

Second Submissions, Proposal P1044, Plain English Allergen Labelling

I'd like to extend my gratitude firstly for the excellent work done on this project. The changes are excellent and will greatly reduce consumer confusion. I have a couple of points for consideration:

1. I have some concerns regarding 5.6.2, paragraph 8.

I believe there needs to be more consistency between on-pack terminology and foods where a label is not required. Coeliacs and those with dermatitis herpetiformis will quickly become used to searching for the word 'gluten' on pack. Searching for the terms 'barley, oats and/or rye' will likely become a thing of the past. I see over and over again on social media that coeliac consumers already do not seem to be able to remember the list of 'wheat, oats, barley, rye, spelt, gluten'.

Under the proposed changed, it will be possible for a packaged food item to state barley, oats and/or rye on the ingredient list and yet not have 'gluten' in the allergy statement (if the gluten has been removed or, presumably, is below the 3ppm threshold in the finished product). In this instance, consumers could come to believe that 'barley, oats and/or rye' pose no threat to their health and do not realise that these grains can contain 'gluten'.

When eating out, if 'gluten' is not a mandatory term, but wheat is, then customers will need to further clarify whether the wheat contains gluten and I suspect that most chefs won't understand the distinction. As coeliacs become used to ruling in/out foods by searching the packaging for the term 'gluten', they will be less aware of these distinctions also.

It is increasingly difficult to follow a gluten-free diet outside of the home. The majority of cafes and restaurants in NZ offer 'gluten-free' food for sale that is not kept safe from cross-contamination (be it shared fryers, tongs, toasters, pans, kitchen bench etc). Consumers are now having to ask whether the 'gluten-free' items on the menu are 'coeliac safe'. Often the answer is 'no'. I think it's really important to strive for consistency across packed and unpacked products and suggest this paragraph be re-written to say 'Note that for foods not required to bear a label or a statement of ingredients, a declaration of the terms 'wheat' and 'gluten' is required, unless the wheat ingredient has been processed or bred to remove gluten, then only 'wheat' is required.

2. Section 5.8, paragraph 2.

It would be very worthwhile considering applying allergen statements to alcoholic beverages. I understand that there are problems with accurately measuring gluten in malted barley products, but perhaps a statement similar to 'produced with gluten containing ingredients' could be used to get around this. As more and more flavours are being added to alcohol, it is useful to know whether these contain gluten i.e. cider is typically gluten-free, but would a cider flavoured with passionfruit still be gluten free? I believe greater consumer information could be given in this sector.

3. Section 7.1.1

I believe that option 3 is far superior to option 2 from a consumer point of view. It is far quicker, easier for those with poorer eyesight and enables adoption of the plain English term 'gluten'. If option 2 should be adopted, then the use of brackets next to each gluten containing ingredient in the ingredient list should be utilised in order to identify 'gluten' i.e. barley (gluten)

4. I strongly believe that this project is the right time to address the 'may contain', 'may contain traces of' or 'processed on the same line as' statements that are becoming increasingly common on packaged foods. Standardisation of these statements, and definitions of these, would be HUGELY helpful to consumers. Many consumers are uncertain whether to eat products with these warning statements, and most believe that they are mandatory.

Some manufacturers are using 'may contain' statements to alert consumers to the fact that their factory also processes the allergen. This would be helpful if all manufacturers were doing this, however not all are, so consumers seem to be consuming products which don't have the 'warning' and avoiding those which do when in reality, both choices may carry equal risk.

Some manufacturers are putting this warning on all products as a 'protection' mechanism in case an allergen is unexpectedly present and a consumer complains. This restricts consumer food choices unnecessarily in many cases.