

APPLICATION TO REGISTER THE NAME

**'DUNDEE CAKE'**

— AS A PROTECTED GEOGRAPHICAL INDICATION (PGI) —

UNDER THE EU PROTECTED FOOD NAME SCHEME



**MADE IN  
DUNDEE**



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## **Introduction**

Dundee Cake is the name given to a rich, moist, all-butter “afternoon tea” lightly fruited cake which must be prepared, decorated and baked in the described geographical area. It is studded with juicy sultanas and flavoured with Seville orange, usually round in shape but can be made in other shapes to accommodate customer requirements. Regardless of its shape, Dundee Cake is always decorated with blanched whole or split almonds which give Dundee cake its iconic appearance. The cake should smell sweet and buttery and have an aroma of bitter orange. It may also contain ground almonds for extra richness and moistness and can be flavoured with sherry.

1) Its Appearance and Content:- The Dundee Cake tradition is of making a fruit cake that is much lighter than heavier fruit cakes such as Wedding Cake. It is derived from a traditional Scottish sultana cake recipe where sultanas are reduced as a percentage and replaced with orange peel. Its classic form is as a round cake topped with concentric rings of almonds.

2) It is a natural product:- The argument put forward here is that the ingredients of a Dundee Cake should be naturally sourced from non-processed foods. This precludes the inclusion of artificial preservatives, colours, flavour enhancers, raising agents and emulsifiers from the recipe as these would not have been available in the original recipe. The Dundee Cake makers continue to make their cake without the use of artificial additives.

3) Its Heritage:- It was a quality product with a long history of association with the city since the late 1700s. During the course of the 20th century, as production has moved out from the city, the product has been altered and degraded until it has simply become a catch all term for

a fruit cake of whatever description the manufacturer chooses to make. However, the local tradition of cake making has remained true to its origins.

4) Context:- The City of Dundee:- The historical links to the city of Dundee are irrefutable, and at a time when the city is fast becoming one of the hottest new leisure destinations, with an estimated 500,000 visitors coming to the city once the V&A Dundee Museum of Design opens in 2018. Therefore having a quality food product which can help define the city’s heritage by offering a unique and authentic food experience is an important opportunity for many businesses and organisations within the city. Proof of the origin of Dundee Cake within the city of Dundee has been evidenced fully in the PGI application but a brief summary is provided here:-

## **Background**

Dundee Cake had strong association to the geographical area through the marmalade makers Keillers of Dundee, who used their surplus orange peel from their marmalade production to create the Dundee Cake which was made as a rich buttery sultana cake flavoured with orange peel and almonds.

The Keillers original recipe used Seville oranges, Spanish almonds and Spanish sultanas, a tradition which started as more of a convenience as these products were readily available due to trade in Dundee’s port at the time. Keillers also started the tradition of using whole almonds to decorate the top of the cake with the specific concentric pattern to give their cakes a distinctively characteristic identity.

*Continued...*

While early cake imitators appear, on the whole, to have stayed fairly close to the Keiller recipe, adjustments over time have been made to the Dundee cake recipe by including cherries or other dried fruits to the point where it is now regularly used simply as a marketing term for a wide variety of fruit cakes. These do not adhere to the traditional recipe which was made using only sultanas and oranges with the distinctive almond decoration.

The City's bakers have come together to ensure that the original quality and ingredients for Dundee cake are maintained, safeguarding our heritage and its link to the city. The Dundee award winning producers have managed to maintain the Dundee Cake as a quality product by remaining true to its original recipe and production methods.

A spokesperson at SSET Food & Life Sciences at University of Abertay, Dundee said:

*“According to all recipe balance convention the batter to fruit ratios are:  
Light fruit cakes: 4 to 1 of fruit 25%  
Medium fruit cake: 2 to 1 of fruit 50%  
Heavy fruit cake: 1 to 1 of fruit 100%”*

*As the Dundee cake sits at circa 27% including the peel, which must be included in the calculation, it is considered a light fruit cake as it does not reach the required 50% or 2 to 1 ratio. There is no legislation regarding fruit content proportions. Any company can call a fruit cake light medium or heavy at any % to suit their own marketing criteria e.g 40% + may be OK for a birthday cake but not OK for a wedding cake which is around 1 to 1 ratio.”*

Dundee Cake is going through a renaissance at a local level with chefs and restaurateurs now creating contemporary new dishes using it as a key ingredient on menus across the region. For example, Dundee College catering students have recently developed a Dundee Cake ice cream dessert which will be shared at an event locally with the restaurant sector.

The Dundee award winning producers The Dundee City Tourism Partnership is working with the food sector locally to increase the use of Dundee Cake in menus across the city as part of its food and beverage strategy.

The following local companies have recognised the advantage of using Dundee Cake to add to the uniqueness of their offering:

- Woodlands Hotel
- Abertay University
- IMPC
- Scotland House ‘Summer Reception’, Brussels, Summer 2015
- Malmaison Hotel, Dundee
- Tea Ann Cake Cafe
- Camperdown Vintage Tea Room



*Tea Ann Cake serves up Dundee Cake*

Dundee Cake has also been used as a key promotional item at major events and exhibitions including IMPC, Scotland House Summer Reception, Brussels, Summer 2015; All Energy; Visit Scotland Tourism Expo 2015.



## The Future

### Reputation and culture

There has been a renaissance in the city with regard to Dundee Cake following the publicity regarding the PGI activity. Dundonians have backed the need for the cake to be protected, recognising the strong link to the city's heritage and reputation that it represents. The historical links to the city of Dundee are irrefutable, and at a time when the city is fast becoming one of the hottest new leisure destinations having a quality food product which helps define some of the city's heritage is a fantastic opportunity for many businesses and organisations within the city. It also provides Scotland with another unique quality food product.

We know from our activity over the last couple of years that there is a misconception of what Dundee Cake actually is, especially in relation to a younger market. It is perceived, because of the products on sale in bigger supermarkets etc. as a rich heavy fruitcake which many tell us they don't like. When confronted with the actual "Dundee Cake" as described in our application, they are generally surprised and delighted. Most proclaiming they could eat more of that!

### Authentic experiences

The new international design museum, V&A at Dundee is soon to appear on the city's stunning waterfront and their team have already indicated it has a strong interest in having the cake both as a gift in their retail section and within their food offers. The V&A is estimated to attract over 500,000 visitors in its first year alone. Café culture in Dundee is quite unique in that many are owned and run by the creative sector and are therefore both quirky and unique. Dundee Cake is offered as one of the selection of afternoon tea cakes for sale by many. Innovative approaches to the cake such as a cupcake version and beautifully displayed cake is now a regular offer on our café scene.

Local bakeries have always had Dundee cake on the menu but sales for the cake have increased substantially over the last couple of years thanks to the PR around the cake's status. The cake is now appearing at weddings as the wedding cake of choice or as table gifts whilst demand from businesses and organisations to serve Dundee Cake at events and exhibitions has also seen a huge increase.

### Growth Strategy

The economic potential at both a Scottish and regional level of this world-renowned cake is as yet to be fully exploited. Local bakers have already begun to plan for substantial growth in relation to the Dundee cake product including investing in new equipment and packaging.

As the growth increases in relation to demand for the cake, job opportunities are also expected to increase as well as economic growth in the local economy from income generated from the sale of the cake both locally, nationally and internationally. Discussions are already in place between the agencies locally to ensure that support and advice is available to ensure that the city can meet the demand for the cake.

The ability to guarantee quality and genuine Dundee Cake through the PGI status is a key factor in enabling full exploitation of this remarkable food asset to both Dundee and Scotland.

Any existing Dundee bakers or new bakers setting up in the area to meet the demand from around the world for the cake, will have access to a package of support from the City Development Dept of Dundee City Council. Overseas market development grants and the Dundee Development Grant are available to assist with some of the initial development work. The council is also able to facilitate access to a vibrant and collaborative food and drink network as well as wider tourism businesses.

## Objections and Responses

### **Baker Trade Of Dundee, Response to objections to PGI application for Dundee Cake**

*This should be read in conjunction with:*

a) The formal objection letters included as Appendix 2 to this document, although a summary of the objection is provided before each point is answered in the text immediately below.

b) The ingredient matrix found on page 12 of this document. This shows where those cakes included in the objection vary from the authentic Dundee Cake recipe.

**Document Format:** Each Objector is listed in turn along with their reasons for **objections** in a consecutive number format. Our **response** is accompanied by a general statement in support of our position where this is relevant.

A more detailed description of each objection can be seen in the individual objection letters received in Appendix 2.

### ***Fisher and Donaldson***

**Objection 1.** The area for protection is too large, suggesting that the inclusion of Carnoustie in the original application is too large.

**Response:** We were trying to be more inclusive in our application, but if it helps the process by reducing the area of production to the boundaries of the city as suggested then we are quite content. In suggesting we are being too inclusive in geographical spread, Fisher and Donaldson is inferring that there is agreement with the overall sentiment of PGI.

**Objection 2.** The proposed recipe does not allow for evolution or innovation.

**Our Response:** The recipe does allow for this as it stipulates minimum requirements or a range within which variation in the recipe can be tolerated. It therefore allows for variation. The ingredients which are stipulated are from the historical recipe that must be adhered to to ensure that a proper Dundee Cake is being made.

**Objection 3.** The basis of a Dundee Cake description.

**Our Response:** This is very close to what is described in the application? We're not sure what the issue is here.

### **General Response**

It is also worth noting that Fisher and Donaldson agree that the cake should be made in a Dundee based geographical area.

In this extract from The Dundee Courier from 6th January 2015, they state that sales have increased 300% in the last year – we would argue, and from our own experience, this is down to the publicity of PGI. They also indicate that they would move production to Dundee if the application a success. This is good news from an economic development perspective and backs up our argument for PGI.

Managing director Eric Milne said:

*“Dundee Cake is a big seller for us, and this Christmas we sold three times more Dundee Cake than we did in the previous Christmas.”*

He added: *“This is a product we would certainly not want to stop making if these new rules come into force.”*

*Continued...*

*“To protect our Dundee Cake we would switch production of it from Ceres Road in Cupar to Dundee. There is space in our shop in Whitehall Street for an oven and preparation area, and it would be quite straightforward for staff from Cupar to relocate to Dundee for the part of the working week when they make Dundee Cake.”*

*“This is something we may well do to allow us to keep selling one of our best-known products that has been successful for us for a long time.”*

### **Nevis Bakery**

**Objection 1.** The company states that it currently makes a Dundee Cake to “a traditional recipe” and fears an impact on their profitability if no longer allowed to make the cake.

**Response:** The Baker Trade of Dundee have looked at the currently marketed Dundee Cake they produce and would respectfully suggest that Nevis are making a fruit cake which includes a number of additional ingredients other than those expected in a traditional cake. This includes raising agents e450 e541, wheat starch, soya flour, flavouring, nature identical flavouring and colour, preservative e202, xanthan gum, skimmed milk powder, dried egg, vegetable oil, emulsifiers e477, e471, e481 and anti-caking agent e552. The topping is of flaked almonds rather than split or whole.

**Objection 2.** A claim for potential unfair competition is made.

**Response:** The response shows recognition of the need for consistency and quality control to ensure the integrity of Dundee Cake. Thus their argument now appears to be based purely on the proposed geographical restriction for manufacture.

### **Walkers of Aberlour**

**Objection 1.** The company states that they have a history of making Dundee Cake for many years.

**Response:** The ingredients in their recipe are another variation from the recipe we identify as the original. Walkers variation is not a lightly fruited cake with a distinctive whole blanched almond decoration on top but a heavily fruited cake (with 45% vine fruits) with a scattering of flaked almonds on the top. It also contains skimmed milk powder, nutmeg, honey, malt extract and emulsifiers e475, e471, none of which are associated with the way in which Dundee Cake is made in the city. As with the objection from Nevis, we would again suggest this is more reminiscent of a traditional fruitcake which they have called Dundee Cake.

**Objection 2.** They state that they would be content if the application was made to protect Traditional Dundee Cake.

**Response:** We don't believe this would prevent the current confusion over what is a Dundee Cake and would do nothing to prevent the dissipation of the product, the Dundee name and its links to our heritage and culture. The problem is that there are a wide variety of fruitcakes on the market that are called Dundee cake, with the common feature to distinguish them from ordinary fruitcake being mainly due to the application of almonds of some description on top. This has eroded the heritage and tradition which exists within a true Dundee cake which is distinguished by its adherence to the core features of the original recipe.

Our research indicates that Dundee Cake as produced in the rest of the UK has little or no bearing on the original Dundee Cake as made in the city.

*Continued...*

The range and variation of product serves to show that the name is simply being used as a marketing tool to assist in the sale of fruit cake of almost any variety and quality (see photographs appended to this document).

### **General Response**

The Dundee name and the unrefuted fact that it originated within the city of Dundee is a very important asset to the City of Dundee and to Scotland.

### ***Shortbread House of Edinburgh***

**Objection 1.** They suggest that the Dundee Cake made in Dundee could be named to identify it as a “traditional” cake.

**Response:** The argument remains that the use of “traditional Dundee Cake”, whilst allowing others to call any other cake a Dundee Cake:

1. Does not afford the protection we believe the product deserves given its unrefuted historical and geographical links to our area. The variations in the Dundee Cake currently dilutes a product which has always been geographically produced in the city and is a key identifier of our culture and heritage. We will show under our response to Objection 2 how The Edinburgh Shortbread House has merely used the term Dundee Cake as a marketing ploy, with the recipe varying significantly across the product range and over time.
2. In making the suggestion of the use of the term “traditional” for cakes manufactured in Dundee, this objection recognises that the tradition of making Dundee Cake originates in Dundee.

**Objection 2.** A suggestion is made that the term Dundee Cake merely refers to the use of marmalade and fruit peel in the cake, the name being taken from the fact that Dundee was the home of marmalade.

The historical evidence cited in our application does not support this allegation. The point is also made that the combination of marmalade and cake making is not restricted to Dundee.

**Response:** We would argue that the current Shortbread House Dundee Cake (following recent changes that will be outlined under “General Response” over the following pages) differs from Dundee Cake in a number of ways:- It contains lemon peel, sunflower oil, mixed spices, raising agents Sodium Bicarbonate Disodium Diphosphate and it has a high fruit content at 40%, rather than the light to medium fruited cake made in Dundee (see picture immediately below).

We are also unaware of another company involved in marmalade production that has used marmalade or its by-products to manufacture cake preceding the process that originated in Dundee in the late 1700s.



*Dundee Cake profiles showing a light to medium fruited cake made by Dundee Bakers at the top and heavily fruited below made by the Shortbread House.*

## General Response

In addition, the following screenshots from their website and facebook page below show that the recipe has been changed recently, removing cherries from it. This undermines the integrity of their argument that they have been producing a distinctive “Dundee Cake” since 1989 as cherries are such a distinctive aspect of the flavour profile of a cake.



**Screenshot 1:** On the face of it, the Dundee Cake produced by the Shortbread House does not contain cherries. The list of ingredients on the Retail Range Section makes no mention of cherries. We have argued that an absence of cherries is a distinctive feature of the original recipe.

**Screenshot 2:** However, this is a screenshot from the “Online Shop” opening page where cherries have been left in the list of ingredients.





**Screenshot 3:** A photo of cut cake in the “Catering Range” section clearly shows a cut of Dundee Cake with cherries in it, though they have been omitted from the list of ingredients here.

**Screenshot 4:** The same photo of a cut of the large 4Kg catering size Dundee Cake with cherries is part of the catering range.



Continued...

**Screenshot 5:** As of Friday 22nd of May, the website for The Shortbread House of Edinburgh has changed, and all trace and mention of cherries has been removed from the recipes and photographs shown. The example shown here is of the equivalent page to the last photograph with cherries removed by photo manipulation.

### Food Service

We understand that your customers choose you because they want the best. That's why our catering range offers the same uncompromising quality as everything else we bake. After all, as our customer you should expect the best from us too.

All
Shortbread
Oaties
Cakes
Sporting


Packaging Type

- Box
- Catering Biscuits
- Catering Fingers
- Catering Wedges
- Mini Catering Biscuits
- Packet

Flavour

- Original Recipe
- Stem Ginger
- Chocolate Chip
- Chocolate & Orange
- Cinnamon & Demerara

#### 4kg Finest Catering Dundee Cake

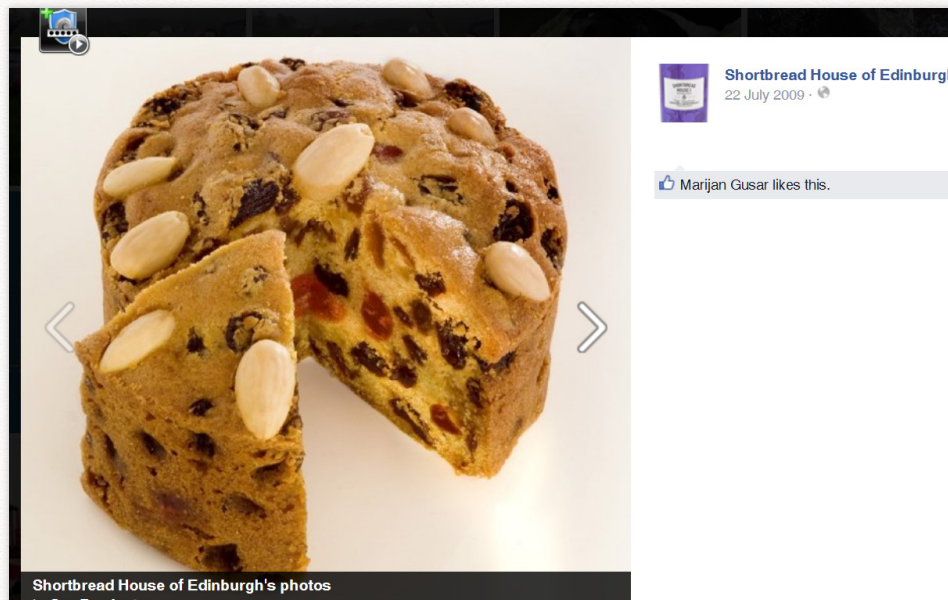


The recipe for this luxurious cake originated in Dundee, the home of marmalade and jam, and contains generous quantities of the best quality vine fruits. The top is crowned with whole, roasted almonds, as tradition dictates. Finest Dundee Cakes are another product that has won Great Taste Awards for Shortbread House. It is presented as a square, wrapped in polypropylene, ready for cutting into approximately 60 pieces.

**INGREDIENTS:** Quality Vine Fruits (40%) [Raisins and Sultanas (with Sunflower Oil)], **Wheat** Flour, Brown Sugar [with Cane Molasses], Butter (with Salt), **Milk**, Pasteurised **Eggs**, Orange Juice, Citrus Peel (Orange Peel, Glucose Fructose Syrup, Lemon Peel, Sugar, Acidity Regulator: Citric Acid, Preservative: Sulphur Dioxide) **Almonds** (2%), Mixed Spice, Raising Agents: Sodium Bicarbonate, Disodium Diphosphate.

**ALLERGY ADVICE:** For allergens, including cereals

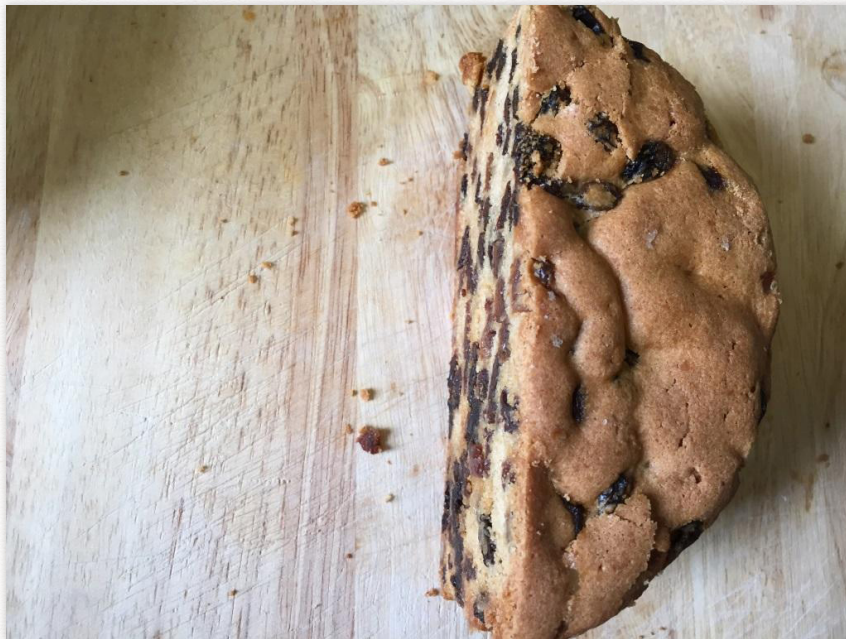
**Screenshot 6:** This photograph is from July 2009 on The Shortbread House Facebook page and clearly shows the small 400g Dundee Cake from the Retail Range *with* cherries in it.



Shortbread House of Edinburgh  
22 July 2009 · 🌐

👍 Marijan Gusar likes this.

The company also makes a “Whisky” Dundee Cake shown here under its own label. There is no tradition of Dundee Cake with added whisky. There are no almonds on this cake to give it the distinctive Dundee Cake appearance. The name is used here solely as a marketing ploy and is therefore wholly inappropriate.



In addition, the company produces other “Dundee” cakes for other retailers of which the one shown here is an example.

This serves to illustrate how the key distinctive features and recipe of the cake are simply altered and manipulated for what are current marketing priorities.

## Summary

Our historical evidence strongly supports the idea that Dundee is indeed the home of the cake and was positively identified James Keiller and Sons as the originator.

The Shortbread House make several cakes that use the term Dundee Cake to describe them but vary considerably across the range and through time. Their product range illustrates perfectly how the name is being used simply as a marketing term to sell more cake, with no concern for the traditions and heritage of the cake or the city where it was first manufactured.

The Dundee Bakers believe that the recent removal of cherries from the website and recipe is a cynical move done for reasons of expediency in response to the PGI application and represents a clear admission of the weakness of the company's case.

In summary, we would argue that while The Shortbread House say that they have been making Dundee Cake since 1989, in fact they have been making a range of fruit cakes marketed as Dundee Cake which have no integrity as far as the recipe is concerned in that they contain the non-historical ingredients outlined above (under our response to Objection 2) and have been subject to significant change at least once (as evidenced in the screenshots above from as recently as last week) One could see this alteration as nothing other than a cynical and dishonest manipulation of the PGI process to suit their own ends and attempt to derail it.

# Dundee Cake Matrix

The Bakers Trade have used current labelling from individual brand packaging to inform this at a glance matrix.

Table Key	PGI Compliant Dundee Cake	Nevis rich fruit cake topped with flaked almonds	Walkers Luxury Dundee Cake (Traditional Scottish recipe)	Shortbread House Dundee cake Traditional scottish fruit cake 750g	Fortnum and Mason Whisky Dundee Cake 750g	Fortum & Masons Totally Traditional Dundee Cake	Fortum & Mason Sir Nigel Dundee Cake	Simply Delicious	Welsh Hills Dundee Cake	House of Bruar
Sultanas 20%-30%	✓	% not rated	45%	40%	37%	40%	38.60%	27%	37%	% not rated
Butter	✓	✓	✓	✓	✓	✓	✓	✓	✗	✓
Brown Sugar	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Free Range Egg	✓	✗	✓	✗	✓	✓	✗	✗	✓	✓
Flour	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Almonds Ground Optional	✓	✓								
Almonds Whole	✓	✓	✗	✓	✗	✓	✓	✗	✗	✓
Citric Acid Optional	✓		✓	✓	✓	✓	✓	✓	✓	
Seville Orange Peel or	✓	✗	✗	✗	✗	✗	✓	✗	✗	✓
Seville Orange Peel in Marmalade	✓	✗	✗	✗	✗	✗		✗	✗	
Orange Zest	✓	✗	✗	✗	✗	✗	✗		✗	✗
Sherry Optional	✓									

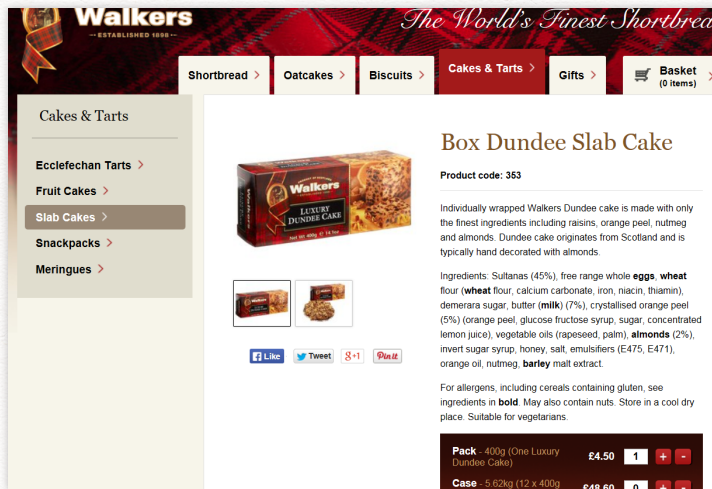
Orange Peel (variety not specified)			✗	✗	✗	✗				
Raisins				✗	✗	✗	✗	✗		
Currants								✗		
Sunflower Oil				✗	✗	✗		✗		
Pasteurised Egg - Not Free Range		✗		✗		✗	✗	✗		
Mixed Peel (Orange and Lemon)		✗						✗	✗	
Lemon Peel		✗		✗	✗	✗		✗	✗	
Sulphur Dioxide				✗	✗	✗		✗	✗	
Mixed Spices				✗	✗	✗	✗			
Raising Agent e500						✗	✗			
Raising Agent e450		✗				✗	✗			
Glucose Fructose Syrup		✗	✗	✗	✗	✗		✗		✗
Sodium Bicarbonate				✗	✗					
Disodium Diphosphate				✗	✗					
Acidity Regulator e330							✗			
Whisky					✗					
Cinnamon					✗					
Vegetable Oil		✗	✗						✗	✗
Flaked Almonds			✗					✗	✗	
Honey			✗							
Invert Sugar Syrup		✗	✗							
Skimmed Milk		✗	✗							✗
Emulsifiers Polyglycerol of Fatty Acids e475			✗						✗	✗
Emulsifier Mono Dilecrides of Fatty Acids e471		✗	✗						✗	
Nutmeg			✗							✗
Malt Extract			✗							
Glycerin		✗							✗	
Wheat Starch		✗								
Soya Flour		✗								
Caramel Colour e150		✗								
Xanthan Gum		✗							✗	
Raising Agent e541		✗								
Emulsifiers e477		✗								
Emulsifiers e481		✗								
Emulsifiers e552		✗								
Dried Egg White		✗								
Preservative Potassium Sorbate e202		✗								✗
Flavouring		✗								
Cherries								✗		
Potassium Sorbate								✗	✗	
Colouring Anthocyanins								✗		
Potassium Bicarbonate of Soda e501								✗		
Rice Flour									✗	
Potato Starch									✗	
Margarine									✗	
Glucose Syrup									✗	
Maize Flour									✗	
Potassium Hydrogen									✗	



## Appendix I

## Product Examples

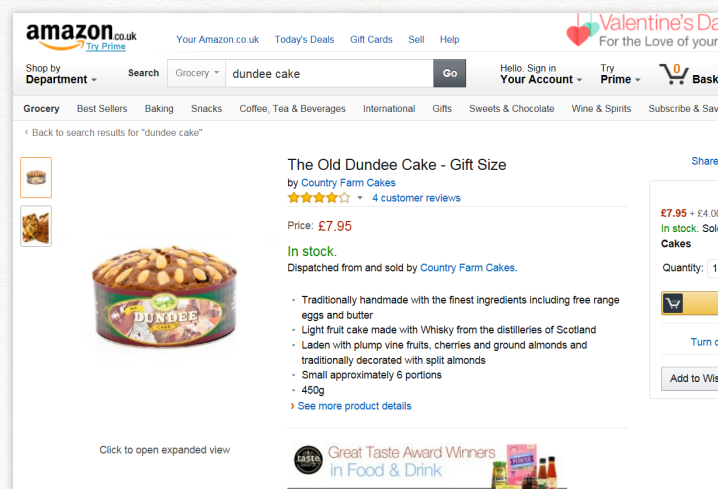
There are many manufacturers in the UK using the term Dundee Cake to describe their product. The accompanying photographs are designed to illustrate by example some of the range and variation of product so described in ingredients.



The screenshot shows the Walkers website interface. The top navigation bar includes 'Shortbread', 'Oatcakes', 'Biscuits', 'Cakes & Tarts', 'Gifts', and 'Basket (0 items)'. The main content area is titled 'Box Dundee Slab Cake' with a product code of 353. It features an image of the product box and a list of ingredients: Sultanas (45%), free range whole eggs, wheat flour (wheat flour, calcium carbonate, iron, niacin, thiamin), demerara sugar, butter (milk) (7%), crystallised orange peel (5%), orange peel, glucose fructose syrup, sugar, concentrated lemon juice, vegetable oils (rapeseed, palm), almonds (2%), invert sugar syrup, honey, salt, emulsifiers (E475, E471), orange oil, nutmeg, and barley malt extract. A price table at the bottom shows a pack of 400g for £4.50 and a case of 5.62kg for £49.60.

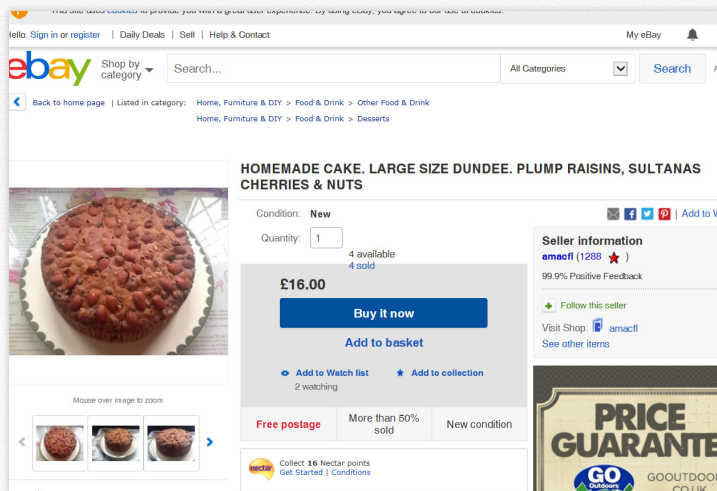


Variance from PGI - This cake is heavily fruited and has flaked almonds on top.

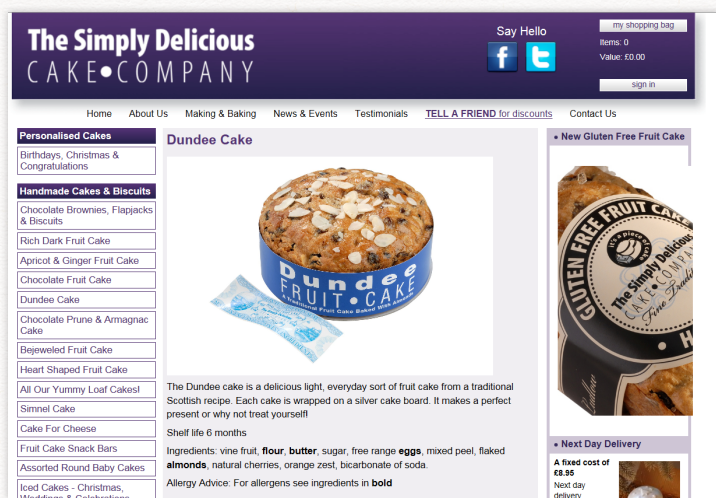


The screenshot shows an Amazon.co.uk product page for 'The Old Dundee Cake - Gift Size' by Country Farm Cakes. The price is £7.95. The product is described as 'In stock' and 'Dispatched from and sold by Country Farm Cakes'. The description includes: 'Traditionally handmade with the finest ingredients including free range eggs and butter', 'Light fruit cake made with Whisky from the distilleries of Scotland', 'Laden with plump vine fruits, cherries and ground almonds and traditionally decorated with split almonds', and 'Small approximately 6 portions'. The product is 450g. The page also features a 'Great Taste Award Winners in Food & Drink' badge.

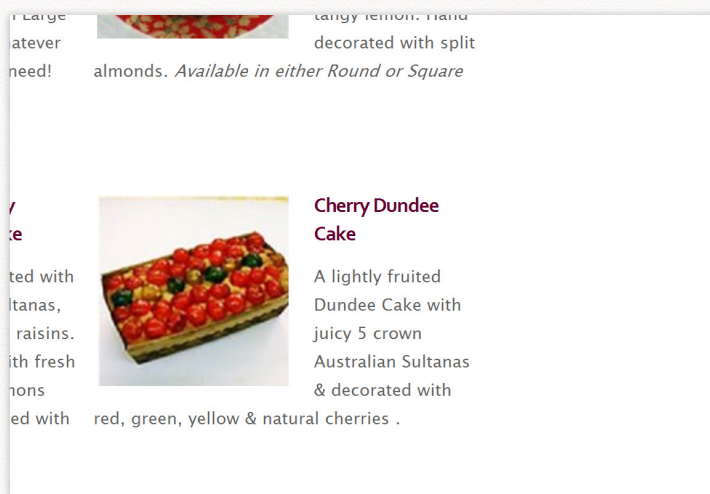
Variance from PGI - This cake has whisky and cherries in it.



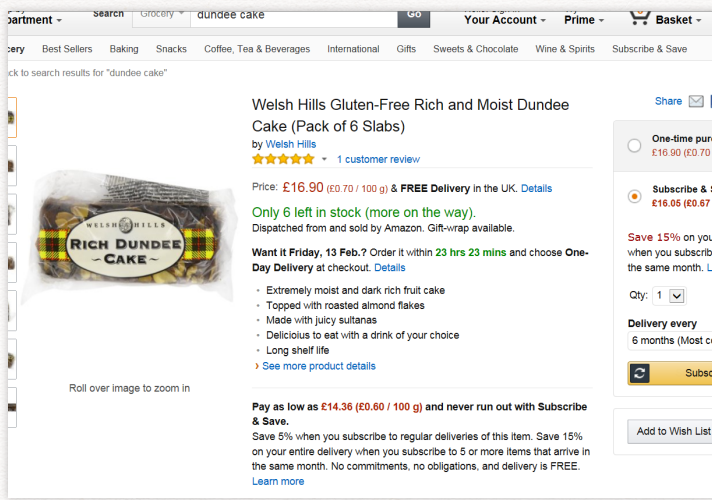
Variance from PGI - This cake has cherries and scattered nuts as a decoration.



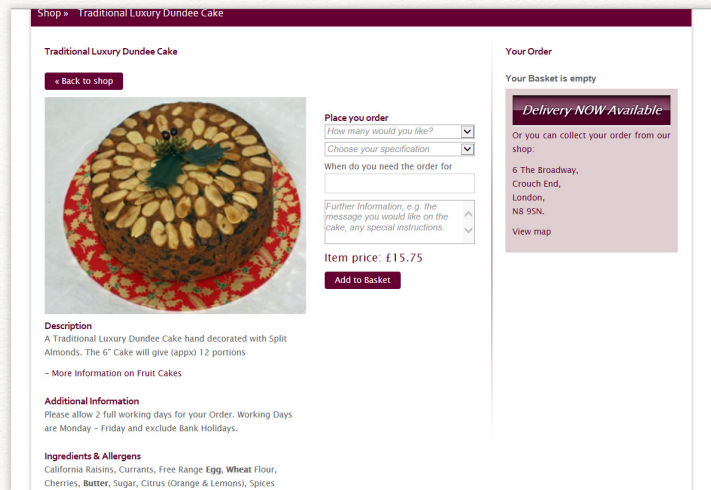
Variance from PGI - This cake has cherries and flaked almonds.



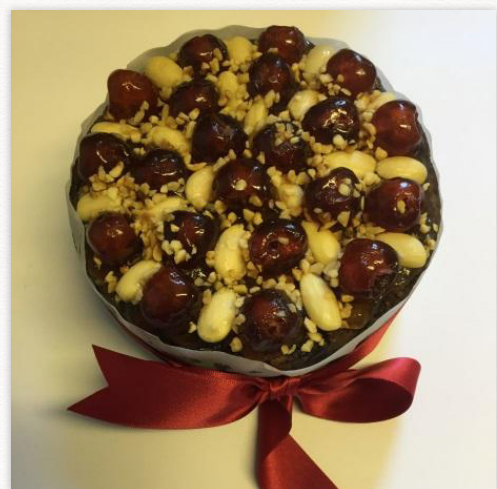
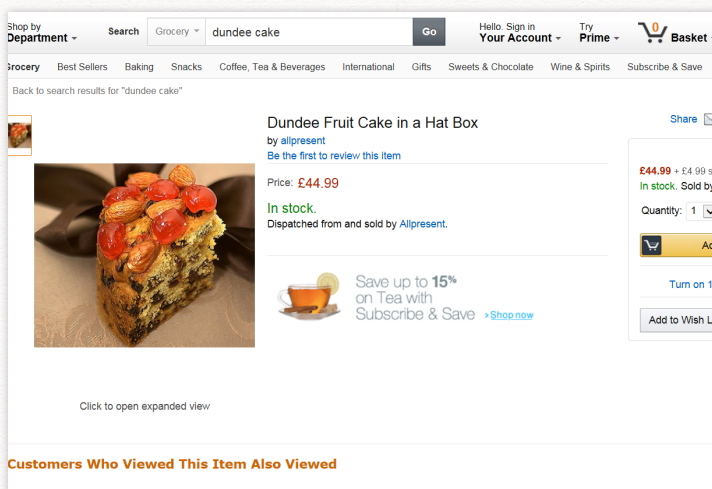
Variance from PGI - This cake has cherries and no almond decoration.



Variance from PGI - This cake is described as a “moist and dark rich fruit cake”, not a lightly fruited cake, and has a light scattering of almond nibs.



Variance from PGI - This cake has cherries, lemons, currants, split almonds and “spices”.



Variance from PGI - This cake has cherries, almond nibs, no ingredients or shelf life listed online - or on purchased item - so other ingredients difficult to positively identify.

## Extract from *The List Dundee Larder: The Guide to the Food and Drink of the City*

### Sticky History

*Food historian Catherine Brown investigates Dundee's claim to the origins of marmalade and Dundee Cake.*

It's in the Keiller family archive that proof exists of the city's claim to be the home of both marmalade and Dundee Cake. Keillers not only developed the 'chip' method of making Seville orange marmalade but the founder of the dynasty, Janet Keiller, also created the distinctive allbutter sultana cake, flavoured with their own candied orange peel and topped with whole, blanched Spanish almonds.

Such was the family's legacy of aiming high in the quality stakes, that for generations its name in the city was synonymous with the best. Janet Keiller was a great example of the fine Scottish culinary tradition of making better out of good when, in the late 1790s, when she transformed thick-paste marmalade—cut with a knife—into a spreadable version with the peel cut into 'chips'.

Under her roof, in the fashionable Seagate area of the town, she launched the family into largescale production of artisan products from the confectionery, preserving and cake-baking trades. Two generations on, her grandson Alex would become the key figure in the latter half of the 1800s, when the firm ranked in the trade above Cadbury and Rowntree.

By then, Keillers Dundee marmalade and cake had become standard on breakfast tables and cakestands in every corner of the UK, the British Empire and beyond. While Keillers led the way, others followed. Many kept true to the original. But some had other ideas.

Some added spices or 'black jack' a burnt

caramel colouring used to fool eaters into thinking spices had been added. Glace cherries, currants, raisins, butter substitutes and most noticeably, sprinkling flaked almonds on top, are among other desecrations.

For some of today's Dundee bakers the original cake seemed in danger of extinction. Now they are claiming it back for the city and have applied for an EU Protected Geographical Indication (PGI)—see page xx. To celebrate Dundee's claim to its world-famous cake heritage, let's hope they succeed.

*Dundee native Catherine Brown is the author of many books on Scottish food, most recently 'Making Better out of Good: Scotland's National Food and Drink'.*

## Appendix II

# Fisher & Donaldson

Dundee • Cupar • St Andrews

Directors A R Milne J E Milne



By Appointment to  
HM The Queen  
Bakers  
Fisher & Donaldson  
St Andrews

01.12.14

Dear Sir/Madam,

I am writing to object to the application for PGI status for Dundee Cake in its current form. My objections are twofold:-

1. The area proposed for protection is too large: The area proposed extends to parts of Dundee that did not exist until fairly recently. It also includes, for instance, Carnoustie which still to this day does not form part of Dundee, so for it to be included in this application seems to run against the objectives of the PGI status. If we are to include Carnoustie within the final application we might also consider including Perth and Fife. Enclosed is a map dated 1912 which I have titled "Map A." This map shows Dundee towards the end of the Keillor's time in the city, and at that time Dundee hadn't even incorporated Lochee, and could certainly be said to exist only within the boundaries of what is now known as the Kingsway Road A90. As is well documented in the application, the Keillors invented Dundee Cake in the centre of the city; "within walking distance of the centre." With this in mind, I propose that the boundary be changed to be within the Kingsway A90 (option 1 on "Map B") or at a push to widen the catchment areas (option 2 "Map B") to incorporate the more recent industrial estates of Dundee, and the town of Broughty Ferry.

2. The recipe. Whilst I agree that there should be rules as to what can and cannot be in a Dundee cake, the recipe proposed does not allow for any evolution or innovation which would truly be a shame. For example, the addition of Malt Whisky to create a world class blend of two of our most famous exports would not be allowed under the proposed recipe. As noted in the application, the Keillors used ingredients that were available to them at the time, and as such we would be correct to think that were they still producing in Dundee city today, they would almost certainly have moved with the times and embraced the advances of our age. I would expect at the very least, they would be using ingredients such as glycerine, to improve the overall moistness, or baking powder to increase the lightness of their cakes. Both of these ingredients were available when the Keillors were producing. I do believe that a Dundee Cake would always have almonds in concentric circles on the top, and of course the addition of orange into the batter. I am confused, however, as to why there would have to be whole almonds on round cakes, and split almonds on other shapes, which seems to be an unnecessary constraint. As the inventors of the famous Dundee Cake are no longer here to be able to inform us of the exact recipe, it seems foolish to assume that any current available recipe is the 'correct' one, and therefore limit the wealth of variation even within Dundee to one single recipe. I believe that this would be detrimental not only to the cause but a real shame to the customer who perhaps prefers one bakers' recipe over another, with no historical proof that either is right or wrong.

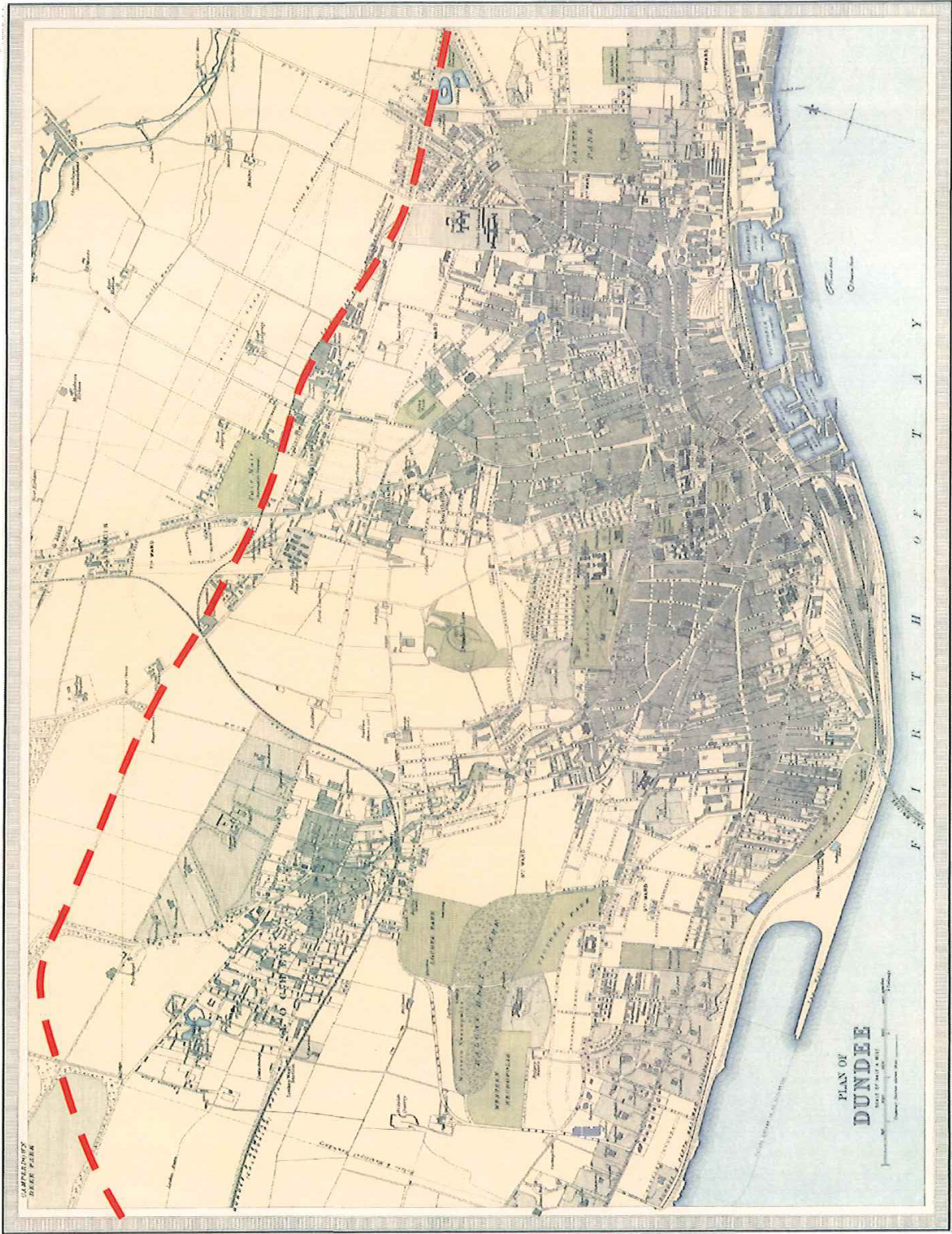
I propose that to be called a Dundee Cake, the recipe should; contain at least 35% sultanas and a minimum of 5% Seville oranges, be decorated using concentric circles of whole or split almonds for round cakes, and neat rows of whole or split almonds for slab or square cakes, and most importantly be baked within the boundaries proposed above.

The bakers of Dundee are skilled craftsmen, who each have their own methods and variations of recipes, handed down from generation to generation, and to limit them to one method or recipe is to stamp out hundreds of years of their heritage and reputations.

Yours sincerely,

Ben Milne

12 Whitehall St, Dundee, Angus DD1 4AF, TEL (01334) 652551 FAX (01334) 653551  
sales@fisheranddonaldson.com www.fisheranddonaldson.com



— — — — — Indicates rough position of Kingsway Road A90



Example of the area that should be included if Carnoustie is to be included.



Unit 5,  
Annat Ind Est,  
Fort William,  
PH33 7NU.

Tel: 01397 772 087  
Fax: 01397 772 088  
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Attention of Claudine Duff  
Food & Drink Industry Division  
Scottish Government  
B1 Spur  
Saughton House  
Broomhouse Drive  
Edinburgh  
EH11 3XD

Dear Sirs,

I am a director of Nevis Bakery Limited and am writing to you in connection with the application to register the name "Dundee Cake" as a Protected Geographical Indication (PGI) under the EU Protected Food Name Scheme.

Nevis Bakery Limited has been established for over 30 years and employs in excess of 30 people in the Highland Region. The company produces a Dundee Cake which is made to a traditional recipe and which forms a significant part of our cake range.

I am very concerned about the proposal to register the name "Dundee Cake" as a PGI as, should this result in the company being unable to produce Dundee Cakes in our factory in Fort William, this would have a serious impact on the company's profitability which would inevitably lead to significant job losses at the company.

You will be aware that the company is located in the Highlands Region where the opportunity for alternative employment is not as high as in the more industrial areas of Scotland.

I believe that the proposed application would create unfair conditions of competition which is contrary to Paragraph 39 of the Regulation (EU number 1151/2012) of the European Parliament and of the Council. I believe that a fairer system would be to allow any company to use the registered name of Dundee Cake provided that the product was made to comply with the relevant specification of raw materials and production method and that this should be open to examination as the regulatory authorities consider appropriate.

In conclusion, I wish to record the company's deepest concern regarding the proposal and would welcome any opportunity to be involved in future consultation on this matter.

Yours Faithfully

A. Paterson  
Managing Director

*the Peak of Highland baking*

2001 Steak Pie Gold • 2005 Apple & Cinnamon Cake Silver • 2005 Scotch Pie Gold • 2005 Bridie Gold • 2005 Cullen Skink  
Pastie Diamond • 2005 Scotland Savoury Baker of the Year • 2006 Highland Oatles Gold • 2006 Highland Shortbread Silver  
2006 Beef Stroganoff Pie Gold • 2006 Orkney Beef Pie Silver • 2006 Scotch Pie Bronze • 2007 Peppercod Steak & Black Pudding  
Pie Diamond • 2007 Haggis & Clapsnot Pie Silver • 2007 Ham & Haddie Pastie Silver • 2007 Scotch Pie Bronze



INVENTOR IN PEOPLE

## Duff C (Claudine)

---

**To:** Duff C (Claudine)  
**Subject:** FW: Proposed PGI for Dundee Cake

**From:** Anthony Laing  
**Sent:** 03 December 2014 10:02  
**To:** 'protectedfoodnames@defra.gsi.gov.uk'  
**Subject:** Proposed PGI for Dundee Cake

Dear Sirs

I would like to put forward some points regarding the possible protection of the name "Dundee cake" with the aim of restricting it to cakes made actually in the city of Dundee.

I am the part owner and managing director of Shortbread House of Edinburgh Ltd. The main product we make is shortbread but we have also been producing Dundee Cakes since we bought the business in 1989. Prior to that, the person who owned the business also produced Dundee Cakes. This has developed into a strong line for us and we sell it at home and abroad (exports account for around 35% of our sales). In the UK, one of our main customers is John Lewis. We also supply "own label" products to Fortnum & Mason who have strong international sales as well as their stores in London. They sell Dundee cakes, made by us, under their label.

When selling our products abroad at trade fairs, I am sometimes asked about the origins of the name "Dundee Cake". I explain that Dundee is the home of marmalade-making and that the recipe for the cake originated with the use of oranges and other citrus fruits, used for marmalade-making. Of course, the attraction of combining cake-making with marmalade-making is not exclusive to Dundee and the recipe has now become widely used across the UK and beyond.

Dundee cake is traditionally quite distinct from other fruit cakes. The recipe is generally drier than many other popular fruit cakes and this is something which people have come to recognise. Without being able to call it Dundee Cake, this would require a difficult transition to a new name that conveyed the same concept and this could take years if not decades to achieve. It would affect our business very seriously with a significant loss of sales in the short to medium term if we were no longer able to use the name Dundee cake.

I would argue strongly that the name has become a generic one that does not imply the cakes are made in Dundee. If the producers that are based in Dundee wish to make a distinction, then surely they can make a point on their packaging of emphasising that their cakes are actually made in Dundee? I see from their representation that they place a major emphasis on the fact that the recipe originates from the Keiller family. Perhaps they could therefore make the distinction by calling their cakes Keiller's Original Dundee cake, or similar?

We employ around 35 people and, like many small businesses, we have worked hard to build up the sales that we have achieved of the Dundee cakes. I cannot stress too strongly the negative impact a change of name would have on our business so I do hope that some compromise can be reached that will allow us to continue using the name.

Yours faithfully

Anthony Laing  
Managing Director  
Shortbread House of Edinburgh Ltd

Shortbread House of Edinburgh Ltd



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By Appointment to  
Her Majesty The Queen  
Oatcake Manufacturer  
Walkers Shortbread Ltd  
Aberlour

JNW/STA

27<sup>th</sup> November, 2014

Claudine Duff,  
Food and Drink Industry Division,  
Scottish Government,  
B1 Spur, Saughton House,  
Broomhouse Drive,  
EDINBURGH EH11 3XD

Dear Madam,

#### DUNDEE CAKE PGI APPLICATION

We are in receipt of a copy of your document – application to register the name “Dundee Cake” as a PGI under the EU Protected Food Name Scheme.

We would like to register our objection to the application. As traditional Scottish bakers, we have been making Dundee cakes for over 100 years and feel that the registration would be unduly restrictive on Scottish companies such as ours outwith the proposed geographical area.

If the application goes ahead, it would have a real impact on our business.

If the application went ahead as “Traditional Dundee Cake” and we could continue to use “Dundee Cake” as our description, we would be quite accepting of that as a solution.

We look forward to having your response in due course, and in the meantime, remain,

Yours faithfully,



James N. Walker

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Directors: Miles J Walker (Chairman), Joseph Walker OBE, Maggie H Walker OBE, James N Walker CBE, J Nicky Walker,  
Ruthie J Walker, David Edinash, Jacqueline B Walker, Kenneth S Fraser (Secretary) Registered in Scotland N066233



**BRITISH RETAIL CONSORTIUM**  
for successful and responsible retailing

Claudine Duff

Food and Drink Industry Division  
Scottish Government  
B1 Spur  
Saughton House  
Broomhouse Drive  
Edinburgh EH11 3XD

Emma Cottell

Food Policy Assistant  
Tel: 0207 854 8977  
Email: [Emma.Cottell@brc.org.uk](mailto:Emma.Cottell@brc.org.uk)

December 4<sup>th</sup> 2014

Dear Claudine

**Re: BRC objections to Dundee Cake PGI application**

The British Retail Consortium (BRC) represents the whole range of retailers UK-wide including large multiples, department stores and independent shops, selling a wide selection of products through centre of town, out of town, rural and virtual stores. At the end of December 2013 the retail sector employed some 3 million people (10% of the workforce) and retail sales were £321 billion in 2013. The retail sector consists of 285,000 outlets, contributing an estimated 5% to national Gross Value Added (GVA). The BRC represents just over 95% of the grocery retailing market, a market value of over £145 billion.

Thank you for your letter dated 6 November giving us the opportunity to comment on the application to register the name 'Dundee Cake' as a protected geographical indication (PGI). As this is a UK-wide consultation we are responding as BRC however this position has been endorsed by our sister organisation Scottish Retail Consortium. Please see our comments below.

We do not believe that the vast majority of customers associate the name 'Dundee Cake' specifically with the location but rather with the flavour profile (sultanas and citrus) and the decoration.

The bulk of the UK production of this product is currently outside the identified area in the application. We have some serious concerns about this application, particularly given the length of time some cakes have not been made in Dundee (now established as a customary name), and the potential impact on the supply chain. Several of our members have been selling Dundee Cake produced by suppliers outside Dundee for more than 10 years. In fact we are concerned that there is not sufficient manufacturing capacity in Dundee to meet the entire country's requirements.

We understand that some small scale producers in the region may want to preserve the recipe that they have traditionally been producing to but equally we feel production of a variant of the cake should not be prohibited. We therefore suggest a name such as "Traditional Dundee Cake" to signify its origins should be used, similar to Traditional Cumberland Sausage. The aim of this application shouldn't be to restrict products but to maintain the heritage of certain products.

Please do not hesitate to contact me if you want to discuss our comments further.



INVESTOR IN PEOPLE

Second floor, 21 Dartmouth Street, London, SW1H 9BP T: 020 7854 8900 F: 020 7854 8901 email: [info@brc.org.uk](mailto:info@brc.org.uk) [www.brc.org.uk](http://www.brc.org.uk)

Brussels Office, ICI Business Center, Park Leopold, Rue Wiertz 50, 1050 Brussels, Belgium T: +32 (0) 2 401 6824

Scottish Retail Consortium, PO Box 13737, Glasgow, EH31 2WX T: 0870 609 3631 F: 0870 609 3631

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## Duff C (Claudine)

---

**From:** Hendry, Stephen <Stephen.Hendry@foodstandards.gsi.gov.uk>  
**Sent:** 05 December 2014 17:28  
**To:** Dundee Cake Consultation  
**Cc:** Adamson, Bill  
**Subject:** PGI Application for 'Dundee Cake'  
**Attachments:** PGI Application Dundee Cake - Respondent Information Form (FSAS).doc

Dear Claudine,

Thank you for giving us the opportunity to comment on the application to register 'Dundee Cake' under the EU protected food name scheme.

I understand that products registered under the scheme enjoy protection from imitation under EU law. As a suggestion, it may strengthen the application to include examples of where imitation products have caused problems or reputational damage to the traditional 'Dundee Cake'. E.g. Consumer complaints about products carrying claims to be the genuine article.

Kind regards,  
Stephen

Stephen Hendry  
Senior Policy Advisor  
Food Labelling & Standards,  
Regulatory Policy Branch  
Food Standards Agency in Scotland  
6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ  
Tel: 01224 285153 (External) 35153 (Internal) Fax: 01224 285168

<http://www.food.gov.uk/scotland/>  
<http://www.eatwellscotland.org/>

Food Standards Agency (FSA)

For the latest food news and information visit [www.food.gov.uk](http://www.food.gov.uk)

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