

38. Written allergen information should be readily available, if possible, without consumers having to ask for it, such as on the main menu, allergen booklet on a counter or matrix displayed on a wall in a consumer accessible area. An example matrix can be found at Annex B.
39. Food businesses who may need to change their menu or allergen information more regularly may wish to make this information available upon request in a separate document so they can more easily update it and control the information.
40. If the information is not on the main menu, food business should let consumers know where allergen information can be found with a clear message on the menu. Food businesses who do not use a menu should display this message where they display their food options such as on a board or next to food in a counter.
41. Staff should be fully aware of where to find this information and be able to advise the consumer of its location or provide the written information if required.
42. There are a number of ways food businesses could provide the written information. They should choose the method that is most appropriate for their business model, such as on a menu, a separate matrix, a label placed next to the food where consumers choose from a counter or similar. Whichever method

is chosen it must be easy for consumers to understand the information and to access, either themselves or by asking staff.

43. If written allergen information can only be made available upon request rather than upfront, such as on the main menus, then signs or messages on menus should be displayed such as: 'We have an allergen information menu, please speak to staff who will be happy to provide it'.
44. Food businesses could choose to adopt a combination of both approaches by asking consumers if they require allergen information as well as displaying signs/messages.
45. Food businesses can decide whether to provide this information in paper or digital format.
46. If a food business chooses to provide allergen information in a digital format they should have an alternative way of accessing the information for those who may not be able to access the information digitally and as a backup should there be a problem with the digital information.

## **Distance selling and pre-ordering**

47. Food businesses selling non-prepacked food through distance selling such as online or by telephone should make written allergen information available to the consumer before the food is ordered.
48. Where not possible, such as the business does not have a website or cannot readily update online allergen information, consumers must still be able to access this information easily and food businesses should let the consumer know where they can get it, such as by speaking directly to staff. Where such information is available online but not directly on the main menu it should ideally be no more than 'one click' from the main menu with a clear message and link on the menu. Food businesses should also ask consumers whether allergen information is required before taking the order.
49. Written allergen information should also be provided upon delivery so the consumer can review it before eating the food. Care should be taken to avoid

cross contamination during transit and the consumer should be informed if this is a risk.

50. Where food in a restaurant has been pre-ordered (e.g. for a large group booking) allergen information should also be discussed with individuals on the day, before the food is served. It may not be sufficient to rely only on information supplied in advance as ingredients could have changed or details been missed in the original order.

### **Example**

Ways of providing allergen information at the time of order include:

- in writing in an online menu
- staff provide the allergen information verbally by telephone, clearly notifying consumers that they can obtain the information this way.

Ways of providing written allergen information at the time of delivery include:

- placing stickers on food containers to clearly identify any allergens used in that food (e.g., Chicken satay: 'Contains: wheat, soy, fish, peanut'); or
- a menu is provided with the order which allows the customer to clearly identify allergens in the food, along with clear names, or other appropriate cross references on food containers.

## **Voluntary information**

51. Some food businesses may wish to make claims that dishes are free from certain allergens such as 'peanut free' or 'gluten free'.
52. There are specific rules that must be followed when making 'gluten free' claims.
53. Further guidance on making 'free from' claims can be found in the [Food allergen labelling and information requirements technical guidance](#).
54. If making 'free from' claims as well as indicating the presence of the same allergen in other foods on the same menu, food businesses must make it clear

whether they are indicating the presence or absence of the allergen, i.e. it must be very clear if the dish contains gluten or is gluten free to avoid confusion.

55. Consideration should also be given to whether consumers should be informed about the potential presence of unintended allergens for example due to the risk of cross-contamination within the catering setting itself or 'may contain' warnings on the ingredients. This is often referred to as precautionary allergen labelling (PAL). Guidance on the application of PAL can be found in the [Food allergen labelling and information requirements technical guidance](#).

#### **Example**

To advise consumers about the potential presence of unintended allergens you could use a statement such as:

'May contain **egg**'

Or

'We use **peanuts, nuts, soy** and **wheat** (gluten) in our kitchen, please speak to us so we can prepare your meal safely'

## **Other allergens**

56. People can be allergic or intolerant to foods outside of the 14 mandated allergens and therefore need to avoid eating those foods. Food businesses should be able to tell a consumer if other ingredients are present in food if asked. To do this food businesses should keep records of the full ingredients in the foods they serve and ensure that front of house staff can easily check these when necessary or know who to ask, allowing them to confirm to consumers whether other allergens are present in the food. It is important that staff do not guess or make assumptions based on what ingredients they think may or may not be present. There may be instances where it is not possible for a food business to provide accurate information about other ingredients e.g. during a busy service period or because the request involves non-prepacked food supplied to the food business that does not need to be accompanied by full ingredients information.



57. If food businesses are unable to provide accurate ingredient information, they must inform the consumer so they are able to make an informed choice.

## How to keep allergen information accurate

58. The allergen information provided to consumers must be accurate. This is a legal requirement as well as being vital to ensure the safety of consumers.

59. Food businesses should have procedures in place to ensure that their allergen information is accurate and up to date at all times.

60. Ways to ensure allergen information is up to date and accurate include:

- Keeping records of ingredients
- Regularly checking whether ingredients in products have changed
- Minimising the occasions where last minute substitutions are required (if this occurs, ingredients should be checked and allergen information updated accordingly)
- Regularly checking the allergen information is accurate and updating where required
- Having and using approved suppliers with supply chain assurances
- Conducting checks with suppliers to ensure they provide accurate allergen information
- Having and implementing an allergen management policy
- Allergen management training for staff

## Having a conversation about allergen requirements

61. Having a conversation about allergen requirements is extremely important to ensure all necessary information is given to enable food businesses to prepare food and meet allergen requirements and consumers to make a safe and informed choice about what food to eat.

62. Food businesses should encourage consumers to make them aware of any allergen requirements they have and have a conversation about these requirements.
63. Staff should be sufficiently trained to have a conversation about allergens and know where to find the information they need to be able to give accurate information to the consumer. Staff should also receive training on allergens and food hypersensitivity (food allergies, intolerance and coeliac disease) to appreciate the potential consequences of providing incorrect information – which could be life threatening.
64. Food businesses should decide who is best placed to have allergen conversations. For example, are all staff trained to the same level and able to take orders with allergen requirements or are there specific staff on duty whom these orders should be deferred to such as a supervisor or head chef?
65. If a food business decides that specific staff should take these orders, all staff should be aware of this process, how to establish whether customers have allergen requirements and what to do if it is confirmed that they do.

### **Example**

Front of house staff ask customers “does anyone have any allergen requirements?”

The customer confirms that they do.

Front of house staff reply that they will get the allergen information menu, and a supervisor will take the order when the customer is ready.

The allergen menu is provided to the customer and the supervisor is informed and takes over the order and service process for the remainder of the customer’s dining experience.

66. Having a conversation is important to ensure that:
- 1) the person preparing the meal is aware of any additional care they may need to take when doing so.

- 2) the consumer understands any potential risks of cross-contamination with allergens in the preparation process.
- 3) it is understood whether meals can be adapted to suit the needs of the consumer.
- 4) the consumer can be made aware of any last-minute changes and has the most up to date information, ensuring the allergen information they receive is accurate.

67. Food businesses should ask all consumers whether they have any allergen requirements to encourage these discussions. If a food business is unable to directly ask every customer, then they should display a message on a sign or menu (a combination of both may be more effective), asking consumers to let staff know if they have a food allergy, intolerance or coeliac disease.

68. The placement of this message is extremely important. Signs should be in a prominent position, within a consumers eyeline or placed in a clearly visible place on menus (preferably at the top).

69. Food businesses who do ask consumers directly may also want to display these messages on signs and/or on menus as an additional safeguard.

#### **Example**

When encouraging consumers to discuss their allergen requirements messages such as the following could be used:

***'Please talk to us if you have a food allergy, intolerance or coeliac disease. We want to cater safely for everyone'.***

70. When considering how to encourage consumers to discuss their allergen requirements the following principles should be considered:

71. Communication should be:

- Prominent - effective in getting consumers to notice and observe the message

- Clear - provide a clear and simple call to action, so consumers understand what is being asked of them (e.g. 'Please talk to us if you have a food allergy, intolerance or coeliac disease.')
- Simple - concise, uses straightforward language and gets to the point (making processing cognitively easy)
- Empathetic - demonstrates that the food business understands and will endeavour to meet consumer needs (including safety, confidence and providing as normal experience as possible)
- Motivating - provide a reason why it is important to discuss, or reduces barriers to motivation, for example by demonstrating that staff will react constructively and sensitively

72. To maximise effectiveness when discussing allergen information and consumer needs, the information should be clear, simple, empathetic, motivating, accurate, comprehensive and consistent.

73. Some customers may feel uncomfortable revealing personal medical information when asked whether they have "a food allergy, intolerance or coeliac disease". This language has been tested with consumers where it has been shown to be generally preferred, however, asking if they have "any allergen requirements" is a suitable alternative.

74. Once it is established there is some form of allergen requirement, a conversation should include as a minimum:

- What foods the consumer needs to avoid
- Whether the consumer has received written allergen information e.g. have they seen the allergen matrix.
- Risk of cross contact with allergens
- Whether the consumer has enough information to make an informed choice about their food e.g. are they happy with the ingredient information and details of other allergens in the kitchen?

75. A conversation could also include:

- whether any adaptations can be made to dishes to make them suitable for the consumer

76. To ensure that conversations are accurate, staff should refer to the written allergen information for consumers or use additional supporting documents providing allergen information specifically for staff such as on a chart, in a recipe book or on ingredient information sheets.

## What to do with the information received from consumers

77. When you receive information about a consumer's allergen requirements, it is extremely important that the information is passed to the right people and is acted upon appropriately to ensure the consumer receives a meal that is safe for them.

78. Food businesses should have processes in place to ensure information about consumers allergen requirements are accurately recorded, easy to understand, available to the person preparing the food and the person serving the foods (these could all be the same person in some circumstances).

79. One way of doing this could be a written pro forma to complete for allergen requirement information to ensure that all the information required to prepare the food is obtained and passed on.

80. If the person taking the order and receiving the allergen requirements is not the person preparing the food, or if the order is made digitally, the information should be passed directly to the person preparing the food in writing and there should be confirmation that they have received and understood the information.

81. The person preparing the food should ensure that appropriate allergen management practices are employed during the process (more information on [effective allergen management can be found on the FSA website](#)).

82. It is also crucial that the consumer receives the correct food when it is ready. The food should be easily identifiable for example by placing a label on its container, a flag can be put on top of the food or some other method to ensure

it is distinguishable by the person serving the food and the consumer receiving it. The server should also verbally confirm the food meets the allergen requirements e.g. “here’s the pasta with no cheese”.

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## Annex A: List of relevant legislation

Assimilated Regulation (EU) No. 1169/2011 on the provision of food information to consumers (“FIC”): [www.legislation.gov.uk/eur/2011/1169/contents](http://www.legislation.gov.uk/eur/2011/1169/contents)

Regulation (EU) No. 1169/2011 on the provision of food information to consumers: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32011R1169>

The Food Information Regulations 2014 (“FIR”):  
[www.legislation.gov.uk/uksi/2014/1855/pdfs/uksi\\_20141855\\_en.pdf](http://www.legislation.gov.uk/uksi/2014/1855/pdfs/uksi_20141855_en.pdf)

The Food Information (Wales) Regulations 2014:  
[http://www.legislation.gov.uk/wsi/2014/2303/pdfs/wsi\\_20142303\\_mi.pdf](http://www.legislation.gov.uk/wsi/2014/2303/pdfs/wsi_20142303_mi.pdf)

The Food Information Regulations (Northern Ireland) 2014:  
<https://www.legislation.gov.uk/nisr/2014/223/contents>

The Food Information (Amendment) (England) Regulations 2022:  
<https://www.legislation.gov.uk/uksi/2022/481/contents/made>

The Food Information (Wales) (Amendment) (No. 2) Regulations 2020:  
[www.legislation.gov.uk/wsi/2020/295/pdfs/wsi\\_20200295\\_mi.pdf](http://www.legislation.gov.uk/wsi/2020/295/pdfs/wsi_20200295_mi.pdf)

The Food Information (Amendment No. 2) Regulations (Northern Ireland) 2020:  
<https://www.legislation.gov.uk/uksi/2022/481/made>

## Annex B: Example allergen matrix

Dishes / Allergens contained	Cereals Containing Gluten	Crustaceans	Eggs	Fish	Peanuts	Soybeans	Milk	Nuts	Celery	Mustard	Sesame	Sulphites	Lupin	Molluscs
Chicken Korma							✓	✓ Almond						
Seafood Risotto		✓		✓			✓		✓					✓
Pork Sausage and mustard mash	✓ Wheat						✓		✓	✓				
Special fried rice	✓ Wheat		✓			✓								
Lemon cheesecake	✓ Oats		✓				✓	✓ Almond			✓			





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