



Food Solutions Campaign

The need for UK food SMEs to speak with one voice

Nutritional information on non-pre-packed food

Extract from - House of Commons Environment, Food and Rural Affairs Committee Food information Seventh Report of Session 2004–2005 Report, together with formal minutes, oral and written evidence

Chapter 5 Food labelling: non-prepacked foods

117. In this part of the report, we discuss food which is not prepacked or which has been prepacked for direct sale (hereafter referred to as “non-prepacked food”). The definition of “prepacked” in the 1996 Regulations means that non-prepacked food includes food sold loose from a supermarket’s delicatessen counter, loose fruit and vegetables and loose baked goods. Non-prepacked food also includes much of the food sold in the catering or food services sector. The 1996 Regulations also define food that is “prepacked for direct sale”. This constitutes food which is prepacked by a retailer for sale on the premises on which the food was packed, or for sale from a vehicle or stall. Examples are bread baked and sold on-site, sandwiches and salads which a café makes and sells on-site and much produce sold at farmers’ markets.

What information is currently required?

118. Non-prepacked food falls under the same legal framework as that which applies to prepacked food: for example, the 2000 Directive applies to foods intended for supply to restaurants, hospitals, canteens and other ‘mass caterers’. However, non-prepacked food is in practice exempt from most or all of the general labelling requirements. Generally speaking, non-prepacked food need be labelled only with the name of the food and, where appropriate, with any additives. Where such food is sold from catering establishments, it is exempt from all such requirements.

119. Specific regulations requiring additional information apply to greengrocery produce. Information about the nature of the produce, its country of origin, quality (for example, class I or class II) and, where applicable, the variety name must be made available at the point of retail, either as a label on prepacked produce or, in the case of loose produce, as a shelf label or display card.

What information should be required?

Non-prepacked food in the ‘eating out’ sector

120. There are about 350,000 catering establishments in the UK. Eating out accounts for around one-third of UK consumers’ spending on food and drink and the figure is continuing to grow: the ‘eating out’ market as a whole is valued at £28.2 billion and accounts for some 4.4 billion “eating out occasions”.



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121. We received some evidence that, given that eating out accounts for such a significant proportion of the nation's diet, improved food information should be available to consumers in the 'eating out' sector too—that is, restaurants, pubs, cafés and canteens—not just those purchasing prepacked food in the retail sector. The TSI commented on the lack of a requirement for food provided in this sector to be labelled with nutritional information; it believed that information about nutritional content “must be displayed for all foods no matter how they are sold”.

Dr Astley of the IFR asked:

Why can we not ask McDonalds or Burger King, or whatever, to put labels on it? Not everything is bad about those foods; it is just the frequency that they are consumed that is an issue.

The Meat and Livestock Commission advocated provision of information about means of production and country of origin, so that interested consumers are able to exercise choice in respect of these matters.

122. We discussed what further food information might be provided to consumers in this sector with two large restaurant chains, Whitbread and McDonald's. Whitbread describes itself as the largest operator of full service restaurants in the UK, with over 1,600 restaurants. Its UK brands include Beefeater (which serves over 18 million meals a year), Brewer's Fayre (“the biggest UK pub restaurant brand”), Costa (“the UK's leading coffee shop in terms of both sales and the number of outlets”), Pizza Hut and TGI Fridays. McDonald's has over 2.5 million customers a day in the UK, at over 1,000 restaurants. Worldwide, it has over 26,500 restaurants in 119 countries serving around 39 million customers a day, making McDonald's “by far the largest food service company in the world”.

123. The labels on all of McDonald's pre-packaged foods carry nutrition information, and nutrition information is printed on the back of tray liners. As its food labels cannot, of course, be read until after purchase, McDonald's also has a leaflet available in all its restaurants providing nutrition information, full country of origin information where possible, and full allergen information. This information is also available on McDonald's UK website and on its customer services helpline.

124. Whitbread's brands do not currently provide nutritional or ethical information “as a matter of course”.¹⁸⁷ Whitbread opposed the imposition of any immediate requirements for the food services sector to provide further food information, questioning whether restaurants were the most appropriate environment in which to start the public education process on healthier eating:

... restaurant dining is very clearly seen as a treat or social occasion, often a celebration. By comparison there is a functionality associated with shopping for food. In restaurants, people are more interested in those emotional aspects that influence their level of enjoyment, such as atmosphere, service, choice and value for money. Research to date has indicated that they are less interested in food production issues, nutritional content and animal welfare and country of origin issues [than] when compared to shopping for domestic use.



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125. Whitbread also pointed out that practical difficulties would arise for restaurants, in particular, were they required to provide nutrition information:

... restaurants serve dishes comprising a number of ingredients. Choice is a key element of restaurant dining which means that a typical table of diners will all choose different dishes or combinations of dishes from the same menu. Many of our restaurants will also offer 'off-menu' choices or 'specials' only available on that particular day. The menus will change with different regularity depending on the brand.

Whitbread suggested that, were restaurants to be required to provide a comprehensive breakdown of nutritional and other information, "the risk is that the menu would become an unwieldy and incomprehensible tome". Whitbread has experimented with displaying Weight Watchers points on one of its menus. It commented that "the research back from the majority of customers was that, when they come out for a treat, they do not want to be told that they are having their total calories in one particular dessert!"

Signposting

126. Due to the likely practical difficulties were the eating out sector to be required to provide comprehensive nutrition information, it has been suggested that a nutrition signposting system would be particularly suitable for this sector. **The FSA believed that nutritional signposting could, in principle, be used on menus in catering establishments to highlight choices high in fat, sugar or salt, and healthier options. Which advocated the implementation of a traffic light system, in particular, in catering outlets, to make it easier to convey nutrition information.**

127. Whitbread, however, considered that a traffic light-based approach would create potential for a wide range of 'typical values' on any one food or meal, because:

- The rating given would need to reflect the dish as served, including accompaniments and side orders
- Individual ingredients within a dish might change during the life of a menu due to non-availability or seasonality
- It would be difficult to accommodate daily 'specials' or additions to the menu, and
- Nutrition content may vary according to nature of cooking method/equipment used.

Non-prepacked food in the retail sector

128. We have discussed the sale of prepacked food in the retail sector in part 4. However, food is of course sold in other forms in this sector, including in a loose, unpacked form, or prepacked for direct sale (that is, prepacked by the retailer on the premises on which it is to be sold). Examples of food sold loose include fruit and vegetables, food sold in delicatessens, or from a delicatessen counter in a supermarket, fresh bread sold in bakeries and meat in a butcher's shop.

129. **Again, Which advocated the adoption of a traffic-light-based approach as an effective way of conveying nutrition information about food sold loose.** The TSI's comments about the need for information about nutritional content to be provided for all foods, no matter how they are sold, applied equally to food sold in this way.



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Our conclusions

130. Currently, what requirements there are for clear and meaningful labelling are almost entirely confined to prepacked foods. Little or no information is offered at point-of-sale to consumers of non-prepacked foods. The Government seems to be doing little to address this gaping hole in food labelling requirements.

131. **We recognise that it may not be feasible to provide the same range of nutritional information at point of sale to purchasers of non-prepacked foods as to those of prepacked food. Nevertheless, we believe that the Government should be working to ensure that clear and meaningful nutrition information is provided to the extent that it is feasible to do so on all foods purchased by consumers, including food purchased in the eating out sector and other food sold loose or prepacked for direct sale. The Government should work at the EU level to achieve policy change on these matters. In the interim, the Government should take action to encourage increased voluntary provision of nutrition and other information.**

132. We set out separately below our specific conclusions on non-prepacked food provided within the context of the eating out sector, and on non-prepacked food provided outside this sector.

Non-prepacked food provided within the eating out sector

133. It has to be recognised that this sector does not lend itself to a uniform approach to food information provision, because the range of operations carried out in the sector is so varied. For example, it is much easier to envisage how information about nutrient content might be provided in a lunchtime 'take out' café where all the food is prepacked for direct sale, for instance, than in a restaurant with a wide range of dishes subject to change on a daily basis. We therefore consider it would be impracticable to require the same provision of extensive information about nutrient content which we have recommended in respect of prepacked food.

134. **We consider that those who sell or otherwise provide food in the eating out sector must take responsibility for providing healthy choices to their customers, and for highlighting those choices as healthy.** As noted above, the FSA told us that Sweden and Finland currently operate a 'green light only' signposting system, whereby a symbol is used to indicate a healthier choice. **We recommend that the Government work with the eating out sector to develop a 'green light only' nutrition signposting system to highlight healthy food choices. The Government should devise appropriate nutritional standards to underpin this model.**

135. The challenge for all those involved in the eating out industry is to lead its customers towards making healthier choices. We expect that any improvements to the information provided on prepacked food, in the retail sector, should lead to increased consumer understanding which will be carried over into the eating out sector. For example, if a consumer better understands the nutritional make-up of the pork pie he or she buys in a supermarket, that consumer should be able to carry over that understanding to any pork pies he or she may consume at the pub.

136. McDonald's has demonstrated that it is possible to provide detailed nutritional information to its customers. If other major restaurant and convenience food chains are confident that their food offers at least as much nutritional value as does McDonald's food, they should have no objections to making more detailed nutritional information available to their customers.



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Non-prepacked food sold outside the eating out sector

137. We recommend that where it is feasible to do so, the level of nutrition information which we have recommended be required in respect of prepacked food should apply equally to food sold loose and food sold prepacked for direct sale in supermarkets and other food shops. We consider that it would be desirable for the same information about nutrient content to be provided, in the same standard, tabular format that we recommend above, although we do recognise that there may be some situations where it is not practical or necessary to provide as full a range of information as is provided on pre-packed products. Again, this should assist consumers in identifying the information easily and in making comparisons between products. Likewise, any nutrition signposting system which may be adopted in respect of prepacked foods should also apply to food prepacked for direct sale.

138. **We received virtually no evidence relating to catering services in institutions such as hospitals and schools. Nevertheless, we do not see any reason why the same principles should not apply to such institutions, and we recommend that the Government report to us on what work it is currently undertaking towards achieving such an outcome.**