

17 January 2020

Food Standards Australia New Zealand
Level 4
15 Lancaster Place
MAJURA PARK ACT 2609

To Whom It May Concern,

Submission regarding proposal P1044 – Plain English Allergen Labelling

As regulators of the Victorian Food Act within our municipal area, the City of Casey's Public Health team have an interest in any proposed changes to food labelling requirements. Whilst we do have some large-scale food manufacturers, the vast majority are medium to small scale which includes many home-based businesses that make and package food to sell at markets.

Whilst we are broadly supportive of the proposed changes to allergen labelling requirements, we do have some feedback in relation to specific aspects of these changes as set out below:

Section 5.2.1 Presentation of allergen declarations – Location

On page 14 of your Plain English Allergen Labelling document, the following statement is made: *Mandating the use of an allergen summary statement would result in the consistent use of this statement across foods, and certainty that the absence of an allergen summary statement means there are no allergens being declared for a food.*

The absence of an allergen summary statement does not necessarily provide any certainty that there are no allergens being declared for a food given that the content of food labels is essentially self-regulated. There is no independent third party that verifies the content of food labels prior to release of a food product onto the marketplace.

For large-scale food manufacturers who have the resources and staff with the necessary levels of knowledge, compliance with labelling requirements is not generally an issue however the same cannot be said for medium sized and small scale manufacturers, particularly those people that make packaged food for sale from their homes. The labels of many of these products are of questionable accuracy. For example, inspections conducted of packaged food retailers at markets invariably reveal that the food labels are missing some piece of information, even basic things like the manufacturer's contact details and storage conditions.

In order to assist these types of business, it is hoped that a label template could be developed that businesses can be referred to that sets out what information needs to be included on a label similar to the **FSANZ Food Labels – What Do They Mean** poster that is aimed at consumers.

Section 5.3.2 – Synonyms

Page 18 of the Plain English Allergen Labelling document states '*...FSANZ considers the allergen summary statement should always declare 'soy', as this is the simplest and most accurate summary term for this allergen*'. Given this, why not stick with a consistent approach and avoid the use of synonyms for soy in the statement of ingredients.

Avoiding the use of synonyms for the word 'soy' would simplify things for both manufacturers and consumers. It would also avoid any confusion that may arise for those who English is a second language. For example, a Google search of the web reveals that the word 'soya' is a variant spelling of the word for the herb dill (soa) in the Hindi language.

Section 5.6.2 – Declaring cereals containing gluten

Page 23 the Plain English Allergen Labelling document states that FSANZ is proposing not to require allergen declarations for barley, rye, oats and spelt (and their hybrids) if these cereal ingredients do not contain gluten.

Doing a web search (which is the source of information that many small to medium scale food businesses turn to) into whether you can currently obtain barley, rye, oat and spelt products that do not contain gluten, the only product that has been located that comes anywhere near meeting this criteria is the CSIRO's ultra-low gluten Kebari barley strain, though as its name indicates, it does contain gluten (less than 5ppm according to the CSIRO's website).

According to the Australian Grains & Legumes Nutrition Council, "*...oats will never be gluten (i.e. avenin) free even if they are described as gluten (i.e. gliadin) free*" (Gluten in Grains, Grains & Legumes Nutrition Council 2020). Coeliac Australia make the following recommendation on their website in relation to the consumption of oats by people with coeliac disease "*It is recommended by the Medical Advisory Committee (MAC) for Coeliac Australia that despite the extensive medical research done in relation to oats and coeliac disease, oats should be excluded from a gluten free diet until the research is more conclusive and definitive*" (Coeliac Australia 2020).

Given the above, currently it is difficult to see when a manufacturer of a product that contains barley, rye, oats or spelt would not have to declare these products in the statement of ingredients. While it is acknowledged that future advances in science may lead to the development of gluten free barley, rye, oat and spelt products, in order to simplify matters and minimise any scope for confusion for both consumers and manufacturers, the most straightforward approach would be to remove the proviso relating to the presence of gluten and require that barley, oats, rye and spelt be declared.