

1. Copies of all correspondence (in all media) between Westminster City Council and Pret a Manager related to the issues raised by Real Bread Campaign's complaint of December 2016

WCC to Pret – 23/05/2018

Thank you for your email and for keeping us informed of the progress that is being made. We understand this is strictly private and confidential and will not share this with any outside agencies. If you have any questions please do not hesitate to contact us.

Pret to WCC: 22/05/2018

Dear All. I hope this email finds you well. Further to our last meeting, I would like to confirm Pret's position in relation to the Brand Evolution Programme discussed. Pret has committed to a global brand evolution programme. This programme encompasses and addresses the legacy marketing concerns that have been subject to numerous conversations between Pret and Westminster, and indeed goes beyond these issues. Following the successful application of the brand evolution features to a number of test shops in March and April 2018, the Operating Board have provided their agreement and instruction to deliver the programme over the most efficient but practicable timeframe. Illustrated below is the development and delivery schedule for the UK estate. There is more to it, but these are the salient points of interest. To inform further, I can confirm that the programme features are applied immediately to all new shop openings and any planned refurbishments. The refurbishment programme has had to be slowed to accommodate the cost and resource implications of the brand evolution programme. I can confirm that the programme will evolve Pret's messaging and branding in accordance of its understanding of the consumer expectation of marketing statements and its regulatory obligations. As such any claims will only be present where we have confidence in our ability for substantiation and appropriate interpretation. In short, by the conclusion of the programme, **[information redacted]**

[information redacted]

I appreciate that some of the shop based timelines are longer than we originally discussed, but I trust that you will understand that from the illustration above that there are a number of bottlenecks within such a programme, the resource of design based surveys, fabrication of the new brand standard materials and the capability of our SafeContractor approved contractors to undertake the work on a programmed basis being key to the timelines. The information above is provided in good faith, and strictly private and confidential. Please do not share this document with any outside agencies, as its release has brand value implications. Please do not hesitate to contact me should you wish to discuss any of these matters further.

WCC to Pret - 01.05.2018

Please find attached the minutes from our meeting last week. Our understanding as per the meeting and after re-reading the ruling is that the word natural cannot be used in any advertising. Following a conversation with ASA prior to the public release of the ruling I was informed that the window advertising/front of shop advertising and any social media/website advertising would fall under their remit. Our remit includes all packaging in store and any advertising within the Commercial Premises. This is our interpretation of the ASA ruling, which was confirmed by **[information redacted]** prior to our meeting: Ads (b) and (c) must not appear again in their current form. We told Pret A Manger to ensure their ads did not claim or imply that their food was "natural", unless their products and ingredients were in line with consumer expectations of the term "natural". If you have any questions please do not hesitate to contact us.

Pret to WCC - 27/04/2018

Further to my last email, and our meeting, are you able to provide the minutes for our meeting on Tuesday, and if possible can you confirm that based on the ASA website guidance that I shared with you on Wednesday confirm that you are satisfied that we have complied with the scope of works required by the ruling. This doesn't alter our brand programme, but I'd like to include all relevant parties positions in a board report that I am preparing. Thanks in advance

Pret to WCC: 27/04/2018

I just wanted to drop you a quick note of thanks for yesterday's meeting. We value your understanding and regulatory professionalism. I am particularly heartened by the efforts and research in to the twin labelling issue that I hope renders the right risk based outcome. This is the real value add of partnering. Further to our conversation around ASA scope of ruling, can I please draw your attention to the following links to their website which has informed our position on such matters.

<https://www.asa.org.uk/advice-online/remit-products-and-packaging.html>

You will note that this excludes packaging from the scope, except where included in advertising. We don't advertise, and therefore this is beyond the scope. As discussed however we are no longer driven only to meet the limited scope but by an intention to complete the brand refresh as discussed.

<https://www.asa.org.uk/advice-online/remit-point-of-sale.html>

You will note where our own materials are fixed to point of sale or property owned by Pret they are beyond the scope of the CAP code. As such the ruling cannot be construed as including our logo and in shop messaging. As discussed yesterday, and mentioned above, this will not prevent us from undertaking the refresh works discussed. We will however endeavor to complete it within a time frame and cost that is reasonable to the business. I will as promised come back to you on this in due course. I hope based on the above, you are satisfied that we have duly complied with the instructions and in accordance with the CAP code. Please don't hesitate to contact me if I can be of any further assistance on this matter.

Pret to WCC - 17.04.18

Thank you for your email, I will contact **[information redacted]** directly. As discussed, the ASA ruling has been actioned explicitly. Our "Ads" (which do not include our point of sale or packaging under the CAP code) have been removed and will not reappear. I'd be happy to receive any further explanation that you have received from the ASA. Based on this, and our separate conversation, can I suggest we meet on Tuesday next week at our offices at 10:30. At this time I can also share with you our wider brand plans that we discussed at our last meeting.

WCC to Pret - 17.04.18

Following on from our telephone conversation this afternoon please see below contact details for **[information redacted]** who is in the communications team. He will be fit to advise you on our immediate policy for dealing with the media.

[information redacted]

[information redacted]

As agreed if you could confirm your interpretation of the ASA ruling please as this differs from our interpretation and discussions with ASA. This is the particular part of the ruling that we are referring to:

Ads (b) and (c) must not appear again in their current form. We told Pret A Manger to ensure their ads did not claim or imply that their food was "natural", unless their products and ingredients were in line with consumer expectations of the term "natural"

Pret to WCC - 16.04.18

Thank you for your email. In light of the ASA ruling we have acted explicitly in accordance with their requirements. As such we'd consider that matter closed. Can you please specify which elements of ruling that you are referring to and how you feel they need to be applied? I look forward to hearing from you and as always happy to meet if that is more helpful.

WCC to Pret - 16.04.18

Thank you for confirming this. In light of the ASA ruling we now need to understand how you will apply the same principles to your in-store advertising, consumable materials, etc. Our proposal regarding these items is that the timeline to complete this should be as short as possible given the fact that this investigation has taken so long and that you were aware of the draft ASA ruling. As a matter of priority, please can you advise when you intend to implement these changes. We would like to know by the latest at the end of this week.

Pret to WCC -10.04.18

We have removed the three articles to which the complaint referred and signed the certificate of assurance and returned this to the ASA as required.

WCC to Pret - 10.04.18

We were informed that ASA has now ruled on the complaint. Can you update us on what the proposals are to comply with the ASA ruling please?

WCC to Pret: 07/11/2017

Dear **[information redacted]**

Please see our responses to your questions below:

Primary Authority Regulatory Advice (Reference Pret/WCC/01).

1. It is acknowledged that this advice was issued on the 8th July 2011, this is reflected in both your responses. However what is not reflected is the letter of the 24th January 2013, advising that there had been a further review of the Advice and its continuance based on the "...accurate understanding and interpretation of the legislation/requirements." This is quite an important letter that was written by **[information redacted]** of WCC. **Would you kindly confirm that this was merely an oversight?**

Response:

We acknowledge that this was an oversight; we confirm that the advice was reviewed by **[information redacted]** on 13th October 2012 which is confirmed in the letter dated 24th January 2013.

2. Further review of the PARA was not raised again formally by WCC until you and your colleague **[information redacted]**, met with **[information redacted]**, Pret UK Safety Manager, on 22nd January 2016. In **[information redacted]** emailed meeting minutes (dated 25th January 2016) it stated that in order to review the validity of the statement, Westminster will need to need to undertake a full review and that **[information redacted]** would need to liaise with colleagues in the food department. A review was not undertaken and therefore the Advice merely expired. I understand that there had been issues on the part of WCC with regards to the upload of this Advice onto the BRDO website which provides the usual trigger for commencement and expiry. **Please can you confirm that the Advice was valid until this date or alternatively provide evidence of expiry before or after this date, and any communication relating to that expiry?**

Response:

Following the departure of [information redacted] in mid-2015, [information redacted] took over as Primary Authority lead officer for Pret a Manger. He subsequently undertook a full review of all Primary Authority advice previously given to Pret a Manger with a view to ensuring that all the Primary Authority assured advice was accurate and up to date including references to legislation. During this review [information redacted] had concerns that the mission statement was too ambiguous and he therefore brought this to the attention of [information redacted] in November 2015.

[information redacted] then liaised with [information redacted] over what was agreed to be uploaded with copies of the current assured advice also sent to [information redacted]. This was sent via email on the 22/01/2016.

[information redacted] at this time did not reissue assured advice for the mission statement due to concerns that it was too ambiguous. The advice remained valid until [information redacted] undertook this review at this point and subsequently made this obsolete on the BRDO website. According to the advice we received from Regulatory Delivery, the review date will remain valid, as long as it remains posted and not marked as obsolete.

However this has been an agenda item and point of discussion since November 2015. [information redacted] was of the firm belief that Pret a Manger understood the ambiguous nature of the statement and that steps were being taken to address this issue. However [information redacted] recognised that this was going to take a period of time due to the importance of the statement within the company and that it could not be changed overnight.

3. It is acknowledged that the review was not undertaken after the meeting on 22nd January 2016 and the Advice expired. The Advice was not removed due to the change in any of the requirements under which it was issued. **Can you please confirm that had the review been undertaken then, and indeed if it were done now, that the legislation, recognised guidance and criteria against which Advice was originally issues and subsequently reviewed and continued remain relevant? If not, please could you set out any of the material changes in a referenced statutory instrument or guidance document that would materially change the decision making and Advice issuing process.**

Response:

The advice was made obsolete at this point because Pret a Manger had been informed that [information redacted] did not reissue the assured advice for the mission statement due to concerns that it was too ambiguous. The review date will remain valid, as long as it remains posted and not marked as obsolete.

Changes brought about by Regulation EC 1169/2011 which came into force in Dec 2014 meant that references to the Food Labelling Regulations were replaced. Article 2 Regulation 2000/13/EC was re-stated in EC 1169 under fair information practices.

Likewise food additives legislation has changed – food additives, enzymes and flavourings, Reg 1333/2008 & 1130/2011.

These changes would have had to be taken in account had the advice been re-issued.

4. In light of the statements above and associated questions, I feel that your response is not a true reflection of the circumstances or the context of Pret's position on this matter to the ASA. As per my opening paragraph, the factual clarity on this is matter is important. **Please can you provide a form of words either to us via response to this email, that better reflects the actual circumstances in order that our dialogue with them can continue? Our final opportunity for submission is on Monday , therefore in the interest of expediency, a response to this email, either agreeing to the points above and/or setting out a more accurate and referenced (if appropriate) response to the question would be preferable.**

Response:

Please see below a detailed account that reflects the actual circumstances:

- On 8th July 2011 advice on parts of the mission statement was assured by Westminster City Council.
 - On 13th October 2012 this advice was reviewed by Westminster City Council.
 - On 24th January 2013 a letter was sent to Pret a Manger by **[information redacted]** from Westminster City Council confirming that the advice on parts of the mission statement was reviewed on the 13th October 2012.
 - In November 2015 when **[information redacted]** became lead officer for the PA partnership with Pret a Manger he raised his concerns with Pret a Manger in regards to the mission statement as he believed it was too ambiguous.
 - For this reason the advice was subsequently marked as obsolete and therefore the advice was no longer valid.
 - The mission statement has been an agenda item and point of discussion since.
5. The WCC and Pret Partnership has been in place for over 7 years and the nature of the relationship has been fluid. I hope you would agree that the rigour that is incumbent on you as a regulator as well as the support that you provide as a partner is discussed and responded to with transparency. **Please can you confirm that product names, terms and claims have been a present agenda item since you've returned to the partnership and that the situation is under constant review and challenge?**

Response:

I confirm that product names, terms and claims have been a present agenda item since I have returned to the partnership and that the situation is under constant review and challenge. We hope that we can continue to form a successful partnership based on transparency and robust information sharing.

I hope that our responses have clarified any ambiguity. It would be helpful if you could provide us with the reasoning behind your enquiries. Please do not hesitate to contact us if you have any further questions.

WCC to Pret: 03 November 2017

Below is the wording I used:

Response on 7th August 2017:

“Apologies for the late reply. The advice that you attached is from 2011 and is now obsolete and we have not reviewed these claims since. Unfortunately we cannot comment on the advice that was given at that time as the officers involved in reviewing that advice no longer works at Westminster. Recently we have been in discussion with Pret in regards to their mission statement which we are now in the process of reviewing. Apologies we cannot be of further help. “

Response 05/10/2017:

“As the advice issued in 2011 has been made obsolete we confirm that it is no longer applicable. Yes you can send us the draft recommendation when completed.”

Pret to WCC: 03 November 2017

A copy of the response would be ideal – I’m not sure I understand the rationale behind Data Protection but in the immediate absence of this, can you instead provide me with the wording you used in your response to the ASA please.

WCC to Pret: 03 November 2017

I am awaiting clarification from our data protection team on whether we can send the response to Pret. Sorry about this, but we need to make sure that we are not in breach of any data protection legislation. I will keep you updated.

Pret to WCC: 1ST November 2017

Hope you are well. Further to the matter below, are you able to provide me with a copy of the response you made to the ASA please?

WCC to Pret: 04 October 2017

Just to update you that we received an email from ASA this morning. They wanted us to confirm with them that the advice issued in 2011 in regards to the mission statement is no longer valid. As this advice issued in 2011 had been made obsolete we will have to confirm that it is no longer applicable.

Pret to WCC 25/08/2017

Thanks for the update. Since the complaint to the ASA, I can advise that Pret have:

- Removed all the marketing from the website to which they refer
- Removed the 4 pieces of marketing from shops
- Deleted our Flickr account

We have closed down the line of enquiry on the “baked in shop” and are left with the ‘natural’ and ‘obscure’ lines of enquiry. We have an on-going communication with **[information redacted]** and she will be aware of these actions. I unsure therefore what she would like an update on following the next WCC/Pret meeting?

WCC to Pret - 23 August 2017

Just to update you again I received a call from **[information redacted]** from the ASA. I was informed that it is a complaint they have received from the ‘Sustain Campaign Group’ who are investigating into claims on the website in regards to ‘natural’ and ‘avoiding obscure chemicals’. I informed her again that we have not reviewed these statements and therefore we cannot comment. She also mentioned that there was a complaint in regards to whether Pret ‘bake their products onsite’ but she did not go into any detail. She wanted to know if we had received any complaints in regards to these claims and I informed her that we have had brief discussions at previous meetings on reviewing the mission statement with Pret but again

nothing had been done in regards to this so I cannot comment. She wanted to know when our next meeting with Pret is and if she could get an update following this meeting.

Pret to WCC: 19/07/2017

Hope you are both well. Further to our meeting last week, please see attached the information we agreed to share

- Our reply to the ASA, to which we have had no response to date
- Details of additives in Pret bread and other commercially available bread

Pret to WCC 03.07.2017

Thank you for your email. I was away from the office last week, so apologies for the late reply. I will liaise with **[information redacted]** & **[information redacted]** on this matter, with a view to us meeting either later this week or early next, so we can discuss our legal position further. In the meantime, the ingredients for our granary bread are as follows: INGREDIENTS: Fortified Wheat Flour (Wheat Flour, Calcium Carbonate, Iron, Niacin, Thiamin), Water, Malted Wheat Flakes, Wheat Bran, Vinegar, Salt, Malted Barley Flour, Wheat Gluten, Yeast, Mono- and Diglycerides of Fatty Acids (E471), Rapeseed Oil, Mono- and Diacetyl Tartaric Acid Esters of Mono- and Diglycerides of Fatty Acids (E472e), Ascorbic Acid, Palm Oil, Wheat Starch. Please see the attached email to **[information redacted]** previously with this info and further clarity around the E numbers. By way of background and refresher for you, you may also recall that we have PARA for our Mission Statement for all but the “common to so much of the prepared and fast food on the market today” part. This PARA has not been reviewed since its issue in 2012. It was discussed at a meeting with **[information redacted]** last year and at that time, Pret was advised that WCC would not have the resource to undertake a full review of our ingredients to validate the statement. It'd be good to discuss revisiting this when we meet too.

Mission Statement

However with regard to the end of this phrase “common to so much of the ‘prepared’ and ‘fast’ food on the market today”- I am unable to comment on this as I have not carried out a thorough investigation into the chemicals, additives and preservatives which are being used by other companies. Therefore I am not entirely satisfied that this phrase does not mislead the consumer and does not provide commercial advantage to Prêt a Manger. Having said that if Prêt a Manger wish to continue to use this phrase then it is wholly and entirely there responsibility.

WCC to Pret - 29/06/2017

I hope you are well. I spoke with trading standards and we were informed that food standards would come under our Primary Authority agreement and therefore we must follow up on the allegation in regards to the mission statement. We received this complaint in December last year and we must try to resolve this issue as the complainant is seeking a timescale on when this will be resolved. I understand that you are still awaiting legal advice? Do you know when you might get this back. In regards to the products that the complainant is referring to would it be maybe possible to get the ingredients list in order to compare these to the mission statement?

Pret to WCC - 09.01.18

Happy New Year. There has been little progress from the ASA since we last spoke. In summary, we made a full response to their proposed recommendations on 11th November 2017 and are yet to receive any correspondence in return. Therefore it is our understanding that there has been no final determination on whether the contested complaints have been wholly or partially upheld or dismissed. Please be assured that we will advise you of any developments as they occur.

Pret to WCC - 09.01.18

Hope you are well and had a good Christmas and new year. I have copied **[information redacted]** in on your email, who will be able to provide any update on the ASA ruling we may have received.

WCC to Pret - 08.01.2018

During my recent leave, I have received another Email from **[information redacted]** from the Real Bread Campaign, asking for an update to his complaints against Pret's Mission Statement and bake on bread. Do you have an update as to when the ASA ruling on the above and the timescale for compliance?

Pret to WCC 10.02.2017

[information redacted]

Hi **[information redacted]**

Further to our previous communications regarding the complaint and allegations made by the Real Bread Company, I thought it appropriate to share a little more information and context with you in advance of us meeting soon.

The Real Bread Company have been challenging Pret and other organisations over a number of years, not always in the most constructive or transparent of ways. Whilst we are respectful of their desire and commitment to the production, sale and profiting from bread prepared in a certain way, with and without certain ingredients, we and the significant majority of common household bread producers are not in a feasible position to operate in accordance with their utopian requirements. Further we, similar to many other reputable providers cannot have our procurement and preparation dictated to us, by single issue commercial pressure groups. We have, as you will have seen from the wealth of communications they shared, endeavoured to be as communicative and open as we can.

To clarify our bread contains:

INGREDIENTS: Fortified Wheat Flour (Wheat Flour, Calcium Carbonate, Iron, Niacin, Thiamin), Water, Malted Wheat Flakes, Wheat Bran, Vinegar, Salt, Malted Barley Flour, Wheat Gluten, Yeast, Mono-and Diglycerides of Fatty Acids (E471), Rapeseed Oil, Mono- and Diacetyl Tartaric Acid Esters of Mono- and Diglycerides of Fatty Acids (E472e), Ascorbic Acid, Palm Oil, Wheat

Starch.

None of the ingredients used in our bread are obscure and are likely to be in common with what

other commercial sandwich producers are using. To clarify, the E numbers E471 and E472 are

emulsifiers and are common to almost all commercially produced loaves. They are necessary to

restrict 'growth' of the bread in baking to allow it be uniform in shape and size. All flour must be

fortified by law, so that is also common to all. Vinegar, as you may be aware, helps with the shelf

life and the other ingredients are commonly used in bread for flavour and strength.

[information redacted]

I look forward to us meeting and we can discuss with you in greater detail our ethos, approach

and standards to ensuring that Pret operates responsibly and compliantly.

[information redacted]

WCC to Pret 07.02.2017

[information redacted]

Hi **[information redacted]**,

[information redacted]

With regards the current complaint can you advise me of your food products that contain additives? Namely does the Malted wholemeal loaf?

Thank you

[information redacted]

Pret to WCC 02.02.2017

[information redacted]

Hi **[information redacted]**

Thank you for forwarding information regarding this complaint. Please let me know if there is

anything further that comes from your meeting with **[information redacted]** and in the meantime, I will liaise with

the relevant parties here on this matter.

[information redacted].

Kind regards, **[information redacted]**

[information redacted]

WCC to Pret 01.02.2017

[information redacted]

Hi **[information redacted]**,

I wanted to bring your attention to a complaint Westminster City Council have received. I have

copied and pasted the complaint – I'm meeting with **[information redacted]** (Account Manager) tomorrow to

discuss the complaint. Through talking to [information redacted] I understand that this issue regarding Article 7 Fair

information practices (misleading information) has been mentioned in previous meetings.

Despite Pret a Manger claiming to “shun obscure chemicals”, the Real Bread Campaign has discovered that this “natural” sandwich chain is serving its unsuspecting customers a cocktail of artificial additives including diacetyl tartaric acid esters of mono- and diglycerides (E472e) and l-cysteine hydrochloride (E920).

After nearly a year and a half of correspondence with Pret’s CEO Clive Schlee, the Campaign believes that the company has no intention of resolving this apparent discrepancy by either removing all artificial additives from its products, or by declaring them on product/shelf labelling and removing the natural and antiadditive claims from its marketing.

From social media to etched wooden boards in store, through sandwich cartons to napkins and window displays, Pret repeatedly makes claims such as “we shun the obscure chemicals, additives and preservatives common to so much ‘prepared’ and ‘fast’ food.”^[i] Elsewhere, Pret appears to imply that the absence of ingredient labelling is because its own sandwiches are additive-free, saying that “factory produced long-life sandwiches are plastered with labels containing lots of boring numbers, names, dates and symbols. No label is good. Pret sandwiches etc are fresh. They have no labels.”^[ii] The company even goes as far as to state “Now you know how to spot the difference.”

Even though the company insists that “avoiding preservatives and obscure chemicals is sacred to Pret,”^[iii] the reality is that it does use them. In May 2015, an email from the company’s customer services department responding to a query from the Campaign revealed that ‘malted wholemeal’ loaf it uses has 15 listed ingredients and unnecessary additives.^[iv] Across Pret’s range, the artificial additives used in baked products include: E920 (l-cysteine hydrochloride) E472e (diacetyl tartaric acid esters of mono- and diglycerides), E471 (mono- and diglycerides of fatty acids), E422 (glycerol), E330 (citric acid) and E300 (ascorbic acid).^[v] None of these appears on product packaging, labels or point of sale signs. The Campaign then began corresponding with Schlee, encouraging the company to become a Real Bread leader by going additive-free in line with its claimed ethos.

The Food Standards Agency criteria for the use of the word notes that “Natural means essentially that the product is comprised of natural ingredients, e.g. ingredients produced by nature, not the work of man or interfered with by man. It is misleading to use the term to describe foods or ingredients that employ chemicals to change their composition or comprise the products of new technologies, including additives and flavourings that are the product of the chemical industry or extracted by chemical processes.”^[vi] As Pret itself acknowledges: “nowadays scientists make mass-produced food last longer, look nicer and have improved “mouth-feel”. This alchemy often appears on packaging as E numbers and long unpronounceable chemical names. Basically, it helps make money along the way. The damage these additives do to our bodies is the source of tremendous debate and research.”^[vii]

In the May 2015 email, Pret admitted that “the number of included ingredients is so large, that to provide comprehensive ingredient advice in this way would be impossible.” Even assuming that this, and the protest that “we don’t label our sandwiches due to the volumes we make,” is true, clearly there is plenty of space available at point of sale, but they choose instead to display “labels that describe the flavours in each sandwich.”

Another pillar of Pret’s marketing is ‘freshness’. This includes highlighting that some of their “shops have a wonderful baker’s oven (indeed, some have two). We bake our baguettes throughout the day, the fresher the better.”^[viii] However, not

one of the company's outlets uses its "big, fancy baker's oven"[ix] to make "baguettes, pastries, croissants and savouries in house every day" from scratch. While insisting that "we don't sell 'factory' stuff,"[x] Pret in fact use its ovens merely as what the Campaign calls 'loaf tanning salons' to bake off massproduced items pre-made elsewhere at some point in the past.[xi]

In October 2016, Schlee wrote that the company had declined to switch to using a Real Bread bakery as "their prices were two to three times our current price and moving would cost Pret several million pounds". He claimed that they were "making progress in moving to cleaner bread" but it was not clear whether additives would be removed, or replaced by so-called 'clean label' (i.e. undeclared) processing aids.[xii]

As at December 2016, Pret's 'natural' and 'fresh' marketing messages were still in use alongside artificial additives and part-baked products.

[information redacted].

Kind Regards,

[information redacted]

2. Minutes of all meetings between Westminster City Council and Pret a Manager related to the issues raised by Real Bread Campaign's complaint of December 2016

Minutes:

2nd October 2017

Mission Statement

- No further correspondences from ASA.
- **[information redacted]** recognises Mission Statement is 30 years old and recognises how people, world changes and therefore moving forward will progress to an agreed solution. However there is no intent to change Mission Statement in the short term but perhaps in the longer term.
- **[information redacted]** asked if Westminster and Pret could sit down together to technically walk through the mission statement to help form change.
- Westminster agreed moving forward to help come to an agreed solution on this with Pret.

9th October 2017

Mission Statement

- No further correspondences from ASA.
- A meeting to be arranged in due course in order for Westminster and Pret to technically walk through the mission statement to help form a change. Westminster agreed moving forward to help come to an agreed solution on this with Pret.
- **[information redacted]** to get an introduction to Pret before a meeting arranged.

6th December 2017

Mission Statement

- **[information redacted]** explained that they are awaiting a response from ASA. At the moment Pret are working on a Plan B alternative if they are required to make changes to the Mission Statement. At the next meeting there should be an outcome and a direction on what the next steps will be in regards to this.

16th March 2018

Mission Statement

- ASA has responded to Pret's comments.
- **[information redacted]** said that meetings is taking place in order to resolve this matter. The plan is that Pret will focus on other areas such as 'freshly prepared'.
- **[information redacted]** said that by the next meeting they hope to have new design packs.

24th April 2018

Mission Statement (ASA Ruling)

- **[information redacted]** showed us a power point presentation of a brand evolution for Pret a Manger.
- Included in the brand evolution is the removal **[information redacted]**.
- **[information redacted]** stated that the brand evolution would also apply to **[information redacted]**.
- **[information redacted]** asked what the timeline is for this change.

- **[information redacted]** said that there is currently no definite timeline, however in the next 3/4 weeks there will be answers that are more definite. **[information redacted]** informed us this is a global change and that signage to a number of shops have already changed, e.g. Crown Passage. The plan is that in the next 4 months **[information redacted]**.
- The ASA ruling was discussed and Westminster's interpretation of this ruling is that the word natural cannot be used in any advertising.
- **[information redacted]** said that following a conversation with ASA prior to the public release of the ruling I was informed that the window advertising/front of shop advertising and any social media/website advertising would fall under their remit. Our remit includes all packaging in store and any advertising within the Commercial Premises.
- This is our interpretation of the ASA ruling, which was confirmed by **[information redacted]** prior to our meeting:
 - Ads (b) and (c) must not appear again in their current form. We told Pret A Manger to ensure their ads did not claim or imply that their food was "natural", unless their products and ingredients were in line with consumer expectations of the term "natural".
 - **[information redacted]** said that in the next 3/4 weeks Westminster would need to see answers that are more definite on the timeline for these changes.

10th July 2018

Mission Statement (ASA Ruling)

- **[information redacted]** refurbishment plans going ahead to schedule and that sundries such as napkins had been changed. **[information redacted]**
- **[information redacted]** Complainant to WCC & ASA still not satisfied with outcome. Now being dealt with by Service Manager, likely to escalate to WCC Chief Executive

3. Copies of all internal and other correspondence and documentation related to the issues raised by Real Bread Campaign's complaint of December 2016

ASA – WCC - 04/04/2018

The ASA Council has now ruled on the complaint and agreed with our recommendation that the ad breached the Code in relation to issue 2, but not in relation to issue 1. The attached report will be published on the ASA website, www.asa.org.uk, on **Wednesday 18 April** and we ask you to treat it as confidential until then. It will be made available to journalists, under embargo, from the Monday before publication. Pret A Manger and Sustain will also receive a copy of the ruling today. Thank you for your assistance in this investigation.

ASA – WCC 28 February 2018

Following comments received from the parties, we have made some changes to the Draft Recommendation. Please see the attached revised report showing our changes in red. If you have any final comments to make on the draft, it would be helpful if you could let me have them by Wednesday 7 March. If that is not going to be possible, please can you send your comments to my colleague, **[information redacted]** by Monday 12 March as I am going to be out of the office that week.

ASA – WCC 20 October 2017

Please see the Draft Recommendation (DR) attached. If you have any comments, please let me know by **Friday 27 October**. We have also sent the DR out to Pret A Manger and the complainant (Sustain) today and have asked for their comments by next Friday. Please let me know if you have any questions.

WCC to ASA 05 October 2017

As the advice issued in 2011 has been made obsolete we confirm that it is no longer applicable. Yes you can send us the draft recommendation when completed.

ASA to WCC 04 October 2017

I am in the process of drafting a recommendation for the ASA Council, as part of the ongoing investigative process. In their response, Pret A Manger have referred to the advice provided by Westminster in 2011 and have said that at the time their Mission Statement was cleared for use by Westminster. We would like to state in our assessment that we have been informed by you that the advice is no longer valid. Please confirm whether you are happy with that approach. Once finished, I can send you the Draft Recommendation and you will have the opportunity to comment on the wording I have used, as will the parties to the complaint. Once the Draft Recommendation is agreed, the case will be presented before the ASA Council for its decision. I look forward to hearing from you.

WCC to ASA 07 August 2017

Apologies for the late reply. The advice that you attached is from 2011 and is now obsolete and we have not reviewed these claims since. Unfortunately we cannot comment on the advice that was given at that time as the officers involved in reviewing that advice no longer works at Westminster. Recently we have been in discussion with Pret in regards to their mission statement which we are now in the process of reviewing. Apologies we cannot be of further help.

WCC to Public Health England: 21/08/2017

I hope you are well. I was wondering would it be possible to get advice from the lab on whether certain ingredients would be free from obscure chemicals, additives and preservatives? We have a case at the minute where the customer believes that a business is misleading the customer by using terms such as natural food and that their food is free from obscure

chemicals, additives and preservatives. If I compiled a list of ingredients would this be something that your lab could maybe give advice on?Thank You

3. Copies of all internal and other correspondence and documentation related to the issues raised by Real Bread Campaign's complaint of December 2016

[information redacted]

Date: 15 June 2017 15:53:43

Hi,

I think that we should meet, so I get a better idea about this case. Can we meet tomorrow and I

will respond to him..

Thanks,

[information redacted]

[information redacted]

Sent: 15 June 2017 15:46

[information redacted]

Hi,

This was a case that **[information redacted]** was dealing with regarding Prets mission statement.

The statement mentions that their food avoids obscure chemicals, additives and preservatives common to so much of the prepared and fast food on the market today. The bread company have stated that Pret use a large amount of E numbers in their ingredients and therefore believe the statement to be untrue and misleading.

We have spoken to Pret about this and they are in the process of seeking their own legal advice on the matter.

Myself and **[information redacted]** were due to have a meeting with **[information redacted]** to discuss this further **[information redacted]**

Should we arrange another meeting to discuss?

[information redacted]

[information redacted]

Date: 21 April 2017 15:26:44

Fyi

[information redacted]

Sent: 30 January 2017 09:32

[information redacted]

Hi **[information redacted]**

Thank you for this information- I've read the complaint and legal section that you sent

[information redacted]. I

think the best thing for me to do is wait to speak to **[information redacted]** when she is back in the office. Just to

confirm, are we still allowed 5 working days to respond to complaint? I can respond to complainant to inform them that we have received it and will investigate the matter?

Thank you

[information redacted]

[information redacted]

Sent: 30 January 2017 09:02

[information redacted]

[information redacted] will have this in her meeting minutes. There may be a copy in the Pret folder but if not let

me know and I'll dig it out from my email vault.

I first raised the issue about the mission statement which was originally signed off by

[information redacted] who

gave assured advice on the statement. Westminster CC originally agreed most of statement but

would not support a part of it stating that Pret would have to defend it themselves. When I reviewed all the assured advice as you have to do annually I refused to re-issue assured advice

on the mission statement because I thought it mislead consumers. I told **[information redacted]** they would need to change it.

Article 7 of FIC covers FAIR INFORMATION PRACTICES. THIS SHOULD BE READ AFTER READING

THE PRET MISSION STATEMENT.

Consider what they are saying and then consider whether it is truthful and accurate. I took the

view that given their source ingredients their claims were excessive.

I would pass the details of the complaint to **[information redacted]** and raise the issue that this had been raised

previously with the company. I would ask directly what action had been taken on this in light of

Article 7 as we have concerns that Pret are in breach of Article 7.

Take a look and see what you think.

[information redacted]

[information redacted]

Sent: 27 January 2017 16:30

[information redacted]

Hi **[information redacted]**

Please find attached a referral that came through to me (somehow) about Pret from another Council.

Before I left I was looking for the ingredients list for Pret products in order to review the validity

of their mission statement. I don't know if **[information redacted]** followed up on this. I cc/d **[information redacted]** in too because I know he did some research on this too.

Thanks

[information redacted]