

**FSANZ W1070, Plain English Allergen Labelling Consultation Paper
ASCIA submission**

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.

A definition of fish, crustacea and molluscs should be included with the standard to ensure that it is as clear as possible. As individuals can be allergic to finfish but not crustacea or molluscs, each needs to be clearly defined. ASCIA suggests that the standard should require the labelling of finfish, crustacea and mollusc separately.

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

ASCIA is not able to comment on manufacturers' understanding, however greater clarity through the standard would provide clarity.

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)?

There are issues with the standard with regards to how the allergen needs to be declared. Clear instruction through the standard with regards to 'contains' and 'may contain' statements are required to provide meaningful information to the consumer. Standardised communication of allergen content in food is currently lacking as only a voluntary system (VITAL) is in place.

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?

The gluten containing cereal needs to be identified. Whilst declaring that a product has 'gluten containing cereals' is useful for those with coeliac disease, it is not useful for someone with wheat allergy (or other cereal specific allergy) as it limits the consumer's food options without additional information being provided. Therefore, inclusion of information about the source of gluten is most useful for the consumer.

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?

We are aware of at least one instance where this has led to a misinterpretation of the ingredients, resulting in anaphylaxis in a child with a wheat allergy.

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?

We are not aware of specific cases, however, with the current consumer emphasis on gluten free diets we believe this could occur. This is not useful for consumers with a cereal allergy who need more specific information related to the actual grain that is in the product.

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?

This occurs with "glucose derived from wheat". Individuals with a wheat allergy are educated that this is safe to include in their diet.

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?

ASCIA is not able to comment on manufacturer's understanding of the standard.

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?

Tree nuts most likely to result in an IgE-mediated food allergy reaction are almond, brazil nut, cashew nut, hazelnut, macadamia, pecan, pistachio and walnut. There is limited data on the tree nuts most implicated in IgE mediated food allergy reactions in Australia and New Zealand. Given the recent rise and regional variations in the types and prevalence of IgE-mediated food allergy and the severity of reactions reported to tree nuts, an understanding of Australian prevalence of tree nut allergy as well as the tree nuts more commonly associated with adverse reactions is needed.

Reference: McWilliam, V et al. The prevalence of tree nut allergy: A systematic review. Curr Allergy Asthma Reports 15:9, 2015.

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?

We are aware of the generic term being used in the 'contains statement', with the specific nut listed in the ingredients list. As with cereal products, some individuals can be allergic to one tree nut but not others and therefore specific information is more useful. Therefore, the AFGC approach of using the term 'tree nuts' in the contains statement but specifying the particular tree nut/s in the ingredient list is supported.

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.

We are not aware of any specific research related to the extent of use of varied, unfamiliar and inconsistent terminology for allergen declarations. However, where unfamiliar terminology is used consumers, particularly those with poorer English literacy skills are less likely to recognise the presence of an allergen.

One example of this is for egg, a common food allergen: Egg, or purified components of egg may be added to foods for functional or organoleptic reasons and it is for this reason that egg appears in many different food types. For example, lysozyme is used in the food industry to maintain product quality and to prevent spoilage; phosvitin is used for antibacterial and emulsifying properties; ovotransferrin is used as an antioxidant. The IgE reactive peptide in hen egg riboflavin binding protein decreases the perception of bitterness in foods (Page 38 PhD thesis, Dr Merryn Netting, "Nutritional Strategies for Allergy Prevention, Diagnosis and Treatment, with a Specific Focus on Egg Allergy" The University of Adelaide 2015). This is an issue for individuals with egg allergy who may not be looking for more obscure ingredient names.

Most Australian research is related to Precautionary Allergen Labelling (PAL), the focus of Dr Giovanni Zurzolo's PhD thesis, entitled "The Role of Precautionary Labelling for Food Allergens and the Care of Children with Food Allergies", Victoria University, 2014.

In a survey of types of PAL used in 1355 products found in an Australian supermarket six types of Precautionary Allergen Labelling warnings were used. The recommended "May be present" statement was only used in 12.7% of the foods surveyed (Zurzolo GA, Mathai ML, Koplin JJ, Allen KJ. Precautionary allergen labelling following new labelling practice in Australia. J Paediatr Child Health. 2013 49(4):E306-10. doi: 10.1111/jpc.12138.).

This lack of consistency in PAL has resulted in confusion amongst consumers:

"Consumers are choosing a gradient level of risk based on the wording of the precautionary statements and appear to be complacent about precautionary labelling. Many statements are now being disregarded by a sizeable proportion of parents of food-allergic children, including those caring for children with a past history of anaphylaxis. This may be due to inadequacies in food labelling legislation. Policies that promote greater clarity and consistent use of precautionary statements may help to deal with this complacency." (Zurzolo GA1, Koplin JJ, Mathai ML, Tang MK, Allen KJ. Perceptions of precautionary labelling among parents of children with food allergy and anaphylaxis. Med J Aust. 2013 17;198(11):621-3.)

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?"

The used of varied, unfamiliar and inconsistent terminology for allergen declarations is common practice and confusing for consumers. Therefore, 'contains' statements can assist with identifying the presence of an allergen. Consumers will need to be educated to also read the ingredients list to check for specific allergens.

General Comments

There is currently insufficient evidence/research to support the answers to many of the questions in this submission. This is due to the limited resources in the area of food allergy. Despite the many challenges with food allergy and often limited published evidence, we encourage FSANZ to provide clarity around food allergen labelling to ensure the information is meaningful to the consumer. The current inconsistencies in allergen labelling result in consumer confusion and risk taking. ASCIA supports the work of the AFGC and VITAL and would welcome FSANZ providing leadership around 'contains' and 'may contain' statements.

This submission was prepared by ASCIA and has been authorised for submission by the ASCIA President, Dr Melanie Wong.

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