

SUBMISSION

Food Standards Australia New Zealand

Proposal P1044

Plain English Allergen Labelling

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Contact Person:

Position:

Organisation: Coeliac Australia

Address: Suite 1, 41 – 45 Pacific Highway, Waitara NSW 2422

Telephone: 02 9487 5088

Sydney (National Office)

PO Box 271
Wahroonga NSW 2076
T: 02 9487 5088
E: nsw@coeliac.org.au

Brisbane

PO Box 611
Cannon Hill QLD 4170
T: 07 3390 5625
E: qld@coeliac.org.au

Melbourne

Suite 3, Level 1,
1 Crescent Road
Glen Iris VIC 3146
T: 03 9822 4044
E: victas@coeliac.org.au

Perth

PO Box 3030
Success WA 6964
T: 08 9494 3734
E: wa@coeliac.org.au

Coeliac Australia and Coeliac Disease

Coeliac Australia (CA) is the National Registered Charity supporting all Australians with coeliac disease (CD). Our vision is to enhance the lives of those living with CD and related conditions. We welcome the opportunity provided by this Proposal P1044 to highlight the needs of Australians living with CD.

CD is an immune based condition in which the body responds abnormally to dietary gluten (a protein found in wheat, rye, barley and oats). This autoimmune reaction causes systemic inflammation and damage to the lining of the small bowel.

The impact of non-compliance with a gluten free diet can include very unpleasant symptoms in the short term e.g. diarrhoea, nausea and/or vomiting, abdominal pain and bloating etc. as well as longer term health complications, including an increased risk of osteoporosis, liver disease, infertility and malignancy.

The prevalence of CD has significantly increased over the past 50 years^{i, ii}. Approximately 1 in 70 people in Australia (1.4% of the population) have CD, although the majority of patients with CD remain undiagnosed. It is more common in women than men (1:60 women and 1:80 men)ⁱⁱⁱ and may develop at any age, from childhood (when gluten is first introduced to the diet) through to older years.

Those diagnosed with CD require a strict life-long gluten free diet as the only treatment for their condition.

The ability of consumers with CD to confidently choose suitable packaged food products relies on clear and accurate information relating to ingredients and allergens on food labels [while coeliac disease is not an 'allergy', we are comfortable with gluten (and gluten containing grains) being referred to as 'allergens' for the purposes of this discussion and as per terminology used in the Code].

We are grateful for the work FSANZ has undertaken to try and improve current labelling requirements, with the aim to overcome difficulties and uncertainty for consumers and industry.

Coeliac Australia's Response to Proposal P1044

CA is generally in support of the proposed 'Option 3' outline in Proposal P1044:

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.

Some concerns requiring clarification are outlined below.

Presentation of allergen declarations

CA supports the FSANZ assessment that allergens are to be declared in the statement of ingredients using a bold font that provides a distinct contrast to ingredient names, and in a font size no less than that used for other ingredient names (as per 5.2.3 of the proposal document).

The mandated use of an Allergen Summary Statement (previously voluntary) located directly below the ingredient list, using the prescribed wording 'Contains...', will also assist with consistency and provide an additional tool for consumers to help them confidently choose suitable foods.

Terminology

We agree that the mandated use of specified terms for each allergen and the requirement that allergens be bolded in the ingredient list will assist consumers identify allergens present in the ingredients more easily.

We have reservations about some aspects of the 'required names' specified in relation to wheat and gluten (as listed in Table 2 in section 5.9 of the proposal, and Schedule 9 in Attachment A – Draft variation to the code). The aim of this proposal is to provide consistent and clear food labelling for consumers, and more certainty for industry. The inclusion of 'spelt' and 'or their hybrids' detracts from this aim:

- Spelt is a type of wheat, yet it is listed as a separate grain requiring separate declaration? There are numerous other wheat varieties that are not mentioned. The current suggested wording implies that other varieties may not require declaration. Or that just listing the variety e.g. kamut, einkorn etc. (without wheat) is sufficient. A declaration of 'Wheat' should be required for all types of wheat to make identification of gluten containing ingredients easier for consumers and to avoid confusion amongst industry. This will also allow for easier education when teaching consumers what to look for on food labels.
- 'or their hybrids' is also an ambiguous term that may cause confusion and/or the potential omission of a necessary declaration. To ensure consumer safety, manufacturers are required to know of all gluten containing hybrids. It is also unclear in the draft standard that all grain names are required to be declared when a hybrid is present e.g. in the case of triticale, rye and wheat would need to be declared.

Cereal declaration requirements

The following requirements:

- Barley, rye, oats and spelt to be declared in the ingredients *when* these cereals contain gluten (which we interpret to mean that these ingredient would not need to be declared in the ingredient list if gluten is not present), and
- 'Gluten' to be declared in the Allergen Summary Statement if gluten from wheat, rye, barley, oats or spelt or their hybrids is present

will reduce the confusion that currently exists with products that are labelled 'gluten free' but are still required to declare the presence of a wheat derived ingredient (under the terms of the current standard). The revised standard will allow barley, rye, oats and spelt to not be declared in the ingredient list if they do not contain gluten. Further, gluten will be omitted from the Allergen Summary Statement if a wheat derived ingredient present does not contain gluten.

This approach will provide reassurance to consumers that the 'gluten free' claim is genuine.

If a product is not labelled 'gluten free', the proposed standard appears to rely on industry testing ingredients and/or food products to determine whether gluten is indeed present – it could even be interpreted that this is a mandatory requirement (which we assume is not the intention). There is potential for confusion and misuse (albeit unintentional) by food manufacturers in relation to this and this may require clarification.

We understand and support the proposed requirement that wheat is always to be declared in the ingredient list and Allergen Summary Statement when present, to assist wheat allergic consumers (irrespective of gluten content, current exemptions excluded). This point will require specific and careful education to ensure consumers understand the distinction between wheat and gluten.

As spelt is a type of wheat, we had assumed this to be a grain to be avoided by wheat allergic consumers. However, Table 2 in section 5.9 of the proposal, and Schedule 9 in Attachment A, only requires spelt to be declared when gluten is present. This point reinforces our concerns expressed earlier – spelt does not require a separate declaration, it should be declared as 'wheat'.

Education

While CA is in general agreeance with the drafted variations to the Australian New Zealand Food Standards Code as outlined in Proposal P1044, we also recognise that the education of both consumers and industry will be a key component of a successful change to the Code. With the improved consistency that will occur with the introduction of additional mandatory requirements to food labelling (many of which have previously been used voluntarily by some but not all food manufacturers), we believe the education process and

ongoing interpretation of food labels will be more straight forward for consumers. This will however hinge on a clear and consistent education campaign for consumers and industry.

CA would very much appreciate being actively involved in the development and dissemination of consumer education material. We have a broad and trusting membership base and a large following outside of our membership – the perfect platform to help educate gluten free consumers about the change to food labels and what it means for them. We can also assist with communication to industry, including food manufacturers, caterers and food service with an interest in the gluten free sector.

Precautionary Allergen Labelling (PAL)

We understand that PAL is excluded from the scope of Proposal P1044. We would still like to take this opportunity to highlight the standardisation of PAL as a very important issue in ensuring consistent and clear food labels for allergic consumers. We will be interested to see how food manufacturers will utilise PAL in conjunction with the revised plain English allergen labelling requirements.

Thank you for the opportunity to contribute to this process and advocate on behalf of those who require a gluten free diet. We trust the concerns we have expressed will be considered and look forward to the outcome of the proposal and contributing to communication of any changes to the Code moving forward. Please don't hesitate to contact us with any questions.

ⁱ Ludvigsson JF, Murray JA. Epidemiology of Celiac Disease. *Gastroenterol Clin North Am.* 2019;48(1):1-18. doi:10.1016/j.gtc.2018.09.004

ⁱⁱ Catassi C, Gatti S, Fasano A. The New Epidemiology of Celiac Disease. *J Pediatr Gastroenterol Nutr.* 2014;59:S7-S9. doi:10.1097/01.mpg.0000450393.23156.59

ⁱⁱⁱ Robert P Anderson, Margaret J Henry, Roberta Taylor. A novel serogenetic approach determines the community prevalence of celiac disease and informs improved diagnostic pathways. *BMC Medicine* 2013, 11:188 <http://www.biomedcentral.com/1741-7015/11/188>