



Department of Health & Social Care

*From the Rt Hon Dame Andrea Leadsom DBE MP
Parliamentary Under Secretary of State for Public Health,
Start for Life and Primary Care*

*39 Victoria Street
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PO-1486753

Iain Stewart MP

By email to: iain.stewart.mp@parliament.uk

1 March 2024

Dear Iain,

Thank you for your correspondence of 19 December on behalf of a number of your constituents about urgent action to protect children and adults with allergies. I apologise for the delay in replying.

I was very sorry to read of the experience one of your constituents describes. I can appreciate that this situation has caused a great deal of frustration and distress, and I am grateful to you for raising your constituents' concerns.

The Food Standards Agency (FSA) has a dedicated programme of work relating to food hypersensitivity. We recognise the challenges faced by people with severe food allergies and the concern this causes them, their family, and friends.

On the issue of milk labelling, protected terms such as 'cheese', 'butter', 'cream' and 'yoghurt' are considered to refer clearly to milk as these products can only be made from mammalian milk. This means that cheese, butter, cream and yoghurt can be emphasised in ingredients lists without a reference to milk, although some businesses may voluntarily include the word milk for additional clarity.

The Department for Environment, Food and Rural Affairs (DEFRA) holds the legislation for protected terms for milk and milk products in England and their labelling. The consumer group Allergy UK has information for parents on managing allergies while at school, which your constituents may find useful. It can be found at www.allergyuk.org/living-with-an-allergy/at-school/for-parents.

The FSA is aware of the campaign for Owen's Law and grateful for the work of Owen's family to improve the availability of allergen information when eating out. At its December meeting, the FSA's Board agreed a revised policy for provision of allergen information by food businesses selling non-prepacked food, like coffee shops and restaurants. The new policy sets an expectation for these businesses to provide allergen information in writing as well as having a conversation.

The then Minister for Primary Care and Public Health, Neil O'Brien MP, met the Carey family in June last year to discuss their concerns. The FSA has also been in regular dialogue with the family to ensure that lessons are learned from Owen's death.

As part of the new policy, the Board also agreed that providing written information should be mandatory. As a non-ministerial department, the FSA cannot make legislation; it has written to ministers in England and Wales, the Northern Ireland Executive, and Food Standards Scotland, which would ultimately decide whether to take this forward.

In the meantime, the FSA will develop guidance to implement this policy and provide support for food businesses on how to provide written allergen information to help increase compliance and make it easier for people with a food allergy or intolerance, or coeliac disease, to make safe choices when eating out.

I hope this reply is helpful.

Yours sincerely,

A handwritten signature in blue ink that reads "Andrea Leadsom". The signature is written in a cursive, flowing style.

THE RT HON DAME ANDREA LEADSOM MP DBE