

Calorie Guidance

Introduction

The Calorie Labelling (Out of Home Sector) (England) Regulations 2021 come into effect in April 2022.

The health survey for England (2019) estimates that 28% of adults in England are obese with a further 36% being classed as overweight rather than obese.

In light of this, as of April 2022 large businesses (250+ employees) in the out of home sector will be required to display calorie information on menus and food labels. The out of home sector is generally considered to be any outlet where food is prepared in a way in which it is ready for immediate consumption, often being non-prepacked therefore not being required to display nutritional information. The aim of the legislation is to raise more awareness amongst consumers and allow for more informed choices to be made.

Does this include your business?

If you have more than 250 employees at the start of the 2022 financial year.



What food must be labelled?

Food offered for sale for immediate consumption

Either :

- a) On the premises
- b) For consumption off the premises without any further preparation

What information must be provided?

The energy content of a single portion and the size of the portion of food
or

The whole item, if it is produced to be consumed by more than one person and how many people it is produced for.

The information should be provided in Kilocalories (kcal).

A statement that 'Adults need 2000 kcal per day' with the exception of children-only menus.

How must the information be provided?

Calorie information will need to be displayed at the point of choice for the customer, such as physical menus, online menus, food delivery platforms and food labels.

If food is on display, it should be on the label identifying the food.

The kcal measure must be displayed next to the food item, easily visible, clearly legible and not obscured.

The statement must be displayed on every menu page, on a menu board, on a display counter, on the website, on the app at the point the consumer will make a choice.

Are there any exemptions?

- Businesses' under 250 employees
- Some care homes and schools for under 18
- Charities, raising funds for the charity
- Armed forces on manoeuvres
- International transport such as trains, planes and ferries

Take-away exempt foods

- Fruit and vegetables in their original state and not offered as an ingredient
- Fish, meat and cheese in their original state and not offered as an ingredient
- Loaves or bread or baguettes to be taken away
- Other unprocessed single ingredients

Onsite exempt foods

- Condiments for the customer to add
- Drinks containing alcohol under 1.2% by volume
- Bespoke menus requested by the customer, these must not normally be offered by the caterer
- Menu items which are not listed for more than 30 consecutive days 'Specials board'
- Menu items which have not been on a menu for more than 30 days within the year, 'Specials'

The Local Authority is responsible for enforcing this and can issue an improvement notice or a fixed monetary fine.