

FSANZ has considered two options to address the issues of clarity and consistency, in addition to the status quo. The options are:

1. Maintain the status quo (i.e. no change to allergen declaration requirements).
2. Declare allergens using mandatory specified terms in bold font.
3. Declare allergens using mandatory specified terms in bold font, with additional requirements to declare in the statement of ingredients as well as in a separate allergen summary statement

FSANZ's assessment from analysis of available literature and consultations is that Option 3 (mandatory specified PEAL terms, format and location) will, on balance, have the greatest net benefit and is therefore the preferred option. This option, of those considered, most ensures the relevance and effectiveness of allergen declaration requirements in assisting consumers to avoid potentially harmful products.

However, information received through this call for submissions consultation process may result in FSANZ arriving at a different conclusion.

Questions for submitters

1. What proportion of foods are likely to be affected by the change?
2. Is there likely to be a material difference in costs between Options 2 and 3? If yes, why?
3. Is there likely to be a material difference in the benefit to consumers between Options 2 and 3?
4. Is Option 2 or 3 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?
6. Do you expect to have any notification⁶, education⁷, permission⁸, purchasing⁹, record keeping¹⁰, enforcement¹¹, publication and documentation¹², procedural¹³, delay¹⁴, labelling¹⁵ or any other costs associated with the proposed changes to the Food Standards Code?
7. Any views in relation to unintended consequences associated with Option 2 or 3.

ALDI response

1. Products that contain tree nuts, gluten, wheat, molluscs and soy will be affected which we expect to be approximately 75% of our ALDI exclusive branded product range.
2. Yes, option 2 will be a cheaper option for ALDI as the majority of our products already comply with this option.
3. Yes, option 3 will be of greater benefit to the consumers as it will give them a clear overview of the ingredients and the allergens (gluten especially). This option will also provide customers with more confidence as they will see the same separate allergy summary statement on products within the Australian market regardless of the brand they buy and the shop they visit.

4. Yes, option 3 is sufficient for consumers to make a quick and reliable assessment of foods.
5. A minimum of 36 months would be an appropriate duration, as the changes will affect product labels of a large number of products including long life products.
6. Yes, costs will be implicated with the proposed changes; however, the amount will be dependent on the changeover period. A longer changeover period will allow ALDI to incorporate the required changes in product updates.
7. Unintended consequences could occur during the changeover period, as products with different ways of identifying allergenic substances will be for sale at the same time.
Unintended consequences could occur, as the proposed updates do not address cross contamination statements on product, which are essential, especially for customers with severe (anaphylactic) allergies.