

Buying food with geographical descriptions -

How “local” is “local”?

Local Government Regulation

A Local Authority Survey

January 2011

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Executive Summary

“Local” food is becoming big business and a real selling point for those who want to help local businesses and buy sustainable food. But are consumers being ripped off and are unscrupulous businesses undermining the good ones?

“Local” is a difficult concept to characterise; the use as a food description provides the purchaser with some vague indication of certain, difficult to predict parameters, such as quality, freshness, environmental sensitivity, which vary from food to food and expectations vary between individuals. At the present time there is no legal definition of the term “local”.

For a product to be described as being “local”, a range of parameters have been suggested to justify the claim; the most common are as a distance from the sale of the food, say within 30 miles, or within the county or within the county and adjacent counties. In some cases geographical areas such as “the New Forest” or regional areas such as “West Country” are used.

As part of this survey, Local Authority food enforcement officers visited over 300 premises throughout England and Wales where food was on sale or being manufactured. They checked the descriptions of 558 products, of which 65% were from restaurants and 23% from retail shops, that indicated that the food originated from a particular geographical location and in particular, those foods that were described as “local” without further qualification. They then sought documentary confirmation from the business that the claims were accurate.

Where there was no confirmation or where the information provided suggested that the claim was false and departmental resources were available, the officer would further investigate the situation with those who had supplied the food.

In this survey it was determined that at least 18% of the claims were false and another 14% could not be confirmed (and may have been false). The false claims were found at similar levels across all food sectors with almost one in five restaurant descriptions, being false.

Meat and dairy products were frequently misdescribed; for example, half the poultry, 29% sausages, 27% of both beef and lamb and 24% of dairy products had false claims.

“Fresh “local” cream” was found to be a cream substitute containing vegetable fat, “Welsh lamb” appeared to have an origin in New Zealand, “local Devon Chicken” had been imported, and “Somerset butter” was from Scotland.

To demonstrate the complexity of the current food chain, “West Country fish fillets” originated from the declared area, and were sold from the same location but had been sent to China for filleting.

Traders were asked for their views of what could reasonably be called “local”; the responses varied widely, from “less than 5 miles” to “within the country”. Guidance from Local Authorities was generally more generous, with many of the authorities accepting “local” to be within 50 miles of the sale.

In order for businesses to comply with the legislation more easily, recommendations are made for the use of a definition that is compatible with general understanding of the public of the term “local” and has the support of business, enforcement, government departments and other stakeholders. A form of words is suggested that could form the basis for an agreement with industry and government.

Further recommendations are made as to the use of other similar terms in the description of foods.

2. Introduction

2.1 Local Government Regulation (LG Regulation) coordinated food standards surveys

The LG Regulation coordinated food standards survey programme was developed to maximise the links between local, regional and national food sampling priorities. The surveys undertaken reflect local interests, generate community engagement and meet the priorities of individual councils. In addition to the local perspective, there are clear advantages to be gained by comparing results of the chosen surveys at a regional and national level.

2.2 Local Government Regulation role

LG Regulation consults with councils throughout the UK to establish the annual survey programme, produce a sampling protocol for chosen surveys, collate results, produce a summary report and produce a national press release where appropriate. This maximises the productivity and efficiency for councils. LG Regulation also maintains ongoing communication with councils in relation to the programme and responds to any queries that may arise. At each annual scoping meeting we have taken on board lessons learned from the previous year to improve it. However due to changes within the LG Group we regret that this will be the last of these survey reports produced by us.

2.3 Participation by councils

LG Regulation does not undertake any direct survey work. This is carried out by councils. Participation by individual councils is optional and funded from their own budgets. Councils will consider their own individual community needs, intelligence, risk, regional work and wider national priorities when deciding whether they will participate in the LG Regulation programme. Over the last few years, the growing number of councils engaging in the work has exemplified the success of the programme and the benefits it brings.

The success of this work is therefore dependent on the contribution made by councils, for which LG Regulation is extremely grateful.

2.4 Purchasing “local” food”

Empirical studies of the purchasing behaviour indicate that the interest in buying “local” and regional food is high (IGD, 2005)¹, with 70% wanting to buy “local” food, nearly 50% wanting to buy more in the future, and 60% saying that they are currently buying “local”. Another report shows that shoppers were divided over the importance of buying “local” food with over half (56%) saying that it was important to them and the remainder stating that it was not important (COI/FSA, 2007)².

According to COI/FSA the main reasons for buying “local” food were supporting “local” businesses and the “local” community, food quality issues including where the food comes from, and freshness, and environmental factors such as reducing food miles and pollution.

The IGD report (2005) generally concurs with this and summarises the factors for buying into three groups: product quality, sustainability, and the shopping experience. Within this the overwhelmingly most important

¹ Local and Regional Food Opportunity - IGD - 2005

² Local food - Omnibus Research Report - Prepared for the Food Standards Agency by COI - March 2007

factor is freshness, which it is perceived to provide improved taste, better nutrition, and also a sense of it being 'like it is meant to be' (DEFRA 2008)³. See Appendix 1 for more details.

3. Legal Issues

3.1 Use of the term "local" - Legal considerations

The General Food Law Regulation 178/2002, Article 16, sets out general provisions in respect of the presentation of food. It stipulates that the labelling, advertising, and presentation of food shall not mislead consumers. The wording of Article 16 states that it is without prejudice to more specific provisions of Community law. Therefore, Article 16 is an additional measure. It does not over rule or otherwise affect other legal provisions, whether at community or national level. Section 15 of the Food Safety Act 1990 and also requirements of Article 2 of the Food Labelling Directive 2000/13, continues in place.

The Food Labelling Regulations 1996 implement the Food Labelling Directive, and Regulation 5(f) requires food that is ready for delivery to the ultimate consumer or to a catering establishment to be marked or labelled with:-

"particulars of the place of origin or provenance of the food if failure to give such particulars might mislead a purchaser to a material degree as to the true origin or provenance of the food".

However there is no statutory definition of "place of origin or provenance" in the Food Labelling Regulations 1996 or of "origin or provenance" in the Food Labelling Directive 2000/13/EC. The words "origin" and "provenance" in the context are generally taken as having the same meaning.

The approach taken in Section 36 of the Trade Descriptions Act 1968 was that, for the purposes of that Act, goods are deemed to have been manufactured or produced in the country in which they last underwent a treatment or process resulting in a substantial change.

The Food Standards Agency ⁴ considers this to be a reasonable working guide for the purposes of the Food Labelling Regulations 1996. It would ultimately be for a court to decide, taking account of an ordinary person's perception of the circumstances surrounding the individual case, whether any particular country or place specified is indeed where the last *substantial* change took place.

FSA Guidance notes ⁴ continue that the true place of origin of a food should always be given, if the label as a whole would otherwise imply that the food comes from, or has been made in, a different place or area. Consumers are, however, unlikely to expect products such as Chelsea buns, York ham, Madras curry or Frankfurters to come from those areas in the absence of other material on the label suggesting that they do.

The Consumer Protection from Unfair Trading Regulations 2008 (CPR 2008 – SI No. 1277) came into force on 26 May 2008 and effectively replaces parts of the Trade Descriptions Act 1968. Both measures exist to protect the consumer from false and misleading presentation of goods and services including food and drink.

LG Regulation⁵ have produced guidance on food matters which indicate that the CPR 2008 complements but does not replace existing food legislation such as Sections 14 and 15 of the Food Safety Act 1990 as these sections are primarily concerned with maintaining quality and safety standards for food rather than protecting consumers' economic interests.

Regulation 5(4) sets out a long list of specific misleading practices of which the "description of the main characteristics of the product" is likely to apply to food products; included in this is the geographical or commercial origin of the product.⁵

³ Understanding of Consumer Attitudes and Actual Purchasing Behaviour, with Reference to "local" and Regional Foods - DEFRA - June 2008

⁴ <http://www.food.gov.uk/foodindustry/guidancenotes/labelregsguidance/originlabelling>

⁵ <http://www.lacors.gov.uk/lacors/ContentDetails.aspx?authCode=195F1D5&id=22665>

Whereas there is no definition of “local” in food labelling legislation, the Food Law Code of Practice ⁶(FSA 2008), referring to Food Hygiene Regulation 853/2004 Recital 13, is reproduced below.

“Food Authorities should interpret both ‘localised’ and ‘local’ as meaning:

Sales within the supplying establishment’s own county plus the greater of either the neighbouring county or counties or 30 miles/50 kilometres from the boundary of the supplying establishment’s county.

In this regard, Food Authorities should interpret ‘county’ as meaning:

Metropolitan or non-metropolitan counties in England and Wales as defined in the Local Government Act 1972 and London Government Act 1963 (e.g. Greater London, North Yorkshire, Leicestershire, Powys), a “local” authority in Scotland, or an administrative county in Northern Ireland (e.g. Co. Fermanagh).”

The Code continues to explain “this makes allowance for the imbalance between closely spaced urban authorities and widely spaced remote populations, as well as those on the boundaries or bordered by the sea”.

3.2 The search for a definition of “local” food.

There have been several reports that include a detailed consideration of many of the issues around the concept of “local” food.^{1,2,3}

One of the areas of research has been the need to clarify what “local” food actually is and on what basis it could be defined. It is suggested that clear definitions are needed to provide a basis for improving public understanding in relation to the sector as well as maintaining or raising standards and protecting the sector from exploitation. It is clear that any definition should also provide customers with a better understanding of what they are and are not getting when they buy “local”.

However identifying the requirements for a definition have proved rather more straight forward than delivering a definition of “local” foods itself.

The Working Group on Local Food reviewed how “local” food should be defined and reported with its ‘Snapshot of the Sector’ in 2003⁷. Its’ main findings indicated that there was no single definition of “local” food; but that there was a strong consumer interest in “local” food, and consumers have a wide range of expectations of “local” food;

A set of definitions linked to distances was identified from interviews with respondents, including one in retail practice which has suggested that “local” should infer as originating or being produced within a radius: most often a radius of 30 miles but a lesser distance amongst respondents who do not drive. Whilst ‘regional’ means up to a 50 mile radius. This suggests that there remains therefore a general distinction between “local” and regional; but in many minds there is a closeness of association which makes the two indistinguishable.

An IGD (2005) study identified that as far as consumers are concerned, “local” food is predominantly about distance, and that the most common response from shoppers is that “local” represents a fairly small area around where they live or are buying a product’. Of the total sample, 21% associate “local” with the county in which they live, and a further 32% believe that it is either within 30 miles of from where they live or where they buy the product. (As part of the same study, distance was not considered to be important to a definition of regional food, with regional being representative of a larger area than “local”, and associated with a particular area of the country often representing a specific regional speciality.)

⁶ Food Law Code of Practice - Food Standards Agency - July 2008

⁷ Working group on Local Food - DEFRA - 2003 www.food.gov.uk/multimedia/pdfs/local_food_report_mar03.pdf

This is further extended by a later omnibus report produced by COI/FAS which identified again that respondents had different interpretations of what the term “local” food means: most (40%) said it was within a 10 mile radius, but others defined it as their county (20%), from their neighbouring county (15%), or from their region (20%). They also noted that shoppers from different parts of the UK had different perspectives on what size of area “local” meant, with shoppers from some areas understanding that “local” meant from their ‘region’.

3.3 Farmers Markets

These markets have emerged as a relatively new mechanism to deliver foods direct from the farm or small manufacturer direct to the public.

FARMA, the National Farmers' Retail & Markets Association was launched in June 2002 to independently assess and certify farmers' markets. FARMA aims “to make sure they're the 'real deal' so you can be confident you are buying the freshest, most local produce possible, supporting your local community and economy, and helping the environment by reducing food-miles.”

FARMA⁸ use the definition of a farmers' market as a market in which farmers, growers or producers from a defined local area are present in person to sell their own produce, direct to the public. All products sold should have been grown, reared, caught, brewed, pickled, baked, smoked or processed by the stall holder.

Guidance Notes on the term “locally produced” indicate that it can be defined as a radius from the market. A definition of 30 miles is ideal, up to 50 miles is acceptable for larger cities and coastal or remote towns and villages. The alternative is as a county boundary or other geographic boundary such as a National park that is similar in size to the radius option.

However there are proviso's for difficult to source produce: producers from further afield may attend the market if there is no suitable “local” producer of a given product. If producers from beyond the area defined as “local” are permitted to attend the market it is recommended that a maximum distance of 100 miles of the market is stated.

3.4 Additional complications to the concept of a definition of specific locations for food labelling purposes.

“The European Union has two systems for promoting and protecting the names of quality agricultural products and foods that are linked to specific geographical areas:

- PDO (Protected Designation of Origin): the name of a product that is produced, processed and prepared in a defined geographical area using recognised know-how.
- PGI (Protected Geographical Indication): used to denote agricultural products and foods closely linked to a geographical area, where they are produced and/ or processed and/or prepared.

These systems encourage the diversification of agricultural production, protect the product names from misuse and imitation and help consumers by providing information on the specific characteristics of the products. Very often they have a specific location or area in the title of the name of the food.”

However the foods often have a geographical area considerably in excess of the location itself or in fact distant from that location, which can confuse consumers not familiar with the EU regulation. For example a Melton Mowbray Pork Pie has to be made in a specific geographical location; however that location is widely drawn to include places such as Northampton which 40-50 miles from Melton Mowbray. Perhaps to those not familiar with the product, Stilton cheese is named after a village, now in Cambridgeshire, but the cheese itself can only be made in the counties of Derbyshire, Nottinghamshire and Leicestershire.

⁸ <http://www.farmersmarkets.net/>

3.5 Customary Names

Customary names are names that, in time, have come to be accepted by consumers in the UK, or in particular areas of the UK, as the name of the food without it needing further explanation. Bakewell Tart and Eccles cakes are frequently used examples.

However the named geographical location used to describe the food product, no longer necessarily provides a link to the location of manufacture. Therefore the specific geographical location used in the customary name of the food, and the actual site of manufacture, may be very different.

In addition there are cases where a familiar and well understood product - a sausage being a meat product for example - is contradicted by the customary name. In this survey Glamorgan sausages were sampled by a Welsh authority. However the term Glamorgan sausage is a customary name for a traditional Welsh vegetarian sausage whose main ingredients are cheese (usually Caerphilly), leeks and breadcrumbs. However tradition meat based sausages that were produced in Glamorgan could also be justifiably called Glamorgan sausages.

In a similar way a Barnsley Chop is a well know butchery term to describe a double-lamb chop made by cross-cutting through a saddle of lamb and does not necessarily originate from Barnsley.

4. This Survey

4.1 Protocol

This survey focused on checking paperwork at retail and catering businesses to ensure any claims relating to "local" produce are accurate. Local authorities were be expected to focus on claims relating to their own area / region⁹.

In addition, the survey provided the opportunity to get information from both local authorities and businesses on what the term "local" actually means.

Due to the financial constraints under which local authorities are operating, it was agreed at the annual scoping meeting that this food standards surveys for 2010 / 11 would focus on reviewing paperwork and investigation, rather than the sampling and analysis of a product.

This new approach may have involved more staff resource than the standard approach, but it removed the need for external expenditure on analytical costs. It also provided the opportunity for training for less experienced officers.

The sampling period was from 1st May 2010 until 31st August 2010, with results to be submitted to LG Regulation by 31st October 2010.

4.2 Strategic links to wider Government Policy.

An increasing number of food businesses are focusing on the production of "local" food and drink products. The businesses focusing on local food production are frequently small and medium sized enterprises operating at the heart of local communities. They are vital to the "local" economy, especially during the current economic climate, with money being more likely to remain locally.

The increasing focus on "local" food production has resulted directly from consumer interest in where food comes from, the impact of food miles on the environment and a desire to support "local" businesses.

⁹ <http://www.lacors.gov.uk/lacors/ContentDetails.aspx?authCode=5B596EA&id=23612>

Local food claims help create a sense of community identity. Local food can help communities understand local industry and food production. Farmers' markets can help overcome problems of rural isolation and build closer rural communities.

This project aims to ensure that food businesses making "local" claims are operating in a fair environment and consumers are not misled.

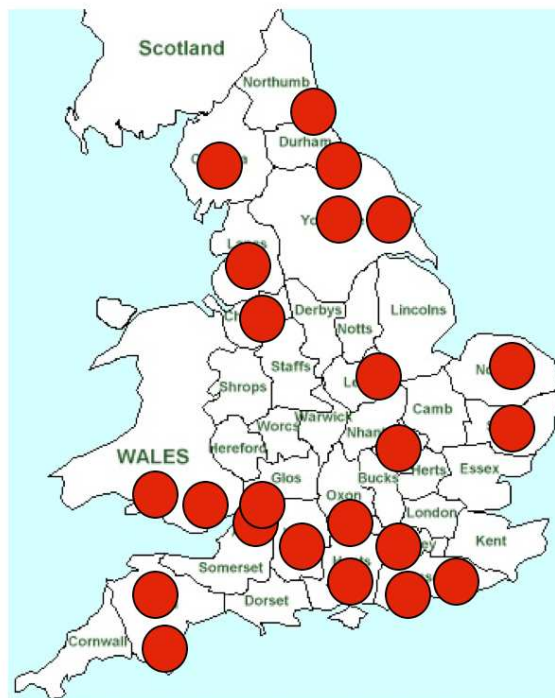
5. Results

5.1 Participants

The survey was well supported by Local Authorities, with 33 Authorities from 9 of the Regional groups visiting over 300 businesses and checking 558 claims in England and Wales.

There was a tendency for those authorities that had a significant coastal or tourism interests to take part; using a fairly arbitrary scale this is estimated as approximately 75% of the authorities. It is probable that these authorities are aware of the interest in their "local" foods to visitors and the role it has to play in tourism. However some authorities indicated that they would have taken part in the survey, but were unable to find any foods with "local" claims.

A list of the Authorities taking part in the survey can be found in Appendix 2



Graph 1 Distribution of local Authorities taking part in the survey.

5.2 Businesses where claims were checked

5.2.1 The businesses

The officers visited a range of businesses although the majority were either retailers or restaurants.

In this survey places supplying food ie cafes, pubs, hotels and restaurants were collected together as a single business type - restaurants.

The table below demonstrates that, in many cases, several claims were checked in restaurants due the availability of written menus whereas at retail it was notices and labels on prepacked products that were more likely to be challenged.

Table 1 Claims checked by business sector

Description of Premises	Numbers of claims checked
Shop/retail premises, including farm shops	129
Retail market	31
Butcher/ Baker	28
Restaurants / cafes / hotels	360
Manufacturers / processors	9
Internet	1

5.2.2. Type of claim

The claims for the origin of the food were many and diverse but “local” was the most frequent. In many cases the description included additional words that added to the description - although not always clarifying it.

It became clear that the term “local” is not only widely used but also has many different connotations, perhaps varying with location. Hence in Wales many thought that “local” could originate anywhere in the Principality whereas this approach was not seen in England.

Table 2 Categories of claim made by businesses

Claim	Example	Numbers
National basis	Welsh	41
Regional	South West of England	19
Specific Geographical area	New Forest	42
County	Wiltshire	87
District / Town / Village	Scarborough	41
Specific farm		14
The term “local” unqualified		201
Locally grown/shot, from “local” farms, “local” produce, home grown		45
Locally sourced / produced / made / purchased / supplied / killed / caught (sea fish) / cooked / smoked		58

Claim	Example	Numbers
Miscellaneous claims, general claims, international claims, claims with caveats		10

5.2.3 Paperwork check on premises; Confirmation of claim.

52% of the claims were made on the menu with 27% on a notice in the shop or alongside the food. 8% involved websites together with notices/menus and 61 checks were made on claims on prepacked products.

See Appendix 3 for details.

When the claim was challenged, the inspector requested to obtain written evidence that the claim could be substantiated. However in 37% of the 515 cases where information was provided, it was not possible to obtain such corroborative evidence on site. That is not to say that the claims were false but that further information was needed to make a judgement on the veracity of the claim.

In many cases, the invoices from the suppliers were simply too general in nature and insufficiently precise in the wording, to confirm the supply of the product with the specific claim.

As it was the retail business or the restaurant that was providing the additional claim and in order to seek confirmation that the claim was justified, there was a need for a further investigation, one supplier lower down the chain, to be contacted to obtain the reassurance that the claim made by the retailer was genuine.

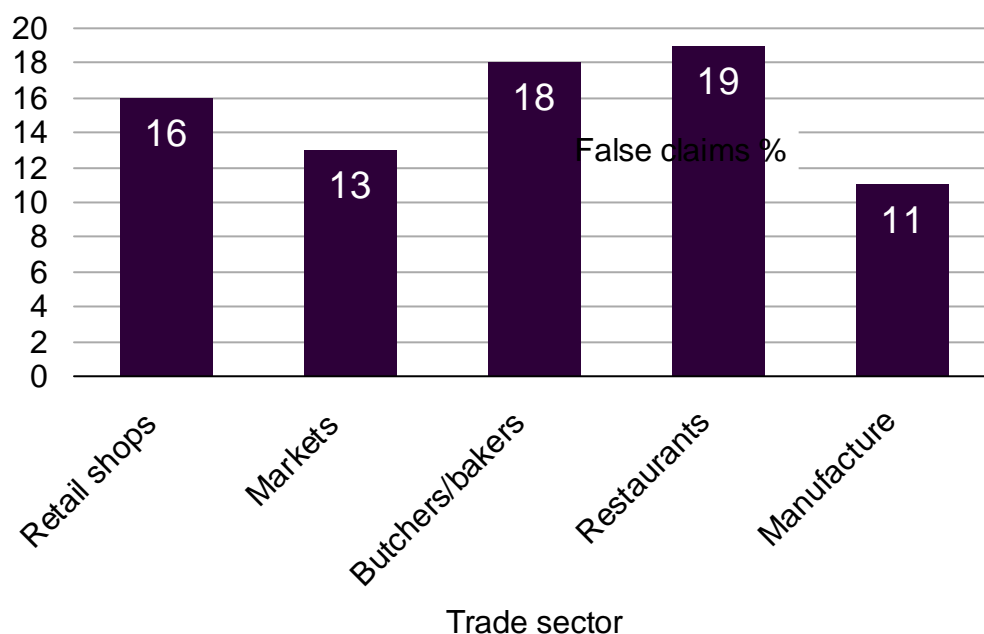
Not all authorities had the resources to carry out this additional investigative work and therefore in some cases the claim remained unconfirmed.

5.2.4 Claim not confirmed - result of further investigation - false claims.

When the claims fell into the “not confirmed” category, many authorities made further attempts to confirm the wording of the claim; and if there was evidence to contradict the specific claim it was deemed to be false.

Some 18% of all claims were found to be false and another 14% could not be confirmed; it is likely that a significant proportion of the latter were also false. The false claims were not found in any particular sector but evenly distributed throughout the businesses with the restaurants having the highest incidence of false claims at 19% and manufactures the lowest at 11%.

Graph 2 Distribution of false claims



In many cases the claims had more than one element to them, for instance “local” free range eggs” but in this survey only the “local” or geographical part was considered (although the other elements may have been incorrect as well).

Below are a selection of examples of the false claims determined by the investigating officers.

Table 3 Examples of false claims

Product	Claim	Apparent source
Chilli sausage	Chillies from Yorkshire	Purchased from supermarket
Cream	Fresh “local”	Elmlea cream substitute
Honey	English	Blend of EU and non-EU honey
Butter	Somerset	Scotland
Lamb	Welsh	New Zealand
Ham	“local” (from Devon)	Danish
Brie	Somerset	French
Chicken Breast	“local” (from Devon)	Imported
Salmon	Scotch	Faroe Islands
Ice Cream	“local”	Carte D’Or Brand

However the complexity of assessing the accuracy of the claim reflects the increasingly complex food supply web. This is particularly the case when dealing with processed products as exemplified from the following example. Whether this product can be accurately described simply by the description applied is problematical.

A peculiar situation - West Country Whitebait Fillets

It was discovered that a product known as West Country Whitebait Fillets, were sprats landed in Brixham. They were then sent to China by a Cornish company for filleting before being supplied to the Devon processor via Cornwall again.

The company made the following comments. "The traditional product (whitebait) is now extremely expensive and not sustainable. Because the traditional whitebait is no longer sustainable the industry has moved (in recognition of consumer demands for sustainable fish) to an alternative replacement.

The cost of hand filleting the fish in the UK would result in a raw material that would simply be too expensive for the mass market".

5.2.5 Food Products where claim was made.

The claims from a wide range of food products were assessed for their accuracy. Meat and meat products, fish and fish products, eggs, dairy products and vegetables made up the bulk of the foods examined.

The highest proportion of false claims was seen in the descriptions of poultry 50%; but meat and meat products featured prominently with false claims for sausages being 29% and even for the individual meat species where 27% of both beef and lamb claims were incorrect. Dairy products 24%, eggs 17% and bread and cakes 31% also featured regularly; but claims for fish, pork, bacon and ham, and alcoholic drinks were below 10%

See Appendix 5 for details

5.2.6 Action taken by Enforcement Authorities

The enforcement authority gave advice in 70% of the cases where the claims were false, together with the amendment of the menu or the removal of the false claim. In 20% of the cases further action was taken, with 7 businesses (5%) being reported for further formal enforcement action.

5.2.7 Local Authority Guidance on "local"

As detailed above, there is no widely agreed definition of the term "local"; as part of this survey, authorities taking part were asked for their understanding of the term.

The first thing to acknowledge is that there is no general agreement even within the enforcement sector however in general the distance in miles is equivalent to or more generous than many suggestions. However others believed that a more narrow definition of within the county boundary was necessary.

Table 4 Local Authority Guidance on "local"

Guidance in miles	Number*
Maximum 50 miles	9
Maximum 30 miles	7
Maximum less than 30 miles	1
Other guidance	

Guidance in miles	Number*
Within our region	1
Complex issue	1
“Local” region, at least the adjoining county plus 30 miles	1
LG Regulation Guidance	1
A radius from the market	1
FSA definition	1
Market definition or county boundary	1
County or neighbouring counties	1
County	2

* 27 responses from the 33 Authorities taking part in the survey

5.2.8 Traders definition of “local”

Those businesses questioned as part of the survey had a much wider range of suggestions of the definition of “local”.

Many look to the county boundary as a reasonable definition, whereas a considerable number quoted a mileage, with the range of 30 - 39 miles as the most frequent chosen, although a significant number suggested around the 50 mile range.

One business interesting, suggested that there should be different rules for different products.

Table 5 Traders definition of “local”

Definition	Numbers
National	7
Regional	14
Specific Geographical area	9
County	67
District / Town / Village	7
Specific farm	0
Less than 5 miles	3
5 - 9 miles	6
10 - 19 miles	13
20 - 29 miles	23
30 - 39 miles	36

Definition	Numbers
40 - 49 miles	10
50 plus miles	23
"local area" not defined	10
County and neighbours	22
Varies with product	1
Others	5

5.2.9 Traders concept of "local" and claims deemed not authenticated

When the claim is made by the business, either by geographical description or mileage, is matched with the veracity of each claim a broad pattern emerges, that is, the more expansive the claims accepted by the trader, then more likely the claim will be false within his business.

Table 6 Traders concept of "local" and claims deemed not authenticated

	% Total not authenticated	% Not confirmed	% False claim
National	100	14	86
Regional	36	7	29
Specific Geographical area	44	22	22
County	31	15	16
District / Town / Village	43	0	43
Specific farm	0	0	0
Less than 5 miles	0	0	0
5 - 9 miles	34	17	17
10 - 19 miles	8	8	0
20 - 29 miles	17	17	0
30 - 39 miles	18	6	12
40 - 49 miles	30	20	10
50 plus miles	26	4	22
"local area" not defined	30	30	0
County and neighbours	14	5	9
Varies with product	0	0	0
Others	40	40	0

6. Observations

In many parts of the country, there is a significant drive to sell foodstuffs that are grown or produced locally. Furthermore there is a strong public interest in the purchase of such foods as the growth of the farmers market movement demonstrates.

The term “local” to describe the source of a food, can provide a vague and sometimes misplaced confidence to the customer that the product is, in some way, superior or possessing certain positive characteristics, to others not so described. “Local” can provide a certain feeling of well being as supporting the “local” farming and food sectors.

Dictionary definitions refer to belonging or relating to a peculiar area or neighbourhood and therefore add little specificity to the generally understood term.

Very often the term “local” is used in a descriptive phrase to describe the food as an adverb. Terms such as “locally grown” or “locally shot” (referring to wild game) should provide provenance to a product whilst others such as “locally supplied” or “locally purchased”, do not in themselves, describe the origin of the product as being “local” only the sale from a local trader. Such statements will always required further investigation to verify the claim.

The use of caveats in description of “local” food are frequently found on notices and menu descriptions and are of little worth to the purchaser or consumer. Therefore statements such as “local foods are provided wherever possible” do not provide any confidence to the consumer as to the origin of the product and should not be made.

Any definition should be simple in form and readily understandable by the consumer but this has not proved to be an easy task although there have been several suggestions as how best to define “local” when it is applied to the sale of foods.

This survey has shown however, there is a broad consensus between many traders and enforcement agencies for the basis of a widely accepted definition.

There have been suggestions that the concept of “local” should vary between different food products. Whereas that suggestion may have some merits, it is likely to further complicate the concept of “local” in the mind of the consumer. It is suggested therefore that a single set of criteria should be agreed for all primary foodstuffs.

Vegetables and fruits are grown in one location and therefore their origin, as the primary produce can only be that location. However farm animals are often moved between holdings as part of the farming system and maybe slaughtered in a different location altogether; the concept of “local” fresh meat therefore should follow therefore the concept of Scotch beef PGI where the animal should be born, raised and slaughtered in the defined area. The origin of fresh sea fish for the purpose of if it can be classed as “local” or not, should be primarily identified as the port where the catch is landed (although the sea area of the catch may be added as well).

The situation is less straightforward for multiple ingredient processed even when manufactured locally as the prepared foodstuffs are highly likely to incorporate some of the ingredients that will originate from outside of the “local” area. Furthermore there is case law suggesting that the last major change in the food is the origin. Here the phrase “locally made” might be more appropriate, together with further qualifying words indicating the “local” origin of the primary ingredients if they fulfill the requirements of the term “local” above.

Therefore on consideration of the basis for a credible definition, the research work previously reported and the findings of this survey, it would seem that the definition found in the Food Law Code of Practice has much merit.

“Sales within the supplying establishment’s own county plus the greater of either the neighbouring county or counties or 30 miles/50 kilometres from the boundary of the supplying establishment’s county.”

Of the 27 Local Authorities taking part in this survey and offering a suggestion, just three indicated that they would support a geographically more restricted area than that suggested above, whereas ten would accept a wider radius of up to 50 miles.

When the traders were asked for their definition of “local” almost 40% wanted a wider definition than suggested but over 60% wanted something the equivalent to or more restrictive than the FSA definition and 7% would have been content with an area of within 10 miles from the supply.

7. Recommendations

1. It would be good practice for businesses to keep details of the justification of their claims; this could be done quite simply and at no additional cost by ensuring that suppliers provide adequate descriptive detail on their invoices; this which could aid the legal requirement for traceability of foods.
2. It would be of benefit to the public and to honest traders that a definition of the term “local” for at least, primary products, should be established by agreement of all interested parties.
3. It is recommended that the term “local” be reserved for crops grown, animals born, raised and killed, game shot and fish landed within a specific area.
4. When a product (as defined in 3 above) is offered for sale, described as “local”, it should have originated within the supplying establishment’s own county plus the greater of either the neighbouring county or counties or 30 miles/50 kilometres from the boundary of the supplying establishment’s county.
5. The term “Locally made” should be used for processed products made within the same area as 4 above. This term does not suggest that any of the ingredients are obliged to have originated from with that area.
6. Other terms including the word “local” should be meaningful to the public and not detract from the concept of “local” foods above; such terms such as “locally sourced” or “from local suppliers” can be ambiguous.
7. Qualifying caveats such as local produce “whenever available” found on menus are not helpful to the customer and should be avoided.

Table Forty-five: Main Reasons for Buying of Local Food and Drink (Mean Values)

Reason for Buying Local Food and Drink	Mean Value/(SD)
Supports local producers	5.44 (1.55)
Is fresh	5.38 (1.45)
Supports the local community	5.36 (1.53)
Supports local retailers	5.35 (1.54)
Tastes good	5.10 (1.48)
Reduces food miles	5.10 (1.68)
I know where it comes from	5.03 (1.63)
It is of high quality	4.98 (1.46)
It is environmentally friendly	4.86 (1.64)
It reduces packaging	4.85 (1.64)
It is seasonal	4.84 (1.57)
Its origin is traceable	4.83 (1.66)
It reduces pollution	4.78 (1.71)
It is sustainable	4.74 (1.55)
I can trust it	4.71 (1.55)
It is healthy	4.66 (1.51)
It is nutritious	4.66 (1.53)
It is natural	4.65 (1.57)
It is wholesome	4.62 (1.53)
I can buy the amount that I want to	4.61 (1.64)
It makes me feel good	4.51 (1.63)

Mean Score: scale of 1 to 7, where 1 is 'strongly disagree' and 7 is 'strongly agree'

Base: 1223

Source: Consumer Quantitative Survey

Appendix 2 Authorities taking part in this survey and the number of claims checked by each one.

Authority	Numbers	Authority	Numbers
Barnet	1	Neath Port Talbot	8
Bath and NE Somerset	13	Newcastle	7
Bedfordshire	6	Newport	27
Bridgend	3	Norfolk	25
Brighton and Hove	12	North Somerset	9
Cheshire East	12	Rhondda CT	23
Cheshire West and Chester	35	Rutland	7
City of York	37	South Gloucestershire	5
Cumbria	9	South Tyneside	2
Devon	73	Suffolk	14
East Riding of Yorkshire	5	Surrey	21
East Sussex	61	Swansea	13
Hampshire	49	Torbay	3
Knowsley	13	Vale of Glamorgan	3
Lancashire	5	West Berkshire and Wokingham	10
Merthyr Tydfil	5	Wiltshire	38
Middlesborough	4	Total	558

Appendix 3 Where the claim was made

Medium	Numbers
Advert	1
Internet	45
Invoice	1
Label	12
Leaflet	1
Menu	289
Notice	151
Packaging	50
Verbal	1
Not recorded	7

Appendix 4 Results of confirmation of claim

Result	Numbers
Satisfactory	25
Not confirmed	79
Claim false	101
Others	2

Appendix 5 Food Products where claim was made

Product	Numbers	% False claim	Product	Numbers	% False claim
Dairy products / Ice cream	51	24	Lamb	30	27
Alcoholic Drinks	14	7	Poultry, chicken / turkey / duck	10	50
Fruit juices / water/ other drinks	7	*	Game	6	*
Eggs	23	17	Offal	3	*
Fish and Fish products	75	7	Bacon / ham	27	7
Fruits	12	17	Sausage	35	29
Vegetables	34	12	Burgers	12	17
Honey / jam	16	13	Meat pies / sausage rolls	10	10
Bread / cereals/ cakes	13	31	Other meat products	7	*
Meats not specified	22	23	Pickles / vinegar	5	*
Pork	26	8	Miscellaneous	30	20
Beef	62	27	Product not described	11	

* Less than 10 results

Appendix 6 Local Authority Actions

Action taken	Numbers
Advice - not specified	38
Advice - amend menu / products to be removed from sale	59
Investigation continuing	5
Follow up inspection to be carried out	6
Written warning / formal letter	10
Reported for formal action	7

Action taken	Numbers
Advice - keep better records	7
Refer to Home Authority	5