

23 December 2015

Food Standards Australia New Zealand
PO Box 7186
Canberra BC ACT 2610
AUSTRALIA

Re: Coeliac NZ's response to Consultation Paper W1070: Plain English Allergen Labelling

Dear Sir/Madam

Coeliac NZ (CNZ) is a national not-for-profit organisation in New Zealand with over 3000 members nationwide. CNZ provide support, education and assistance to people who have been diagnosed with coeliac disease, dermatitis herpetiformis, and persons who on medical advice are required to follow a gluten free diet. It is estimated that 65,000 New Zealanders have coeliac disease.

CNZ welcome the opportunity to provide feedback on *FSANZ Consultation Paper W1070 – Plain English Allergen Labelling*. As an organisation involved in the 'cereals' industry, we will not specifically answer the questions on fish and tree nuts and will focus our answers around allergens and cereals. However, we would like to also propose some overall suggestions for clearer labelling based on the EU FIC model.

Unfortunately, due to time and resource restrictions, we have not been able to collate the information you requested for questions 4, 5 & 11.

In general, coeliac consumers primarily search for the word 'gluten' as they need to follow a gluten free diet. Secondly if 'gluten' is not listed as an ingredient, they will search for the specific names of gluten-containing cereals – wheat, barley, rye and oats. So for the coeliac consumer the statements 'contains gluten containing cereals' or even the incorrect version 'contains gluten' is not an issue. They will simply avoid this product.

However, currently labelling variations between products do suggest that manufacturers are interpreting Standard 1.2.3 in different ways and straying from the intent of the requirements.

Coeliac NZ feel strongly that specific cereals should be listed, not just for those with coeliac disease or cereal-specific allergies but for all consumers so they can make an informed choice when purchasing manufactured goods. In addition, not all coeliacs have a reaction to the 'gluten' protein found in oats – avenin. If the product displays a generic 'cereals' statement, it does not provide the specific ingredient information the consumer needs.

Q6. Are there instances where manufacturers are declaring the presence of 'gluten' (not 'gluten-containing cereals') along with a declaration of the specific 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?

There are many variations in how gluten is currently listed as present in a product and this is very confusing for the coeliac consumer. Products may declare the presence of gluten or a specific [gluten

containing] cereal e.g. wheat. This is relatively simple for the coeliac consumer to understand, however is far from ideal. There needs to be one labelling requirement for all products which is interpreted in the same way by all manufacturers. Further confusion is added when products list 'hidden gluten'; for example, 'thickeners', 'starch' or 'additives' and fail to include gluten or the specific cereal in the labelling. This is especially noticeable in imported products from Asia.

Q7. Are you aware of food products that declare a 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?

If a product stated it was 'gluten-free' (i.e. no detectable gluten) and also stated, 'contains wheat'. The coeliac consumer would not just be confused but would also question whether their use of 'gluten free' was a breach of the Fair Trade Act. We are not aware of such NZ or Australian products.

We are aware however of products that display a 'gluten free' claim and also display a 'may contain statement' such as 'may contain traces of wheat'. A coeliac consumer would again be confused, avoid the product and question whether the GF claim was genuine. It could also result in a complaint to the manufacturer or the NZ Commerce Commission. If the manufacturer simply listed in the ingredients, e.g. glucose syrup (**wheat**), the consumer can make an informed choice.

Q12. 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?

'Contains' statements need to be consistent and clear. If a less familiar term is used for the allergen, e.g. Variations of wheat such as Spelt, Durum or Bran need to also display the word 'wheat'.

A suggestion could be – 'Contains **bran (wheat)**' or simply 'Contains **wheat**'

Support of EU Regulation No 1169/2011 – Food Information for Consumers Regulation (EU FIC)

Coeliac NZ are supportive of the EU FIC which applied from December 2014. Not only has the regulation set a minimum font size for information on labels to make it easier for consumers to read, but allergen containing ingredients (as listed in Annex II of the regulations) have to be **emphasised** in the ingredients list.

Emphasis includes italics, contrasting colours, underlining and highlighting but the preferred emphasis is for manufacturers to list specific allergen ingredients in **bold**. An allergy advice statement could also be included but all information about allergen ingredients is located in the ingredients list.

When several ingredients or processing aids of a product contain or originate from a specific allergen, then **each** ingredient or processing aid must emphasize the allergen concerned.

Coeliac NZ understands that allergens listed in Annex II do not exactly correspond to the FSANZ list but ask for similar regulations in NZ and Australia which include our appropriate allergens.

In conclusion

Coeliac NZ agree that there needs to be clearer 'Plain English' Allergen labelling in NZ and Australia. A manufacturer needs to understand (again in plain English) that if they state that their product

contains gluten, they **also must** provide information about the presence of a particular cereal ingredient in the ingredients list. Coeliac NZ propose that FSANZ adopt a similar regulation to EU FIC.

The need to provide clearer information relating to the presence of gluten

The document states, “..the above mentioned problems do indicate that there may be scope for improving how the term ‘gluten’ is used in the context of cereal declarations. FSANZ is therefore interested in obtaining stakeholder views on [.....] whether food labels need to provide clearer information relating to the presence of gluten.”

Coeliac NZ is very keen to discuss this issue with FSANZ.

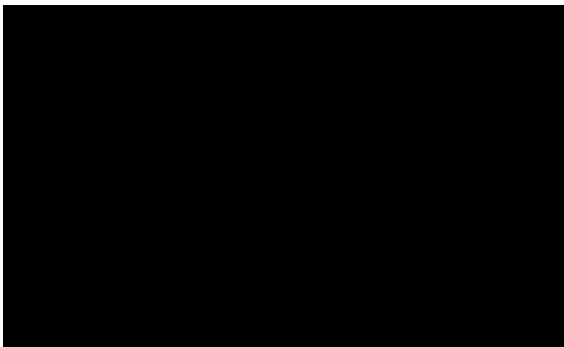
The frequent use of the word ‘gluten’ rather than the actual listing of specific cereals which contain gluten indicates that manufacturers are also finding difficulty interpreting current gluten free/low legislation in Standard 1.2.7.

Coeliac NZ believe that there are many issues with this current definition and are again keen to discuss with FSANZ at any time.

As the voice of people with coeliac disease in New Zealand, CNZ appreciate the opportunity to make this response on behalf of CNZ members nationwide.

If you have any further questions, please do not hesitate to contact me at any time.

Kind regards



General Manager
Coeliac New Zealand Inc.