

# Legislative Prescriptivism

## — Exploring the Legislative Enforcement of Minor Linguistic Variants and its Ramifications for Consumers and the Retail Sector

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### Abstract

Plant-based products are increasing in popularity, as growing numbers of people choose plant-based lifestyles and eschew animal-based products. Strict laws govern the language that can be used to describe such products, however, both within the EU and in the UK. Against this backdrop, this paper employs mixed methods to provide analysis of the ways animal-based and plant-based ‘dairy’ products are packaged, marketed, retailed, and discussed in the UK. Using an approach rooted in Critical Discourse Analysis (CDA), it presents qualitative exploration of the means, both linguistic and multimodal, by which producers and retailers negotiate proscriptive legislation, as well as quantitative, corpus-based, analysis of lexis chosen to denote some plant-based products in internet discourse. Triangulating these methodological approaches, this study reveals an apparent disparity between vernacular UK usage in relation to plant-based dairy and how these products can be labelled in commercial contexts. Computer-assisted linguistic analysis provides quantitative means of analysing usage, whilst qualitative techniques enable detailed consideration of different ways prescriptivism in this domain is interpreted and negotiated. This provides a holistic consideration of the impact legal prescription of certain linguistic variants has on commercial and individual usage, as well as demonstrating the value of critically-engaged approaches to prescriptivism.

### Keywords

prescriptivism, corpus linguistics, multimodality, legislation, critical discourse analysis, discourse, UK

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## 1. Introduction

Linguistic prescriptivism, the attempted imposition of one linguistic variant over another (Calvet, 2017), takes many forms (Curzan, 2014), but some of these forms have been studied by linguists much more than others. Some of the most well-known instances of prescriptivism are those which are state-sanctioned, with regulatory bodies having been established to try to regulate how language is used and how it can change. The most famous of such institutions, known as language academies, are those established in western Europe centuries ago; for example, in France (L'Académie française), Italy (l'Accademia della Crusca), and Spain (La Real Academia Española). Attempts were made to establish an academy of the English language in Britain during the seventeenth and eighteenth centuries, but were ultimately stymied by lack of cohesion and funding (Sanchez-Stockhammer, 2018: 67). In the wake of the failure to establish an academy of English, the mantle of prescriptivism was taken on by a disparate band of amateur grammarians and orthoepists. As such, as prescriptivism specialist Ingrid Tieken has written, the job of codifying the English language “became the result of private enterprise” (2006: 300).

The phrase “private enterprise”, here, highlights almost incidentally that there was a commercial incentive to establish a reputation as a language expert in Late Modern England. It was certainly a lucrative industry by the late eighteenth century: between 1700 and 1750, only 41 grammar books were published, but between 1750 and 1800, the number was 282 (Yáñez-Bouza & Rodríguez-Gil, 2013: 146). The commercial rewards of prescriptive grammaticography have not been fully explored by historical linguists, however. Instead, English prescriptivism of the eighteenth and nineteenth centuries remains associated in the linguistic consciousness with ideology, in the form of the standard language ideology, rather than industry or profit-seeking. The standard language ideology is the notion that one dialect or group of dialects is inherently superior, and associated with morality, purity, or other positive attributes (Milroy & Milroy, 2012). It is therefore associated with linguistic purism, and attempts to reinforce social hierarchies and restrict social mobility by marginalizing those exhibiting non-standard usage (Lippi-Green, 1997: 64). For Curzan, who distinguishes four types of prescriptivism, this is “standardizing prescriptivism” (2014: 24). This type of prescriptivism is associated with rules and judgments which aim to promote standardization and impose a standard language variety. Curzan also distinguishes three other “strands” of prescriptivism: “stylistic”, relating to granular points of style within standard usage, “restorative”, attempting to restore obsolete usage, and “politically responsive”, aiming to promote inclusive or politically sensitive usage (2014: 24). These categories reflect the traditional focus within the field of prescriptivism studies, which has largely fixated on processes by which standardization is achieved, such as codification and education (see section 2).

This focus, however, risks overlooking the impact which market forces can have on language, as well as the ways cultural elites can impose, or attempt to impose, language

rules through legislation. These prescriptive phenomena, which I will call commercial and legislative prescriptivism, may influence language use in ways never fully explored. This paper will thus examine how laws prescribing commercial language use in relation to plant-based ‘dairy’ products impact producers, retailers, and consumers. As it will show, commercial and legislative prescriptivism may interact with Curzan’s (2014) other strands of prescriptivism. They also interact with one another, since it is almost inevitable that the most profitable, mainstream, ideologies in a society will be reinforced and entrenched by legislation.

This interaction is clear in the case study presented here. Normalization of consumption of products derived from farming animals has resulted in legislation protecting these industries and restricting the commercial freedoms of plant-based competitors. Thus, despite the lack of a regulatory body for the English language, this paper will demonstrate that enforcement of language rules is a reality in modern Britain and beyond. It will also question how effective these strictures are, and who (if anyone) they benefit. It is beyond the scope of a linguistics paper to consider whether they remain appropriate and proportionate, when we consider the contribution which the farming of animals makes to climate change. However, the findings reported here are rooted in the tradition of Critical Discourse Analysis, and its “radical critique of social relations” (Billig, 2003: 38). It therefore seeks to expose hegemony in order to enable resistance.

In what follows, section 2 will provide background to the findings reported in section 4. In 2.1, the legislative and commercial prescriptivism under discussion in section 4 will be placed in the context of existing literature on prescriptivism in English, and specifically in a UK context. In 2.2, the current legislative landscape in relation to labelling plant-based dairy in the UK will be delineated. Section 2.3 will then introduce theories of food semiotics which will be the basis for much of the analysis in 4.1. Section 3 will outline the methodology employed, and section 4 will lay out the findings of the study, before conclusions are drawn in section 5.

## 2. Background

### 2.1. Prescriptivism is Dead? Long Live Prescriptivism!

In 2018, Beal questioned whether we had witnessed the death of prescriptivism in the UK in the late twentieth century, when the introduction of the National Curriculum apparently ushered in a new era for non-standard varieties of English. Beal cites Crystal as stating that the Curriculum “rejected the prescriptive mentality” (2006: 206), and Hudson and Walmsley as asserting that “[p]rescription is dead”, following a “revolution in British language education” (2005: 615). Beal, however, concludes that prescriptivism is, in fact, alive in the context of UK education and beyond; noting that “prescriptivism has

been popularized and commodified in various ways” (2018: 9). That anyone could ever have questioned whether prescriptivism was dead reveals how narrowly the issue of prescriptivism has sometimes been approached in linguistics. Such is the focus on standardizing and stylistic prescriptivism, to borrow Curzan’s (2014) categories, that any other types have largely been ignored. Even progressive prescriptive agendas, which Curzan (2014) calls ‘politically responsive’ prescriptivism, have been the subject of minimal research to date, despite many linguistics departments (including my own; c.f. Aiston, 2020) producing language guidelines. Commercial motivations and legislative enforcement of prescriptive agendas seem to have been ignored almost entirely. One of the only exceptions to this is Cameron’s (2000) monograph, *Good to Talk*, which explores language norms in corporate culture. Several years earlier, Cameron had argued that the “urge to meddle in matters of language” ([1995]2012: xix) is a universal of human societies. Whilst “norms and values differ,” she argued, “what remains constant is [...] that we have norms and values” ([1995]2012: 9). These norms and values are reinforced through linguistic normativity in a variety of contexts, but linguists have traditionally studied this only within certain narrow parameters.

On the one hand, it is understandable that little attention should have been paid to prescriptivism within commercial contexts. Firstly, measuring the impact of prescriptivism has presented a tremendous challenge to historical linguists, and empirical evidence of prescriptive effect is therefore rare (Malory, 2022). The ramifications of commercial and legislative prescriptivism may also be considered less severe than those of standardizing prescriptivism and consequent “language subordination” (Lippi-Green, 1997). The penalties for using non-standard linguistic variants can be significant, having prejudicial impacts on life chances (Badwan, 2021: 181). Commercial and legislative prescriptivism, of the kind focused on here, may be considered less worthy of investigation. They do not seem to be without impact, and therefore unworthy of investigation, however. Rather, they seem to have a different sort of impact. As outlined below, they may cause confusion for consumers and difficulties for retailers, with costly ramifications. If legislative prescriptivism marginalizes the plant-based sector, this kind of prescriptivism may even have environmental ramifications. If it suppresses the growth of ecologically-beneficial business and consumption habits, and props up more polluting industries, then this may be a real risk. If the goal of such prescriptivism is to safeguard consumer and business interest, then, we must question whether it is succeeding.

This paper will do this, considering a case study of commercial and legislative prescriptivism from a Critical Discourse perspective (c.f. Billig, 2003). This case study concerns the proscription of English words such as *milk* and *yogurt* on packaging of plant-based produce in the UK. As will be outlined in detail in 2.2, this proscription has been enforced legislatively since EU Regulation 1308/2013 became law. There is, moreover, precedent for such proscriptions to be enforced with reference to consumers’ need for clarity. In 2019, industry body Dairy UK used threats of legal action to request that non-dairy London cheesemonger La Fauxmagerie stop using the word *cheese* on its website.

At the time, a spokesperson for Dairy UK said that the organisation was “concern[ed] [...] that consumers are being misled with the use of dairy terms like cheese by the plant-based sector”; going on to say that it “is fundamental to protect the consumer from product descriptions which are misleading” (Taylor, 2019).

A 2018 study by the International Food Information Council (IFIC) indicates, however, that consumers do not tend to be confused by plant-based products. In a survey conducted in the USA, where terms like *milk* are found on plant-based options (Stieg, 2021), the IFIC reported that fewer than 10% of US consumers believed that plant-based milks contained animal products, and that 75% recognised that the plant-based options in question were free of animal products. The IFIC concluded that these results demonstrate “a low level of consumer confusion” (IFIC, 2018). If confusion cannot be regarded as a significant risk, questions arise as to why legislative restriction and control of such words in commercial contexts is needed. Is it simply a means for dominant commercial entities to suppress competition?

As will be shown in section 4, below, moreover, it may even be the case that current legislation *causes* confusion, as manufacturers and retailers struggle to convey plant-based products’ equivalence to animal-based products. This paper draws upon theories of food semiotics and dietary paradigms to demonstrate this conceptual equivalence (see 2.3). Firstly, however, the legislative landscape in relation to the proscription of certain linguistic variants for plant-based foods is delineated.

## 2.2. Legislative Prescriptivism

In December 2013, EU Regulation 1308/2013 was passed by the European Parliament, with the intention of “establishing a common organisation of the markets in agricultural products”. This legislation defines *milk* as “exclusively the normal mammary secretion [...] without either addition thereto or extraction therefrom”. It dictates that, “at all stages of marketing”, certain terms “shall be reserved exclusively for milk products”. The terms identified include the English *cream*, *butter*, *cheese*, *yoghurt*, and *kephir*. Regulation 1308/2013 also states that:

In respect of a product other than those described [above], no label, commercial document, publicity material or any form of advertising [...] or any form of presentation may be used which claims, implies or suggests that the product is a dairy product.

These rules apparently prohibit the use of words like *milk*, *cheese*, and *cream* for commercial description of plant-based options. They have not, however, always been interpreted in this way. In 2017, the EU Court of Justice (ECJ) was asked to rule on a dispute between the German competitions watchdog VSW and plant-based manufacturer TofuTown. The central question was whether Regulation 1308/2013 can be interpreted as meaning that protected terms can be used for non-dairy products alongside “clarifying or descriptive additions”. In responding to the case brought by VSW, the ECJ states that “it is



clear from [Regulation 1308/2013] that the term ‘milk’ cannot, in principle, be lawfully used to designate a purely plant-based product”. In closing, the judgment reads:

Article 78(2) and Annex VII, Part III, to Regulation No 1308/2013 must be interpreted as precluding the term ‘milk’ and the designations reserved by that regulation exclusively for milk products from being used to designate a purely plant based product in marketing or advertising, even if those terms are expanded upon by clarifying or descriptive terms indicating the plant origin of the product at issue, unless that product is listed in Annex I to Decision 2010/791.

The ECJ therefore ruled that plant-based foodstuffs could not legally be sold within the EU (and therefore within the UK at that time) under names protected by the 2013 Regulation. This ruling has subsequently been interpreted in different ways, with courts in some EU Member States upholding the right of plant-based produce manufacturers to use proscribed terms in tandem with *alternative* (c.f. Oberlandesgericht, 2019). In a UK context, as outlined in 2.1, the ECJ ruling was publicized in 2019, when industry body Dairy UK objected that La Fauxmagerie had information on its website which did not “appear to be in line with rules which are in force across the EU protecting dairy terms” (Taylor, 2019).

Following the UK’s withdrawal from the EU, Regulation (EU) 1308/2013 became retained EU-derived domestic legislation. Retained EU law is the UK’s “domestically transposed ‘equivalent’” legislation, “rather than EU law itself” (Cowie, 2019: 18). This allows the UK legislature to “assume the ultimate constitutional control over its content and its status in relation to domestic law” (Cowie, 2019: 18).

In the case of Regulation (EU) 1308/2013, there have been no changes to the legislation in question since before the start of the ‘implementation period’, which marked the beginning of the UK’s withdrawal. As such, the legal situation in the UK in terms of labelling and marketing plant-based products mirrors exactly the legal situation within the EU, as it did in 2019 when Dairy UK challenged La Fauxmagerie’s use of *cheese*.

Theoretically, any changes to EU legislation following the UK’s withdrawal from the EU could be considered by UK courts in interpreting retained EU law. Such an amendment has not successfully implemented since the UK’s withdrawal, however. Amendment 171 to Regulation 1308/2013, which was adopted by the European Parliament in October 2020 but withdrawn in June 2021 following an outcry, would have prohibited the use of descriptors such as *creamy* and *buttery* and the use of packaging resembling that of animal-based products for plant-based foods. Had Amendment 171 not been withdrawn by the European Parliament, it is possible that these more stringent restrictions would have entered the UK as case law, via judicial precedent. As it is, as will be outlined in section 4, the situation in the UK continues to reflect that within the EU; with packaging of plant-based dairy products closely resembling that of animal-based equivalents, and widespread use of the *alternative to* strategy in labelling. Against this backdrop, this paper considers how plant-based brands and their retailers present their products as equivalents to animal-based products, whilst avoiding legally proscribed linguistic variants.

### 2.3. Dietary Paradigms

To understand how we conceptualize the role of plant-based foods, we must consult cultural theories of food consumption and categorization. A semiotic approach to food studies arguably began in 1961, when Barthes theorized that food is “a system of communication, a body of images, a protocol of usages, situations, and behavior [...] food sums up and transmits a situation; it constitutes an information; it signifies” ([1961]2013: 24). Mary Douglas also applied the theoretical framework of semiotics to food as a form of social code, arguing that “[i]f food is treated as a code, the messages it encodes will be found in the pattern of social relations being expressed” (2019: 36). Douglas (2019) developed a structural meal model, within which food items can be placed in the formal linguistic model created by Saussure for semiotic structures. Applying the concepts of syntagm and paradigm, Douglas attests that just as signs can occur in sequence or parallel and combine to create meaning, so too can different foods combine in syntagms to comprise a meal. On the other hand, just as signs can exist in paradigmatic relationship to one another, so Douglas contends that we conceptualise food in the same way. Hence, just as we can replace one noun with another in a sentence, so we can replace rice with pasta or bread as the carbohydrate component of a meal. According to this model, there are many ways that different foods can be combined, but there are also questions as to how open our choices are. Just as we use language formulaically, so too are our food selections and combinations constrained by societal conditioning.

Douglas’ (2019) model categorizes different focal ingredients, around which dishes are constructed. For example, she labels meat as “A” and accompaniments as “B”. A traditional ‘meat and two veg.’ meal would therefore consist of “A+2B”. Hastorf updates this model to include starch as “C”, noting that “State school lunches in the United States and England are required to have these three food categories from the modern concept of the food triangle: carbohydrates, vegetables, and proteins” (2017: 61).

Such models are helpful in understanding the relationship between traditional sectors of the food industry and newer ones. It is unusual for plant-based manufacturers to attempt to introduce wholly alien concepts, as these would be unlikely to garner widespread interest from consumers. Instead, plant-based options are created which fit within existing paradigms. In terms of dairy, this means that plant-based options are now available within, for example, the cheese, milk, and yoghurt paradigms. As we will see, these are conceptualized both by producers and consumers as equivalents, and therefore packaged, labelled, marketed, and talked about accordingly. It is for this reason that the phrase ‘plant-based dairy’ will be used throughout this paper.

As a marketing strategy, establishing equivalence seems successful. Retail sales of plant-based options are growing rapidly. In the UK, sales of plant-based dairy increased 50% year-on-year between 2020 and 2021, with 31% more shoppers buying these foods (Wells, 2021). As of October 2020, 62% of adults reported previously purchasing plant milk (Weinbren, 2020). Such equivalents make it much easier to introduce plant-based

dietary options, or transition to a plant-based lifestyle, because they fulfil familiar dietary paradigms. For example, the role (and roll!) filled by a plant-based burger can be the same as one derived from cow meat, and the role filled by oat milk in coffee or on cereal is the same as that filled by cows' milk. It stands to reason that such paradigmatic substitutions can be instrumental in behavioural change since they accommodate incremental change. Thus, wholesale lifestyle reform is unnecessary as dietary patterns shift. In section 4, multimodal analysis will demonstrate the role that product packaging plays in accommodating this transition from animal-based to plant-based foods of the same paradigm. Firstly, however, the methodological approaches used in this paper will be outlined in section 3.

### 3. Methodology

This paper draws upon a variety of methodological approaches to provide a holistic account of the ways in which the legislative proscriptions outlined in section 2 affect consumers, manufacturers, and retailers of plant-based dairy. 4.1 and 4.2 draw on multimodal analysis, in order to consider how different semiotic modes affect the presentation of plant-based produce. 4.3 uses a corpus-based approach to explore vernacular language use in relation to plant-based dairy products. In closing the analysis, 4.4 returns to a qualitative methodology, reporting the findings of a survey considering strategies retailers employ in labelling such products online. In what follows in 3.1, a brief introduction to multimodal analysis will be provided. The details of the methodologies used in the qualitative and quantitative portions of the analysis will then be enumerated in 3.2 and 3.3, respectively.

#### 3.1. Multimodal Analysis

In section 1, Critical Discourse Analysis (CDA) was identified as the theoretical framework for the analysis reported here. In particular, these findings continue the tradition of the 'multimodal turn' (Catalano & Waugh, 2020: 185) in CDA, in examining how power and ideology are enacted through semiotic modes other than language. According to Jewitt, a "multimodal perspective attends to th[e] full range of communicative forms and the relationships that are created between them", for example "images, layout, sounds, colour, and writing in texts" (2016: 69). Key to a multimodal approach is the recognition that, in Jewitt's words, "communication and representation [are] more than language" (2016: 69). In the context of this study, this is key to establishing a holistic understanding of how plant-based products are marketed.



Jewitt defines a mode as “a set of socially and culturally shaped resources for making meaning: a ‘channel’ of representation”, such as “a set of [...] norms that realize well-acknowledged regularities” (p. 71). Semiotic resources are defined as “the actions, materials and artefacts we use for communicative purposes” (Jewitt, 2016: 72). A multi-modal analytic framework will therefore allow us to consider the interplay between the language used on the packaging of plant-based produce, and the other semiotic resources which manufacturers and retailers use to signal dietary paradigm. Within this theoretical framework, meaning is “understood as arising in the iterative connection between the meaning potential of a material semiotic text” and the “cultural environment where it is encountered” (Jewitt, 2016: 69). Multimodality, then, “steps away from the notion that language always plays the central role in interaction, without denying that it often does” (Norris, 2004: 3). As will be outlined in 3.2, this theoretical framework is the basis for much of the qualitative analysis reported in section 4.

### 3.2. Qualitative Approaches

Much of the analysis reported in section 4 is based on surveys of the largest online grocery retailers in the UK in 2021. These are Tesco, Sainsbury’s, Ocado, Asda, Morrison’s, and Waitrose (IBISWorld, 2021). This fieldwork was conducted in early November 2021, using these retailers’ mobile grocery apps, and in-store fieldwork for those retailers with physical presence (i.e., all excluding Ocado). The findings reported in 4.1 analyse packaging and placement, based on fieldwork conducted in individual Tesco, Sainsbury’s, Asda, Morrison’s, and Waitrose stores in Lancashire, UK in November 2021. Data collection involved observation of positioning and packaging of relevant produce. The qualitative analysis reported in 4.2 relates to labelling language, based on a combination of this fieldwork and a survey of the retailers’ grocery apps. Those findings reported in 4.4 relates to the labels assigned to plant-based dairy equivalents in the metadata of the retailers’ grocery apps.

### 3.3. Quantitative Analysis

The methodology employed in 4.3 is quantitative. This section reports the findings of corpus-based research using the UK sub-corpus of the 38-billion-word English Web 2020 corpus. This sub-corpus was accessed via Sketch Engine, and created by including only webpages with a “.uk” domain. This resulted in a UK sub-corpus of over 3 billion words. Using this sub-corpus, it was possible to explore how language was being used in online discourse between November 2019 and January 2021.

## 4. Findings

### 4.1. Packaging and Placement

Amendment 171 to EU Regulation 1308/2013, introduced in 2.2, would have banned the use of packaging for plant-based products which resembled that of conventional animal product packaging from the same dietary paradigm (for example yogurt pots, ice cream tubs, and resealable bags for grated cheese). This, presumably, was in recognition of the important role packaging plays in allowing consumers to identify the intended dietary paradigm of plant-based foods. In a study of food packaging in Italy, Ventura Bordenca found that “vegan and vegetarian food packaging does not differ from that of products for omnivores” (2018: 47). Drawing upon the “methodology of semiotics”, Ventura Bordenca examined the “verbal and visual strategies [...] adopted to give meaning” to plant-based food products (2018: 42). The analysis presented in this section will focus on the latter category, drawing upon frameworks for multimodal analysis (see 3.1) to consider the role packaging plays in positioning plant-based products in relation to animal-based equivalents in a UK context. In 4.2, the language used in labelling and retailing these products will then be explored.

To firstly consider the packaging of the most widely purchased plant-based dairy option; plant-based milk (Weinbren, 2020). The material character of these products observed during fieldwork was usually a TetraPak. They were usually found either unrefrigerated, near long-life dairy products, or chilled in a refrigerated ‘free from’ section of an aisle near animal-based dairy products. The semiotic resources utilized both by producers and retailers of these products therefore align plant-based dairy with equivalents containing animal products. The same is true of plant-based spreads, which were presented as paper- or foil-wrapped blocks and aligned with dairy butter, rather than packaged in plastic tubs and aligned with margarine. These were likewise usually positioned close to butter and spread products containing cows’ milk.

In yoghurt refrigerators, plant-based options were usually found alongside or amongst animal-based yoghurts. This situation was reflected in freezer sections, where plant-based and animal-based ice creams co-existed. In both cases, if we were to consider only packaging then it would often be impossible to distinguish plant-based and animal-based produce. Occasionally, plant-based packaging featured flora, such as leaves and foliage, and animal-based options featured mammals, but more often there was no such divergence.

In the yoghurt fridge, plant-based and animal-based options were packaged identically. Large pots, such as plant-based Nush and animal-based Rachel’s were usually made of plastic, labelled in cardboard, and sold individually. Multipacks, such as plant-based Alpro and animal-based Munch Bunch were usually comprised of small, conjoined pots with individual, peelable lids, bound together in a sleeve. Likewise, both ice cream options were packaged in plastic or cardboard lidded tubs, or in cardboard boxes if being

sold as multipacks of lollies or coned ice cream. Both Ben and Jerry's and Jude's plant-based options, for example, were found in cardboard tubs which, aside from the language printed on the packages, were indistinguishable from their animal-based options. Likewise, Magnum and Cornetto plant-based options were packaged individually in plastic wrapping, and presented in cardboard multipacks which were very similar to those of their animal-based offerings.

A similar situation was in evidence in the cheese aisle of the British supermarkets surveyed. Here, a range of plant-based options were available in packaging resembling that of a range of animal cheeses. Grated, plant-based cheese like Sheese was available in plastic, usually resealable, bags. Blocks of hard dairy-free cheese such as those produced by VioLife were wrapped in plastic, and soft dairy-free cheeses were packaged in shallow lidded tubs.

The packaging of cream is where the greatest divergence between plant- and animal-based produce was observed. Both Oatly's 'Creamy Oat' and Alpro's 'Single Soya' were sold in TetraPaks, in contrast to the conventional plastic tub in which animal cream was usually sold. Other brands, such as Elmlea, did use this kind of tub for their plant-based creams, but the divergence by other major brands is noteworthy.

If one thing is clear from this survey of dairy packaging in British supermarkets, it is that efforts have been made to position plant-based foods as equivalent to dairy products. This represents an attempt by plant-based food producers and retailers to frame plant-based options as equivalent to animal products. These producers and retailers do not want to reinvent the wheel; they want to offer consumers a choice between plant-based and animal-based, within familiar paradigms. By offering plant-based cheese, ice cream, and yoghurt in packaging which emulates the packaging of animal equivalents, they are able to do this effectively.

In this way, without any recourse whatsoever to linguistic resources, plant-based producers and retailers signal the dietary role an item fulfils. Alpro's multipack of small yoghurt pots offers to fill the 'children's yoghurt' paradigm, whilst Sheese's resealable bag of grated cheese offers to fill the 'pizza cheese' paradigm. Such packaging materials can thus be understood within a multimodal theoretical framework as semiotic resources; artefacts crafted with specific communicative intent.

For all such strategic packaging, we cannot ignore that the language it bears is strictly regulated by law. We can, however, question the primacy of language in such a rich and textured multimodal environment. This is an excellent example multimodality "step[ping] away from the notion that language always plays the central role in interaction" (Norris, 2004: 3). Research has shown that, "different, often opposing, discourses [can be] realized in the same text via different modes"; such that "multimodal layering of meaning" can result in "tensions and ambiguities" (Jewitt, 2016: 82). This certainly applies here; there is tension in the presentation of plant-based foods as inhabiting the dairy paradigm, when words associated with this paradigm are proscribed. Whilst it is beyond the scope of this paper to investigate whether the material form of packaging, or

the language it displays is primary in triggering consumer paradigm recognition, it is interesting to note that at the time the survey reported here was conducted, the brand Innocent, best known in the UK for its smoothies and juices, had recently discontinued its oat milk, citing poor sales. This oat milk was sold refrigerated, unlike most other oat milks observed, and was packaged in a plastic bottle of similar size and shape to the brand's smoothie and juice packaging. Is it possible that despite its "OAT" label, it did not elicit consumer understanding of its place within the dairy paradigm?

## 4.2. Packaging Language

In 4.1, the dairy-free supermarket fridge, freezer, and aisle were analysed as multimodal environments, in which various modes are used to position plant-based produce within the dairy paradigm. This exemplifies Jewitt's assertion that language is "only ever one mode nestled among a multimodal ensemble of modes" (2016 70). In this instance, language may not even have primacy; whether consumers even notice the absence of *yoghurt* on an "Alpro Vanilla" pot is an open question. Unlike packaging and positioning, however, language on dairy-free packaging is subject to stringent proscription. The purpose of this section is to explore the strategies producers in the plant-based sector use to negotiate this legislation.

In the fieldwork conducted for this research, a spectrum of such strategies was discerned. At one end were examples like "Alpro Vanilla" yoghurt, and "Elmlea 100% Plant" cream. By avoiding specifying product type, these relied upon other modes, such as packaging and positioning within a physical shop, to signal their dietary paradigm. At the other end of the spectrum, some items used proscribed lexical variants such as *cheese* and *butter*, either in their orthographical form or with some difference in spelling.

The strategy of avoiding using protected terms at all was mainly observed with well-known brands, whose products are likely to be recognised as plant-based. Alpro, subsidiary of Danone, provides an example of this. Alpro, established in Belgium in 1980, began manufacturing in the UK in 2000. Its established reputation as producer of plant-based products meant it could market products without recourse to words like *milk* and *yoghurt*, and simply use labels such as "Soya", "Almond", or "Oat" on its milk cartons, "Single Soya" on its cream, and "Vanilla", or "No Bits" on its yoghurts. Upfield, manufacturer of dairy-free spread "Flora" also avoided defining its products with reference to dairy products. Its dairy-free options were marketed as "Original Flora" and "Flora Light". Mars-owned brand Galaxy likewise sold a bottled milkshake labelled "Oat Vegan". Such examples suggest that some manufacturers rely on brand recognition and multimodal discourse to negotiate laws around proscribed lexis.

Other market-leading brands employ different strategies. At the time of the survey, Oatly's oat milks were, for example, marketed as "Oat Drink" in the UK and EU, and "Oat Milk" in the USA. This substitution of *drink* for *milk* indicates a lexically paradigmatic

relationship which, as will be explored in 4.3, does not seem to exist in English. Whereas *milk* is the white substance poured onto cereal or into tea, *drink* does not function in this way. The substitution of *drink* for *milk* highlights the lexical contortions necessitated by the legislative proscription placed on use of *milk*. Oatly is not alone in employing this strategy; Plenish, Rude Health and Valsoia all also had plant-based *drinks* on the market in the UK in November 2021. Avoidance of proscribed lexis was also in evidence within other dietary paradigms. Dutch brand Naturli, for example, sold both a “Vegan Spreadable” tub and a “Vegan Block” in the UK. Both were found alongside dairy spreads and butter in refrigerators, but avoided *spread* and *butter*.

Plant-based brands also employed word-formation mechanisms such as blending and clipping in order to avoid proscribed lexis. Thus, whilst avoiding *yoghurt*, Oatly and nut-based British brand Nush could both evoke the concept by selling “Oatgurt” and “Yog”, respectively. Other brands used strategies based around changing the orthography of proscribed words. London-based brand Qwrkee, for example, sold “MIGHTY M.LK”, replacing the *i* in *milk* with a full stop. Good Hemp replaced the *i* with a drop symbol. Nush also used a non-alphanumeric character resembling an upside-down droplet to replace the *i* in *milk* on its packaging. Nush also extended this strategy to *cheese*; for instance with their “DAIRY FREE ALMOND M\*LK CH\*ESE”. The strategy of replacing the *i* in *milk* with *y* was also observed with several brands in the British plant-based food sector. Rebel Kitchen sold both “MYLK” and “MYLK SHAKE”, whilst Creative Nature and Ombar both marketed “mylk” chocolate in the UK.

Other brands used puns to position plant-based options within the same food paradigm as animal-based equivalents, whilst simultaneously distancing the plant-based option and emphasizing that it is plant-based. British Department store Marks & Spencer, for instance, was observed to sell “Grated Not’zarella” via Ocado’s grocery app. Through lexical blending, *Not’zarella* both evokes label *mozzarella* and signals the product’s difference from cheese made of animal products through negation. Similarly, British chocolate brand Montezuma sold milk chocolate called “Like No Udder”; again, this highlighting the chocolate’s similarity to animal-based chocolate but explicitly distancing it from cows’ milk.

At the opposite end of the spectrum from avoidance of proscribed lexis are the brands which use legally proscribed terms in some way. As discussed in 2.2, case law in some EU Member States upholds the legality of presenting plant-based options explicitly as *alternative* to dairy equivalents. In 2019, the Higher Regional Court (Oberlandesgericht, or OLG) of Celle in Germany ruled that

in the designation of a plant-based product as a ‘cheese alternative’ there is no inadmissible designation as ‘cheese’. In this way, the product is only related to the milk product cheese and is clearly expressed that it is not cheese, but something else – namely an alternative to cheese. (OLG Celle, 2019)

Perhaps encouraged by such judgments, many British manufacturers of plant-based options were observed to present their products thus. Nestlé-owned Carnation “Vegan

Condensed Milk Alternative” used the noun *milk*, modified by *vegan* and *alternative* to signal its place within the plant-based sector. In the paradigm of butter/spread, British supermarket Sainsbury’s sold its own-brand ‘Plant Pioneers’ “Slightly Salted Block” with the subtitle “Alternative to Butter”.

A variety of plant-based cheese producers also employed this strategy: Nurishh sold a “Plant Based Alternative to Camembert” and Sainsbury’s sold a “Coconut-Based Alternative to Soft Cheese”. This strategy may be risky, leaving producers open to challenges such as the one resulting in the 2017 judgment in C-422/16 on TofuTown and the ruling by Celle Oberlandesgericht in 2019. However, there are financial risks for anyone bringing such a case, and it may be that it is not considered a priority for bodies such as Dairy UK to challenge marginal cases in the courts. The apparent clustering of such brands as Nestlé, Sainsbury’s and Upfield at this end of the spectrum is also noteworthy, suggesting perhaps that deep pockets are a prerequisite for taking such risks. These companies can afford to face legal challenges and may perhaps feel confident in their legal representatives’ ability to defend their labelling practices.

At the extreme end of the labelling spectrum are brands which seemed simply to overlook legislation proscribing use of protected terms such as *milk*, *cheese*, and *yoghurt* in packaging and marketing plant-based products. Regulation 1308/2013 refers to *cream* but makes no mention of ice cream, so this term seemed to be used with impunity. Ben & Jerry’s, Northern Bloc, and Roar were all found to use “Ice Cream” in packaging non-dairy options. In paradigms with explicit legislative proscription, this strategy seemed much less common, though examples were still observed. In the cheese paradigm, labels for differentiating types of dairy cheese were used to circumvent laws proscribing *cheese*. Thus, VioLife sold “Epic Mature Cheddar Flavour”, and US company Follow Your Heart sold “Smoked Gouda Style Slices”.

The findings reported here suggest that, in selecting from the spectrum of strategies they could employ to negotiate legislative proscriptions, producers of plant-based food-stuffs for the UK market seemed to be performing a linguistic balancing act. Efforts to align their plant-based products with animal-based equivalents within the same dietary paradigm were clear; but so too were efforts to ensure that differences between their product and its animal-based equivalents were evident, as legally mandated. In addition, producers must be aware of popular usage, and it is to this which we now turn. 4.3 explores quantitative corpus data, to determine whether vernacular usage relies upon the use of proscribed words to refer to plant-based products in the dairy paradigm.

### 4.3. Vernacular Usage

In 2020, British actor Stephen Fry tweeted about “oat milk”. When another Twitter user responded, “oat milk isn’t milk”, Fry responded that “peanut butter isn’t butter, quince cheese isn’t cheese, cream of coconut isn’t cream [...] try as dairy farmers might, history



and the nature of language development will decide”. As mentioned in 2.1, however, empirical evidence of prescriptive impact is rare, meaning there is uncertainty as to the extent to which prescriptivism impacts usage, and whether any such impact can be quantified effectively (Malory, forthcoming). Albeit in the context of small-scale qualitative analysis, however, this paper has demonstrated prescriptive success. From the distinction between Oatly’s UK-sold “oat drink” and US-sold “oat milk” alone, we can infer that legislative prescriptivism has curtailed Oatly’s linguistic freedom. In the wider context of packaging language, the qualitative survey reported in 4.2 indicates a high degree of such prescriptive success in the UK plant-based dairy sector. But is Fry right to state that the “nature of language development will decide”? Does legislation dictate vernacular usage, as it has been shown to dictate commercial language? These are the questions with which this section is concerned.

Whilst examples of demonstrable prescriptive success are rare (Malory, 2022), examples of failed attempts at prescriptivism abound. These, indeed, are often the only ones which linguists acknowledge. Thus, according to Lippi-Green, “[l]anguage changes whether we like it or not. Attempts to stop spoken language from changing are not unknown in the history of the world, but they are *universally without success*” (1997: 10; emphasis added). Likewise, Crystal has written of “a group of people who tried to shape the language in their own image but, generation after generation, failed” (2006: ix). In fact, there is mounting evidence that prescriptivism can and does shape language practice in some contexts. Elsewhere, I (Malory, 2022; forthcoming) have demonstrated that there are contexts in which prescriptive impact can be established. 4.2 likewise shows that the legislative prescriptivism of Regulation 1308/2013 has impacted usage, in the limited context of product labelling and marketing.

It is true, however, that legislative prescriptivism in other contexts does not seem to demonstrate much impact at a vernacular level. For example, in 2019 France’s language academy announced that it was “seriously concerned” at “repeated violations” (Académie française, 2019) of the 1994 Toubon Law, which mandates the use of the French language in official government publications. The academy’s communiqué mentioned the “invasion of the Anglo-Saxon terms” (Académie française, 2019), and risk of damage to French syntactic structures. It concluded that “if the public does not appreciate the danger that threatens it, French will cease to be the living and popular language we love” (Académie française, 2019). Despite such warnings of existential threat to French, the French dictionary La Petit Larousse has announced plans to add *cluster*, *click-and-collect*, *batch cooking*, *emoji*, and *mocktail* to its 2022 edition (Aïssaoui & Develey, 2021). Some of these words will, however, be accompanied by the word *déconseillé* (‘not recommended’; Aïssaoui & Develey, 2021).

The continued arrival of anglicisms into French, despite ideological opposition (Zsombok, 2021), is one example of failed legislative prescriptivism. Despite the difference in context, parallels with legislative proscription of dairy-based lexis for plant-based produce are clear. In France, despite vernacular usage continuing to incorporate

anglicisms, ideological opposition remains (Zsombok, 2021). The analysis presented in this section will show that in the UK, vernacular usage seems likewise to be using proscribed ‘dairy’ lexis with plant-based produce, despite ideological and commercially motivated opposition. In both cases, the maintenance of the linguistic status quo is legally mandated, with legislation imposing ‘top-down’ restriction of relevant vocabulary (Zsombok, 2021; EU Parliament, 2013). As Zsombok notes, the Toubon Law “prescribes the [avoidance] of [anglicisms] in government publications”, whereas “speakers are merely encouraged” to avoid using them (2021: 270). French government publications are presumably intended to provide an example of anglicism-free French for the populace to emulate. In the case of laws governing the use of proscribed terms in the plant-based sector, we can assume a similar trickle-down effect is desired. This section will examine whether this desire is reflected in the reality of vernacular usage. Does someone in the UK picking up an Oatly carton labelled “Oat Drink” refer to it as such? Is someone picking up “Alpro No Bits” presented with a conundrum as to what to call that product (the brand name “Alpro” also applying to other products, “No Bits” being semantically imprecise), or do they just use “yogurt”? It is to such questions which we now turn.

Such questions pose challenges, since it is difficult to use corpus methods to establish absence. Theoretically, it would be possible to manually examine the 15,282 instances of *yog(h)urt* in the English Web 2020 UK sub-corpus, to determine which were being used in the context of plant-based options, but this is unmanageable. The analysis reported here will thus focus on the replacement of *milk* with *drink* by plant-based manufacturers in the UK. As mentioned in 4.2, these nouns are not, in any other context, lexically paradigmatic in English. This case study will therefore allow exploration of the divergence between packaging language and vernacular usage.

The anticipated disparity between packaging and vernacular is apparent in the frequency counts for *milk* and *drink* with plant-based modifiers in the UK sub-corpus of English Web 2020. As Table 1 shows, *drink* occurs very infrequently with these modifiers, by comparison with *milk*.

**Table 1:** Frequency per million tokens and raw frequency of modifiers of the nouns milk and drink in the British English sub-corpus of English Web 2020.

	Milk		Drink	
	Raw frequency	Per million tokens	Raw frequency	Per million tokens
Oat	305	0.09	20	0.01
Soya	953	0.27	7	<0.01
Soy	294	0.08	4	<0.01
Almond	675	0.19	16	<0.01
Cashew	28	0.01	0	0
Hazelnut	12	<0.01	1	<0.01
Hemp	33	0.01	2	<0.01
Pea	3	<0.01	1	<0.01
Coconut	1413	0.4	9	<0.01
Potato	1	<0.01	1	<0.01
Rice	193	0.05	12	<0.01

As Table 1 shows, use of the plant-based modifiers with *drink* is, in most cases, so rare as to represent fewer than 0.01 occurrences per million tokens (Sketch Engine does not quantify frequency below this level). By comparison, many of the modifiers occur much more frequently with nominal *milk* than they do with nominal *drink*.

To examine how *milk* is used in British English more closely, we will now turn to its collocates in the sub-corpus. As Table 2 shows, the top ten collocates by Log-dice score all strongly indicate that the noun *milk* is used almost exclusively in the sense associated with the dairy paradigm. *Cow*, *coconut*, *pint*, *soya*, *chocolate*, *skim*, and *cheese* all indicate this association between *milk* and dairy. Only *breast* and *egg* do not indicate this; with *breast* relating to human milk, and *egg* indicating that *milk* is often used as a noun in the context of discussing groceries.

**Table 2:** Top ten collocates of milk as a noun in the British English sub-corpus of English Web 2020, by Log-dice score.

Collocate	Frequency count	Log-dice score
<i>Breast</i>	2283	8.5
<i>Cow</i>	1935	8.5
<i>Coconut</i>	1262	8.4
<i>Pint</i>	1237	8.1
<i>Soya</i>	938	8.0
<i>Chocolate</i>	1435	7.8
<i>Skim</i>	759	7.7
<i>Egg</i>	1458	7.6
<i>Cheese</i>	957	7.4

By contrast, none of the top ten collocates of *drink* as a noun indicate that it is strongly associated with the dairy paradigm. All its collocates, shown in Table 3, instead indicate that *drink* is used in a general sense. *Food*, *meal* and *snack* indicate that *drink* fills the broad paradigm of liquid sustenance. *Soft*, *alcoholic*, *hot*, *fizzy*, *cold*, and *sugary* likewise indicate that *drink* has a general meaning, requiring modification to convey specificity.

**Table 3:** Collocates of *drink* as a noun in the British English sub-corpus of English Web 2020.

Collocate	Frequency count	Log-dice score
Food	26072	9.6
Soft	8672	9.2
Snack	4969	9.1
Alcoholic	3148	8.7
Hot	6826	8.6
Reception	4287	8.5
Fizzy	1882	8.0
Cold	3528	7.9
Meal	2801	7.7
Sugary	1142	7.2

The noun *drink*, then, is used in a much more general sense in the sub-corpus than *milk*. This indicates that the substitution of *drink* for *milk* on package labelling is a consequence of legislative prescriptivism, and not a reflection of general usage. It also indicates that Regulation 1308/2013's legislative prescriptivism is confined to the domain of labelling plant-based foods, and has not spread beyond this to any significant degree. This is reflected in the concordance lines for *drink* with plant-based modifiers such as *oat* and *soya*. In fact, of the 20 concordance lines for *oat drink*, examination reveals that 19, or 95%, relate to specific brands sold in the UK. These are, of course, subject to legislative proscription. The same is true for *soya*; here, examination of concordance lines reveals that 6 out of 7 occurrences occur in marketing.

Whilst it is difficult to replicate this method of investigation at a similar level of granularity for other food paradigms, these findings indicate a disparity between the law and everyday language. 4.4 now considers the challenges this disparity poses for retailers.

#### 4.4. Retailers in a Bind?

In 4.3, a case study of *milk* usage indicated that the legislative ringfencing of dairy terms for animal products does not seem to have suppressed the popular tendency to assign these labels to plant-based dairy. It seems clear from Regulation 1308/2013, however, that retailers are bound by the same laws as manufacturers. As outlined in 2.2, the regulation in question states that:

In respect of a product other than those described [above], *no label, commercial document, publicity material or any form of advertising* as defined in Article 2 of Council Directive 2006/114/EC or *any form of presentation* may be used which claims, implies or suggests that the product is a dairy product. (emphasis added)

This indicates that there is onus on retailers, as well as producers, to avoid the use of proscribed variants. The ECJ's ruling in C-422/16 in 2017 reinforces this impression:

Regulation No 1308/2013 must be interpreted as precluding the term '*milk*' and the designations reserved by that regulation exclusively for milk products from being used to designate a purely plant based product in marketing or advertising, *even if those terms are expanded upon by clarifying or descriptive terms indicating the plant origin of the product* at issue, unless that product is listed in Annex I to Decision 2010/791. (emphasis added)

Retailers must therefore mediate between the vernacular usage reported in 4.3, and the cautious usage reported in 4.1 and 4.2.

Despite the apparent clarity of the restrictions placed on retailers, the survey of grocery apps of the UK's largest online retailers conducted in November 2021 (see 3.2) found high levels of both inter- and intra-retailer inconsistency. Given that reliance on online channels for procuring groceries, either via home delivery or 'click and collect' has risen significantly since the beginning of the COVID-19 pandemic in early 2020 (Gladman, 2021), online grocery shopping is now a significant means by which UK consumers interact with food labelling. The survey found that in this context, consumers are likely to interact more readily with retailers' descriptions of products than with products' labels, because photographs of products are often small, fuzzy thumbnails which must be enlarged before packaging language is legible. It was therefore surmised that grocery retailers played an important role in mediating between producers of plant-based food who, as was reported in 4.2, seemed extremely cautious in labelling in line with legislation, and consumers, whose usage was indicated in 4.3 to be unaffected by legislative prescriptivism.

This landscape would seem to pose a 'category management' challenge for UK retail. Category management is the "strategic management of product categories to maximise profit and satisfy consumer needs" (Christopher & Peck, 2012: 112f.). According to Christopher and Peck, effective category management should "pool and leverage the knowledge of retailer and suppliers to lead to better collective demand management and a more attractive offer for the consumer", but that "frequent fail[ure] to integrate" the concerns of the manufacturer, retailer, and consumer has been observed (2012: 114). For retailers, the legislative prescriptivism of Regulation 1308/2013 appears to prevent effective category management. Online, these retailers can rely much less on the ensemble of modes which, as outlined in 4.1, aligns plant-based products with animal-based equivalents in the physical retail environment. However, retailers still need to minimize consumer confusion and maximise accessibility and user-friendliness. When a consumer seeking oat milk goes to the app or web interface of a retailer, it has been established that they are likely to conceptualize this product as *oat milk*, but that it is likely to be labelled as *oat drink* or simply *oat*. How, then, does the retailer negotiate this disparity?

The survey found that different retailers employ different strategies, seemingly obeying the prescriptive legislation to varying degrees. Some retailers, like Waitrose, appear to use labels such as *oat milk* and *vegan cheese* to products in their searchable metadata, without explicitly labelling any products as such. Thus, a search for *oat milk* in the Waitrose app returned “37 products for ‘oat milk’”. However, such products were labelled as “Oatly! Oat Drink Whole” and “Alpro Oat No Sugars Chilled Drink”. Interestingly, *drink* was used in the Waitrose app even where the brand itself did not use the word, as with Alpro; suggesting perhaps a company policy. Likewise, a search for *vegan cheese* in the Waitrose app returns “15 products for ‘vegan cheese’” but hits avoid the use of *cheese*, except where it was used with orthographical difference on the packaging of a product. In such cases, as for example with “Nush Almond M\*lk Ch\*ese Chive Spread”, these orthographical differences were reflected in Waitrose’s labelling.

This suggests awareness of the legislation prescribing language, and that effort is made to avoid using proscribed variants online. Waitrose’s strategy is at one end of a spectrum through which online retailers negotiate the disparity between popular usage and legislative proscription. At the other end of this spectrum, the online grocery retailer Ocado used variants like *milk* freely in its product listings. This was the case even where the *milk* did not appear on packaging. For example, a search for *oat milk* in the Ocado app returned “Minor Figures Organic Barista Oat Milk”, despite *milk* not appearing on this product’s packaging. Where Waitrose and Ocado sold the same brands, it was possible to compare their strategies and identify areas of divergence. Table 4 provides some examples of this, with proscribed variants highlighted in bold.

**Table 4:** Product titles in Waitrose and Ocado apps as of 28 November 2021, compared with packaging lexis on the same date.

Waitrose	Ocado	Packaging lexis
Minor Figures Barista Oat M*lk Drink	Minor Figures Barista Oat Milk	Minor Figures Barista Oat (Organic)
Califia Farms Oat Barista Blend No Added Sugar	Califia Farms Oat Milk Barista Blend	Oat Barista Blend No Added Sugar
Good Hemp Seed Milk	Good Hemp Creamy Seed Drink Good Hemp Oat + Hemp Milk	Good Hemp Seed M*lk Good Hemp Oat + Hemp M*lk

Table 4 reflects Waitrose’s apparent caution in using proscribed variants and, Ocado’s tendency to use them freely. Even within Table 4, however, there is intra- as well as inter-retailer inconsistency. Waitrose usually avoided the orthographical form *milk*, whereas Ocado used it. In the case of Good Hemp’s “Seed M\*lk”, however, the situation was reversed; with Waitrose’s product listing using *milk*, and Ocado’s using *drink*.

Other major online grocery retailers in the UK fell somewhere in between Ocado and Waitrose in their use of proscribed variants. In terms of *milk*, Tesco, Morrison’s and Asda all had product listings in their apps which used this orthographical word; selling “Wunda Original Plant Based Alternative Milk”, “Califia Farms Oat Milk Barista Blend” and “Mighty Pea Protein Oat Milk”, respectively. Waitrose, Ocado, Tesco, Sainsbury’s,



Morrison's and Asda all also used the phrases “Yoghurt Alternative”, though of these, only Ocado, Tesco, Morrison's, and Asda used “Butter Alternative” or “Alternative to Butter” in their product listings. Likewise, only Ocado, Sainsbury's and Asda used “Cheese Alternative”. Waitrose alone avoided entirely the use of orthographical forms *butter* and *cheese* for plant-based dairy products.

There is clearly a distinction to be drawn between the level of constraint felt by producers and retailers in relation to the laws proscribing the use of dairy terms. Some retailers, such as Waitrose, seemed to have stringent policies on avoidance of words such as *milk*, *cheese* and *yoghurt* in their online product listings, but were aware of the necessity of using these terms in metadata, to ensure accessibility for consumers. For most of the major UK grocery retailers, however, the survey revealed high levels of inconsistency.

## 5. Conclusions

The data presented here indicate a marked divergence between the usage of individual consumers (4.3), retailers catering to those consumers (4.4), and legislation proscribing the use of lexis like *milk*, *cheese*, *yoghurt* and *butter* in labelling, marketing and advertising plant-based produce (4.1 and 4.2).

There are several reasons why such divergences are notable. Firstly, from a theoretical perspective, it demonstrates the impact of legislative prescriptivism in the UK plant-based food sector. In the context of scant empirical data showing that prescriptive impact is measurable (Malory, forthcoming) and little scholarly attention being paid to prescriptivism which is outside the remit of linguistic purism, this is a significant finding. Perhaps even more significantly, these findings highlight the limited impact this kind of prescriptivism seems to have on vernacular usage. Try as they might, Parliaments cannot legislate for the everyday use of language in homes, on the streets, or online. As such, in recognition of their popular usage, variants such as *oat milk* and *vegan cheese* are built into the infrastructure of shopping apps and online interfaces.

Having taken an approach rooted in Critical Discourse Analysis (CDA), the findings reported here also have implications for understanding how social authority is exercised through language, and how linguistic prescriptivism is used in attempts to uphold mainstream, hegemonic ideologies. Here, there are parallels with “standardizing” prescriptivism (Curzan, 2014) and the way the standard language ideology has historically been used to marginalize those lacking access to standard varieties of English, by so-called “language guardians” (Percy, 2010). In the Late Modern period, for example, such ‘guardians’ were language gatekeepers, ensuring that non-standard language users remained socially marginalized (Percy, 2010: 70). In a contemporary context, this paper has likewise shown language gatekeeping to be at work, with prescriptive legislation

protecting traditional industries and positioning plant-based manufacturing as commercially marginal. Thus, though it is not always a conservative force (Walsh, 2014; Malory, 2022), prescriptivism functions in both these instances to protect the status quo; resisting progressive change. These parallels may seem of only theoretical interest to linguists and critical theorists, but they raise urgent and necessary questions about the structures of societies in the twenty-first century. By causing a disjuncture between vernacular usage and marketing language, such prescriptivism as that in Regulation 1308/2013 may suppress the evolution of the marketplace away from traditional models of agriculture and towards less ecologically damaging food production. Given the scientific consensus on the need to reduce agricultural emissions, it is perhaps time to question whether laws enshrining the supremacy of more polluting industries have a place in modern societies. These findings thus demonstrate the importance of critically-oriented scholarship engaging with issues of prescriptivism and authority in language, and exploring its impacts.

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