



24 February 2020

SUBMISSION TO FSANZ [103-19]

SECOND CALL FOR SUBMISSIONS - PROPOSAL P1044

PLAIN ENGLISH ALLERGEN LABELLING

Submission From:

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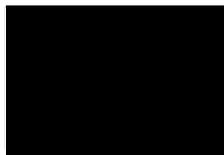
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Contact:

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Submission approved by Mark Dixon, CEO, on behalf of Allergy New Zealand Inc



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SUBMISSION

Allergy New Zealand thanks Food Standards Australia New Zealand for their comprehensive assessment and the proposed regulatory measures put forward, to make allergen information clearer, more consistent and prominent for consumers.

We strongly endorse Option 3, as neither Option 1 nor 2 will achieve the desired outcomes, particularly of improved safety for consumers with food allergies.

Allergy New Zealand also agrees with the changes required, that is:

- the use of mandatory specified terms for allergen declarations
- the separate declaration of molluscs; individual tree nuts: almond, Brazil nut, cashew, hazelnut, macadamia, pecan, pine nut, pistachio and walnut; and wheat, barley, rye, oats or spelt or their hybrids
- for packaged foods: declaration of allergens in the statement of ingredients using bold font and in a separate emboldened allergen summary statement; and use of the terms 'gluten' or 'tree nut' in the allergen summary statement when these are present.

Allergy New Zealand approves the proposals as outlined in section 5: Risk Management.

Under 'Questions for Submitters' (Section 7, p.30):

Question	Allergy New Zealand's response
1. What proportion of foods are likely to be affected by the change?	Don't know
2. Is there likely to be a material difference in costs between Options 2 and 3? If yes, why?	Don't know
3. Is there likely to be a material difference in the benefit to consumers between Options 2 and 3?	Yes. Option 3 is likely to be more beneficial to consumers than Option 2. Correct identification of allergens in food is vital for the safety of food-allergic consumers, however reading labels is known to be time consuming, and may be challenging for consumers with poor English literacy skills and/or difficulty reading small-size-fonts. The allergen summary statement will reduce the time needed, and/or make it easier, to locate and identify allergens. This will, in turn, improve consumer safety and reduce stress.

4. Is Option 2 or 3 sufficient for consumers to make quick and reliable assessments of foods?	Option 2 would not be sufficient for consumers to make quick and reliable assessments of foods.
5. What would be an appropriate duration of time for stock in trade provisions?	Don't know
6. Do you expect to have any notification, education, permission, purchasing, record keeping, enforcement, publication and documentation, procedural, delay, labelling or any other costs associated with the proposed changes to the Food Standards Code?	Yes. Consumer education on the changes, and updated information to provide newly diagnosed (food allergic) individuals and families, will be needed. Allergy New Zealand is not currently resourced for this.
7. Any views in relation to unintended consequences associated with Option 2 or 3.	Re Option 3, there may be more work required of regulators in relation to labelling discrepancies between the 'Contains' statement and the mandatory specified terms in the ingredients list. This could also lead to more food recalls for undeclared allergens, in the short term at least.

Transition period:

We would prefer the transition period be shortened by a year i.e. one year for transition (instead of two), followed by a 12-month stock-in-trade period. This is because the Plain English Allergen Labelling proposal has taken some years to develop, including consumer consultation. As has been found in these consultations, because the industry guidelines have recommended use of an allergen 'contains' statement, many consumers are under the impression this is already regulated. This creates risk of them assuming, where there is no 'contains' statement on a label, that the product does not contain an allergenic ingredient. We do not feel the risk to consumer safety has been adequately assessed in this regard.

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24/02/20