

**Submission to
Food Standards Australia New Zealand
In relation to
Consultation Paper - W1070
Plain English Allergen Labelling**

10 February 2016

The Allergen Bureau Ltd

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The Allergen Bureau Ltd

The Allergen Bureau Ltd was established in 2005 as an initiative of the Australian Food & Grocery Council Allergen Forum and currently operates independently on a membership basis. The overall objective of the Allergen Bureau is to share information and experience within the food industry on the management of food allergens to ensure manufacturers and consumers receive relevant, consistent and easy to understand information on food allergens.

Almost 20% of visitors to the Allergen Bureau website come from North America (Canada and USA) and over 10% from Europe with the majority from the UK. These visitors include representatives from food industries in these countries as well as research groups and consumers.

The growth in the incidence of food allergens is an international phenomenon. The Allergen Bureau draws on and disseminates information from all over the world on food regulations and the latest scientific research on food allergens including emerging food allergens. The Allergen Bureau provides rapid responses to questions concerning the management of food allergen risks in food ingredients and manufactured foods in Australia and New Zealand.

The Allergen Bureau is the product of cooperation amongst competitors in the food industry, with national and multi-national food manufacturing and marketing companies, suppliers, importers, exporters, retailers and consumer groups cooperating and sharing information on managing the risks of food allergens in industry in the interests of consumers.



Allergen Bureau Full Members:



Allergen Bureau Associate Members (Category A, B & C):

- Advancing Food Safety
- All Systems Go
- Arrow Scientific Pty Ltd
- Bellamy's Organic
- Chadderton Food Safety Pty Ltd
- Diseb Food Group
- Food Laboratories (Aust) Pty Ltd
- Hamilton Grant
- Ingredion
- KADAC
- Orange & Green
- Sci Qual International
- Stahmann Farms Enterprises
- Vatmi Industries
- Vitasoy



Submission by the Allergen Bureau in respect of consultation W1070 Plain English Allergen Labelling

The Allergen Bureau welcomes the opportunity to make this submission to the Consultation W1070 Plain English Allergen Labelling.

In summary, the Allergen Bureau is supportive of this review project to collect evidence on whether consumers may experience difficulties identifying the presence of allergens from the terminology used to make the declaration. In addition to this, we will also provide some perspective on the difficulty industry have in providing clear and consistent information to consumers about the allergenic content of foods due to lack of clarity with respect to the definition of different food allergens.

The issues raised in this consultation paper include:

- Fish declarations
- Cereal declarations
- Tree nut declarations
- General issues associated with terminology.

We are fully supportive of this consultation paper to seek to further clarify issues around these areas and we are supportive of the AFGC submission on this topic as we have many areas of common interest for allergen management and promoting clear consistent allergen labelling. As with all issues, there is potential for a range of regulatory and non-regulatory solutions and we look forward to working proactively with FSANZ to help take these identified issues to a satisfactory conclusion to facilitate clear and consistent allergen labelling to assist allergic consumers to make safe and suitable choices.

The Allergen Bureau Objective

The primary objective of the Allergen Bureau and Voluntary Incidental Trace Allergen Labelling Program (VITAL®) is to ensure manufactured food is safe to consume for the vast majority of food allergic consumers by providing consistent food labels that declare the presence of allergens that are present due to documented, unavoidable and sporadic cross contact, thus enabling allergic consumers and their carers to avoid purchasing foods that may present a personal risk.

Summary of questions posed to submitters and Allergen Bureau responses:

- 1. Are the current requirements to declare fish and fish products in Standard 1.2.3 clear on what foods/ingredients must be captured by the declaration? If not, please explain the problems associated with declaring these foods and ingredients on food labels.**

No. We do not consider there is clarity for the current requirements to declare fish and fish products under Standard 1.2.3. In particular, there is non-alignment between use of the term 'fish' and other types of seafood allergens - such as Crustacea and Mollusc- with Crustacea being named separately while Mollusc is included within the name 'Fish'. There also needs to be consideration of how the food allergies are categorised internationally to promote consistent terminology - for example Shellfish is a grouping used in the EU to refer to both mollusc and crustacean and this terminology is commonly used by allergy organisations to provide information to consumers.

- 2. Do food manufacturers understand that the allergen declaration requirement for fish and fish products includes finfish, crustacea and molluscs?**

No. We do not consider this is clearly defined and well understood by all food manufacturers. This inconsistency also does not assist in clearly communicating ANZ allergen requirements with suppliers overseas who may not be as familiar with English or the terminology used in the Food Standards Code.

- 3. Is the term 'fish' being used to refer to molluscs and/or crustacea in a 'contains' statement (even if a mollusc or crustacean ingredient is specifically declared in the ingredient list)?**

The Allergen Bureau do not have specific information on this question. A label review of products in the market would be required to check for this situation.

- 4. Are manufacturers regularly declaring 'gluten containing cereals' in a 'contains' statement, with the specific cereal/s declared in the ingredient list? Is this information helpful for consumers with a cereal-specific allergy, or does it create difficulties for them in making correct food choices?**

This is part of the labelling recommendations provided in the AFGC Allergen Management and Labelling Guide for when multiple cereals are present and this guidance is supported by the Allergen Bureau. It is a practice we are aware of and some companies do this. A label review of products in the market would be required to provide more detail.

5. Are there instances where food labels omit the mandatory declaration for 'cereals containing gluten' because the cereal ingredients happen to contain no detectable gluten?

The Allergen Bureau are not aware of instances such as this and note that this is not consistent with the current Food Standards Code requirement or the guidance provided to food companies for good allergen labelling practice.

6. Are there instances where manufacturers are declaring the presence of 'gluten' (not 'gluten-containing cereals') along with a declaration of the specific cereal elsewhere on the label? If so, then can you comment on why this labelling practice is occurring, and whether it is/is not useful information for consumers with a cereal allergy?

It is a practice we are aware of and some companies do this. A label review of products in the market would be required to provide more detail.

7. Are you aware of food products that declare the name of a cereal on their labels but also declare that they are 'gluten free'? Would such information be unclear to consumers with a cereal-specific allergy, and if so, how?

The Allergen Bureau are aware of instances such as this and note that this is consistent with the current Food Standards Code requirements. We do support the principle of exemptions for highly refined substances derived from food allergens as a means to promote clear and consistent risk-based allergen labelling to facilitate the allergic consumers choice.

8. Do food manufacturers understand which tree nuts must be declared on food labels as a means of meeting the tree nut declaration requirements in Standard 1.2.3?

The Allergen Bureau notes the improved clarity for tree nut declarations since the specific exclusion for coconut has been included in the drafting of Standard 1.2.3. However, there are still a range of less common tree nuts where the status is not clear.

9. Which tree nuts are clinically significant for individuals with a tree nut allergy? Has there been any clinical evidence since 2010 to further clarify the types of tree nuts implicated in tree nut allergies in Australia and New Zealand?

The Allergen Bureau supports FSANZ efforts to maintain effective links with clinicians to ensure the food allergen labelling requirements are evidence-based and relevant to the Australian and New Zealand populations. This should be a separate process.

10. Are manufacturers declaring the presence of tree nuts using the broader term ‘tree nuts’ in addition to the declaration of the specific tree nuts elsewhere on the label (e.g. a ‘contains tree nuts/nuts’ statement, with the specific nuts listed in the ingredient list)? Would such an arrangement on a food label assist or hinder tree nut-sensitive consumers in making a correct food choice?

This is part of the labelling recommendations provided in the AFGC Allergen Management and Labelling Guide for when multiple tree nuts are present and the Allergen Bureau supports this guidance. It is a practice we are aware of and some companies do this. A label review of products in the market would be required to provide more detail.

11. Is the use of unfamiliar or unrecognisable terminology for allergen declarations common practice, and/or creating difficulties with the identification of allergens in foods? We would appreciate any evidence or examples of such labelling practices.

This is part of the labelling recommendations provided in the AFGC Allergen Management and Labelling Guide for reference to the food allergen name, as used in the FSC, to be used in the ingredient list, and the Allergen Bureau supports this guidance. It is a practice we are aware of and some companies do this. For example: Sodium Caseinate (from **milk**) or **Soybean** lecithin. A label review of products in the market would be required to provide more detail.

12. Do ‘contains’ statements assist with identifying the presence of an allergen especially in the context of less familiar or less recognisable terminology being used in allergen declarations?

This is part of the labelling recommendations provided in the AFGC Allergen Management and Labelling Guide for when multiple food allergens are present, and the Allergen Bureau supports this guidance. It is a practice we are aware of and some companies do this. A label review of products in the market would be required to provide more detail.



Conclusion:

The Allergen Bureau are supportive of this consultation paper to seek to further clarify issues around these areas and we are supportive of the AFGC submission on this topic as we have many areas of common interest for allergen management and promoting clear consistent allergen labelling. In particular, we support improved clarity for regulated food allergen terminology for fish, mollusc and crustacean and for tree nuts - as this terminology is not currently clearly defined.

As with all issues, there is potential for a range of regulatory and non-regulatory solutions and we look forward to working proactively with FSANZ to help take these identified issues to a satisfactory conclusion to facilitate clear and consistent allergen labelling to assist allergic consumers to make safe and suitable choices.

Julie Newlands

Allergen Bureau Director

Lead for Allergen Bureau Allergen Labelling Exemptions Working Group