

Investigation: food allergens

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This investigation was covered in [The Times](#).

Key points

New research by Unchecked.uk and the Times has found that nearly one in five food samples in England, Wales and Scotland contains at least one undeclared allergen.

Out of the food samples tested for allergens by Local Authorities in 2016, 2017 and 2018, nearly one in five were found to contain traces of allergenic substances which could prove harmful, or even fatal, to allergy sufferers. The study revealed a postcode lottery on food allergen sampling, with some councils taking hundreds of samples, and others taking none at all.

A snapshot of the findings

- **71,474** total food samples were taken by Local Authorities in England, Wales and Scotland in 2016, 2017 and 2018
- **15,591** of these were found to be unsatisfactory in some way (**22%**)
- Most of these (**8,791**) were found to have 'labelling and composition faults' (which include labelling, unauthorised/ misleading health claims, composition and substitution).
- Of the total unsatisfactory samples, **3,375** were meat or meat products
- **6,602** allergen samples were taken over this period
- **1,213** samples in England, Wales, Scotland contained at least one undeclared allergen (**18.4%***)
- In Wales, **43.8%** samples contained at least one undeclared allergen (208 of 474)
- In Scotland, **7.8%** samples contained at least one undeclared allergen (144 of 1857)
- In England, **20.2%** samples contained at least one undeclared allergen (861 of 4271)
- Peanuts formed the majority of undeclared allergens present (328 samples), followed by gluten (223), egg (203), and milk (159)
- **20** councils took no allergen samples at all over this period

*Note that the proportion of failed results from Local Authority sampling will be higher than they would be from random testing, as councils may target poorly performing food businesses, or take samples following tip-offs from the public.

What we found, in more detail

Out of 6,602 food samples tested for allergens by Local Authorities in 2016, 2017 and 2018, 1,213 were found to contain traces of allergenic substances. In each case there was no indication of the allergen's presence in the food product.

In England, more than 20 per cent of samples contained an undeclared allergen, in Scotland just under 8 per cent, and in Wales nearly 44 per cent.

Peanuts were the most commonly detected allergen, found in five per cent of tested food samples, but a range of high-risk allergens were found, including gluten, milk, egg, sulphites, soya, sesame, mustard and other nuts.

The study also found that, over these three years, the number of food samples tested for allergens fell by over a quarter, with 20 councils taking no allergen samples at all. This is part of a wider long-term decline in total food sampling, which has plummeted by nearly 60 per cent since 2009. According to food allergy experts consulted by Unchecked.uk, the low percentage of undeclared allergens found in food samples in Scotland can be explained by the fact that, over this period, there were a number of surveys in Scotland where officials were taking samples of pre-packed foods

that were making 'free from' claims – such as 'gluten free' or 'dairy free'. These kinds of products are made in very controlled conditions, where allergen contamination is unlikely to take place.

Context

Official routine food sampling of pre-packaged and non pre-packaged food products is carried out by Local Authorities. Samples can be taken from any local food business, including cafes, takeaways, butchers, bakeries, schools, care homes or hospitals.

Samples are tested for microbiological contamination, composition, adulteration, labelling accuracy and allergens, among other things. The number of samples taken will depend on a range of factors including the number and types of businesses, the results of past inspections and other types of intervention. Sampling frequency and type is left up to the Local Authority.

Food businesses - including restaurants, takeaways and hotels; businesses such as butchers, bakeries and delicatessens; and institutional caterers such as schools, care homes, hospitals and workplaces - are required by law to tell customers if their food contains any one of 14 major allergens.

This can be done either by highlighting them in ingredients lists (for pre-packed foods), or providing full allergen information on a menu, written notices, or labels (for non pre-packed foods and prepacked foods for direct sale). Food staff are also required to handle and record allergen ingredients correctly. 'Natasha's Law' - the new allergen labelling requirements for businesses in England selling food prepacked for direct sale - has been brought forward following the tragic death of Natasha Ednan-Laperouse in 2016 and is due to come into force in October 2021.

Implications for public health

Food allergies are on the rise. Unchecked.uk analysis of [NHS statistics](#) finds that hospital admissions in England for anaphylactic shock caused by adverse food reactions rose by 70 per

cent between 2008/09 and 2017/18. Admissions of children under 14 years old has more than doubled over this period. An estimated 7 per cent of children are affected by food allergies in the UK.

The [Food Standards Agency has stated](#) that around ten people die from allergic reactions to food every year due to undeclared allergenic ingredients. Reported allergy incidents resulting from incorrectly labelled packaging has increased steadily in recent years, raising concerns about whether Local Authorities are receiving, and allocating, sufficient resources to adequately discharge their food enforcement responsibilities.

There are now just three Local Authority staff in post per 1000 UK food establishments, with food law enforcement staff numbers falling by a third since 2009. Local Authorities in England and Wales served Improvement Notices to just 154 food businesses last year for food standards offences.

For more information, see our report; [The UK's Enforcement Gap](#)

Please contact Unchecked.uk if you would like Local Authority level data: emma@unchecked.uk