

Our Ref: LB/CB/Q5.1/QS:0601ALL

Mr J Winship - British Sandwich Association
Mrs J Nunn - British Retail Consortium
Mr P Phillips - British Hospitality Association
Mr P Mobsby - British Meat Manufacturers Association
Mr C Dabner - National Association of Master Bakers
Ms K Goodburn - Chilled Food Association
Mr C Paxford - West of England Regional Group
Mr P Sadler - North West Regional Group
Mr K Phillips - MAFF Trading Standards Adviser ✓

Dear Ken

6 January 1997

Draft Guidance on the Labelling of Sandwiches

With apologies for the very long delay I enclose a copy of my note of our meeting on the above subject held on 30 October 1996.

Also enclosed is a copy of Version Three of the proposed guidance note proposed by Tony Wheale of the LACOTS Labelling Sub-Panel.

Enclosed also are specimen labels supplied by the BRC.

If you have any comments on the revised draft guidance I would be pleased to receive them.

It would be helpful if possible if your comments could reach me by 31 January 1997.

Yours sincerely

Les Bailey

L J Bailey
Senior Executive Officer

Enc.

Notes of the LACOTS/ Trade Labelling of Sandwiches Meeting: 30 October 1996

Associations/Organisations Represented

British Hospitality Association
British Meat Manufacturers Association
British Retail Consortium
British Sandwich Association
LACOTS
MAFF
North West (Trading Standards) Regional Group
West of England (Trading Standards) Regional Group

1. Introduction

1.1 LACOTS opened the discussions by explaining the reasons for this meeting being convened. In 1995 the West of England Regional Group carried out a survey on the Labelling of sandwiches within their regional area. The Group concluded that about half of the 220 samples were incorrectly labelled in some way. Subsequently this was reported in The Times (on 30 May 1995) which resulted in the issue being debated by the MAFF Consumer Panel at their July 1995 meeting. A copy of the agenda paper is attached as Annex I.

2. Local Authority Concerns

2.1 West of England and North West Regional Group representatives explained their concerns about current sandwich labelling practices. They were particularly concerned about the adequacy of sandwich names e.g. the use of the term "ham" for ingredients containing significant added water and other ingredients which have been reformed or restructured and "chicken" for chopped and shaped products containing substantial amounts of cereal and other ingredients.

2.2 It was explained that whilst certain new labelling requirements were introduced by the Food Labelling Regulations 1996 provisions relating to the "name of the food" are long standing requirements.

3. Industry Concerns

3.1 Industry representatives drew attention to the following areas of general concern:

- lack of consumer complaints about sandwich labelling
- long standing acceptance of customary names
- lack of guidance on situations in which full Labelling is required
- problems in determining ingredients listing, particularly for small medium enterprises
- size constraints of labels
- QUID implications
- consistency and uniformity of advice to trade and enforcement
- definition of "catering establishment".

4. **Food Labelling Regulations 1996**

4.1 Noted that exemptions from full labelling continued to exist under the 1996 Regulations and that it would be essential that the following issues are dealt with in the proposed guidance:

- prepacked for direct sales
- sales at catering establishments
- self-selection sales
- sandwich rounds/office deliveries
- central production, distribution to other retailers

4.2 Noted that in determining appropriate names of the food it would be important to consider the following issues:

- continued use of customary names
- precision of the name of the food
- qualification of the name of the food by the ingredients list (where required)
- indication of treatment or process
- size of labels and other information(e.g. nutrition information).

4.3 Noted on date marking that most sandwiches would bear a "use by" date but that a limited number would continue quite justifiably to bear a "best before" date.

4.4. Noted the following practical difficulties in determining ingredients list labelling:

- small producers relying on information provided by ingredient suppliers
- compound ingredient listing of bread and certain meat products e.g. ham
- size constraint of labels e.g. increasingly amount of information appearing on sandwich labels

5. Proposed Guidance

5.1 Agreed that it would be desirable to produce guidance on sandwich Labelling. Further agreed that such advice should be simply phrased, practicable and in relation to the names of products reflect the average consumers requirements (i.e. customary names) rather than rigorously apply legislative requirements. Specific exemptions should be identified and explained. Consideration could be given to the production of an Annex of agreed customary names, if this is feasible.

5.2 Agreed that LACOTS should prepare and circulate for comment a revised draft guidance note.

5.3 The BRC indicated that they would supply "typical" labels to illustrate many of the points made above.

6 January 1997

(QS:Meetings/LB/0601Note301096)

SANDWICHES MISLEADINGLY LABELLED

(paper prepared by Eva Lewis, Panel member)

INTRODUCTION

1. An article in "The Times" recently stated that a survey of sandwiches on retail sale in eight counties in the West Country found that more than half were misleadingly labelled. The survey was conducted by local trading standards officers. A copy of the article is provided at Annex A for the Panel's information.
2. The survey reports that of 221 sandwiches included in the survey, 114 were incorrectly and misleadingly labelled. Examples of misleading labels included pork shoulder described as ham and reconstituted meat mixed with cereal being described as beef. Other labels failed to indicate added water content, protein and milk or vegetable protein.
3. The policy objectives published by MAFF acknowledge that our food law exists to protect the public. Particular reference is made to ensuring that consumers have the necessary information they need to choose a healthy and nutritious diet and that the consumer be protected against deception. Both these policy objectives are at issue as a result of this survey, it is not that the law may be inadequate, but that its enforcement should be rigorously applied throughout the country.

CONSUMER CONCERNS

4. Sandwiches are a principle lunchtime food for a high proportion of the UK workforce. It is important that these consumers are given correct information on which to base the purchasing and dietary decisions.
5. The incidence of misleading labelled sandwiches found in the survey reported in "The Times" is unacceptable.

ISSUES

6. The Panel is asked to consider the issues involved in this matter and advise the Minister of consumer's concerns arising from it. The findings are sufficiently alarming for the panel to consider recommending to the Minister that central government work closely with the enforcement authorities throughout the country to assess the full extent of the problem and ensure effective action is taken to deal with it.

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July 1995

✓ 17/5/96
 Hegel. H.S. 76

TESCO
 FRESH SANDWICHES

**SMOKED HAM
 WITH CHEESE**
 AND MAYONNAISE

*Smoked Ham and Cheddar Cheese with
 Mayonnaise in Malted Brown Bread.*

INGREDIENTS: Malted Brown Bread (Wheat Flour, Water, Malted Wheat, Fat, Malt Flour, Yeast, Sugar, Salt, Vinegar, Soya Flour, Vegetable Fat, Emulsifiers: Mono- and Di-Glycerides of Fatty Acids; Mono- and Di-Acetyl Tartaric Esters of Mono- and Di-Glycerides; Flour Treatment Agent: Ascorbic Acid), Smoked Reformed Ham (with Sodium Triphosphate; Antioxidant: Sodium Ascorbate; Preservative: Sodium Nitrite), Cheddar Cheese, Mayonnaise (with Acetic Acid; Emulsifiers: Xanthan Gum, Guar Gum, Carob Gum), Butter, Salt, Pepper.
 Made in the U.K. for Tesco Stores Ltd., Chestnut ENS 95L U.K.
 © Tesco 196 2382

NUTRITION

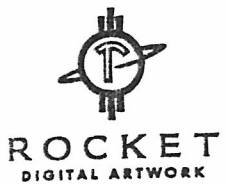
	Each Packet	100g (1/2 pint)
COMPOSITION	(150g provides)	(provides)
Energy	1820 kJ/437 kcal	1213 kJ/291 kcal
Protein	17.1 g	11.4 g
Carbohydrate	30.3 g	20.3 g
Fat	27.3 g	18.3 g

INFORMATION

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- SPOT PANTONE 200C
- PROCESS BLUE
- 50% PROCESS YELLOW
- WHITE
- BLACK

PROJECT NO. 909172B SUB GROUP F54TA
 PROJECT DESC: SMOKED HAM WITH CHEESE
 DESIGN MANAGER: ANDY DANN
 SUPPLIER: WA LKERS
 REPRO HOUSE: TBA
 PRINTER: TBA

DATE: 16.5.96

LEGAL APPROVAL: _____ DATE: _____
 TRADING APPROVAL: _____ DATE: _____