A Seminar on EU Regulations on Food Labelling

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Session 2 – Labelling of Allergenic Substances
Stuart Shotton – FoodChain Europe Ltd
Outline

• What is an EU Allergen?

• Allergen Labelling Law

• “May Contains” statements

• Summary
WHAT IS AN EU ALLERGEN?
What is an EU Allergen?

- Allergen:
  - EU law
  - Allergies and Intolerances
  - Differences between the two
  - Important to know
What is an EU Allergen?

• Allergy
  – Immune system reaction
  – Rapid
  – Severe
What is an EU Allergen?

• Typical symptoms
  – Swelling (Throat & Mouth)
  – Restriction of Airways
  – Weakness
  – Light-headedness
  – Unconsciousness

• Death or serious long term health issues
What is an EU Allergen?
What is an EU Allergen?

• Peanut & Nut Allergy
  – 1 in 50 children
  – 2% of UK population < 16 years of age

• Ingestion not always necessary for reaction
What is an EU Allergen?

• Intolerance
  – Reaction by body to food consumed
  – No immune system response
  – Larger amounts of food consumed
  – Body unable to produce chemical reaction to break down the food
What is an EU Allergen?

- Typical Symptoms:

<table>
<thead>
<tr>
<th>Nausea</th>
<th>Flushing of Skin</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bloating</td>
<td>Palpitations</td>
</tr>
<tr>
<td>Abdominal Pain</td>
<td>Headaches</td>
</tr>
<tr>
<td>Diarrhoea</td>
<td>Feeling Faint</td>
</tr>
</tbody>
</table>

- Death is rare
What is an EU Allergen?

• Common food intolerances
  – Lactose intolerance
  – Coeliac disease (Gluten intolerance)
  – Some food additives
  – Phenylketonuria (PKU)
ALLERGEN LABELLING LAW
• Current Requirements

  – Directive 2000/13/EC

  – Specific Ingredients must be labelled

  – Harmonised across Member States
Current requirements cont...

- List of allergenic ingredients
- Intentionally present ingredients only
- Includes “products thereof…”
Allergen Labelling Law

• Intentionally Present?
  – All allergenic ingredients must be labelled
    • Ingredients, or
    • Enzymes, or
    • Processing Aids

• If contained in/on product
### Allergen Labelling Law

- **The Allergens**

<table>
<thead>
<tr>
<th>Cereals containing Gluten</th>
<th>Sulphur Dioxide &amp; Sulphites &gt;10ppm</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eggs</td>
<td>Fish</td>
</tr>
<tr>
<td>Peanuts</td>
<td>Nuts</td>
</tr>
<tr>
<td>Soybeans</td>
<td>Milk</td>
</tr>
<tr>
<td>Celery</td>
<td>Mustard</td>
</tr>
<tr>
<td>Sesame</td>
<td>Lupin</td>
</tr>
<tr>
<td>Molluscs</td>
<td>Crustaceans</td>
</tr>
</tbody>
</table>
Allergen Labelling Law

• How to declare?
  – In name of food
    • “Soya Sauce”
  – In Ingredients List
    • (….Wholemeal Flour, Sea Bass (Fish), Sesame Seeds…)

• Separate box commonly used

Best Practice: Always indicate in ingredients list

NOTE: Changes under new Regulations
Allergen Labelling Law

• Cereals Containing Gluten
  – Wheat
  – Rye
  – Barley
  – Oats
  – Spelt
  – Kamut

Or Hybridised Strains
Does not mean Genetically Modified
Allergen Labelling Law

- Cereals containing Gluten contain…

- Cereal must be declared
  - “Wheat Flour”
  - “Barley Malt Extract”
  - “Flavouring (contains Spelt)”

- Best practice to declare “Gluten”
**Allergen Labelling Law**

- **Sulphur Dioxide and Sulphites**
  - Usually additive presence
    - Preservatives and antioxidants
  - > 10ppm in final product as sold
    - “…Antioxidant: Sodium Metabisulphite…”
Allergen Labelling Law

• Sulphur Dioxide and Sulphites cont…
  – Look at all ingredients and raw materials
  – Individual presence per ingredient <= 10ppm
  – Combined > 10ppm
Allergen Labelling Law

- **Is the amount of Sulphur Dioxide (SO2) in the final product as consumed greater than 10ppm (part per million)?**
  - **YES**
    - Presence of sulphites and presence of sulphite containing additives does not need to be declared
  - **NO**
    - **Does the product contain 2+ ingredients which contain Sulphur Dioxide and/or Sulphites?**
      - **NO**
        - Each additive must be declared within the ingredients list including its additive category and highlighted e.g. “...Glucose”
      - **YES**
        - Do all ingredients which contain a source of Sulphur Dioxide (SO2) contribute more than 10ppm pro rata to the amount of Sulphur Dioxide in the final product?
          - **YES**
            - EXAMPLE DECLARATION
              - **EXAMPLE A:**
                - “Glucose Syrup (Glucose Syrup, Stabiliser: SULPHUR DIOXIDE)…”
                - “Glucose (Glucose, Preservative: Sodium Metabisulphite)…”
          - **NO**
            - Do all ingredients which contain a source of Sulphur Dioxide (SO2) contribute no more than 10ppm pro rata of Sulphur Dioxide in the final product?
              - **YES**
                - The presence of Sulphites must be highlighted for each ingredient in which the source of Sulphur Dioxide (SO2) is present, however the specific additive source does not require a declaration
              - **NO**
                - A mixture of declarations is required. Those ingredients which contribute more than 10ppm Sulphur Dioxide (SO2) pro rata in the final product as consumed must declare the additive, its category and highlight the a SO2 source as per EXAMPLE A, whilst those ingredients which contain no more than 10ppm SO2 pro rata in the final product as consumed must declare the presence of Sulphites as per EXAMPLE B but the specific additive information is not required.
      - **NO**
        - Do all ingredients which contain a source of Sulphur Dioxide (SO2) contribute no more than 10ppm pro rata of Sulphur Dioxide in the final product?
Allergen Labelling Law

• Peanuts and Nuts
  – Separate allergen categories
  – Peanut: Ground Nut
  – Nut: Tree Nut
    • Almonds, Hazelnuts, Walnuts, Cashews, Pecans, Brazil Nuts, Pistachio Nuts, Macadamia Nuts, Queensland Nuts.

• Must be declared as Peanuts and Nuts as applicable
Allergen Labelling Law

- Fish
  - All fish species
  - If not obvious then indicate “Fish”
  - “Pangasius (Fish)”
Allergen Labelling Law

- **Milk**
  - Cows, Sheep & Goats
  - Unfamiliar products identified
    - Fromage Frais, Cantal, Quark, Mascarpone, Whey

- **Mustard**
  - Any form at whatever level
Allergen Labelling Law

- Eggs
  - All bird species

- Celery
  - Both Stick and Root
  - Celery & Celeriac
What are “products thereof”?  

- Derivatives of allergens  
- Raw materials produced with/containing allergens  
- Additives available based on allergens  
- Ensure full ingredients specification for every product used  
- “Hidden Allergens”
<table>
<thead>
<tr>
<th>Allergen</th>
<th>Example</th>
<th>Allergen</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cereals Containing Gluten</td>
<td>Modified Starch, Rusk, Additives</td>
<td>Sulphur Dioxide &amp; Sulphites</td>
<td>Meat, fish, bread products</td>
</tr>
<tr>
<td>Eggs</td>
<td>Albumin, Lecithin,</td>
<td>Fish</td>
<td>Isinglass, Gelatine</td>
</tr>
<tr>
<td>Peanuts</td>
<td>Nut Oils, Glycerin, Additives</td>
<td>Nuts</td>
<td>Marzipan, Nut Oils, Amaretto</td>
</tr>
<tr>
<td>Soybeans</td>
<td>Lecthin, Vegetable Oils</td>
<td>Milk</td>
<td>Whey, Mascarpone, Caseinates, Protein, Lactose</td>
</tr>
<tr>
<td>Celery</td>
<td>Flavourings, Mixed Spices</td>
<td>Mustard</td>
<td>Powders, Mixed Herbs and Spices</td>
</tr>
<tr>
<td>Sesame</td>
<td>Tahini, Hummus,</td>
<td>Lupin</td>
<td>Flour, Additives</td>
</tr>
<tr>
<td>Molluscs</td>
<td>Fish Paste, Fish Powder</td>
<td>Crustaceans</td>
<td>Fish Paste, Fish Powder</td>
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</tbody>
</table>
Allergen Labelling Law

- Exemptions
  - Some major allergens may not present a risk in certain forms
  - EU Law has specific exemptions
  - All criteria must be met to benefit
Allergen Labelling Law

• Exemptions for Derived Products

• Cereals containing Gluten
  – Wheat Based Glucose Syrups including Dextrose
  – Wheat based Maltodextrins
  – Glucose Syrup based on Barley
  – Cereals used for making distillates etc
Allergen Labelling Law

- Fish
  - Fish Gelatine used as a carrier for vitamin and carotenoid preparations
  - Fish Gelatine or Isinglass used as a fining agent in beer or wine
Allergen Labelling Law

- Soya
  - Fully Refined Soybean Oil and Fat
  - Natural Tocopherols from Soybean sources
  - Vegetable Oils derived Phytosterols and Esters from Soybean sources
  - Plant Stanol ester produced from Vegetable Oil sterols from Soybean
Allergen Labelling Law

- Milk
  - Whey used for making distillates
  - Whey used for making ethyl alcohol for spirit drinks
  - Lactitol (do not confuse with Lactose)
• Nuts

  – Nuts used for making distillates

  – Nuts used for making ethyl alcohol for spirit drinks
Allergen Labelling Law

• However:

  – Allergen labelling overrides all other ingredient labelling exemptions

  – Alcoholic Beverages
    • No ingredients required if >1.2% ABV
    • Must label allergens: “Contains Wheat”
Other Considerations

- Processing Aids

- If still in/on product AND allergen

- MUST label presence
Allergen Labelling Law

Pizza Base Supplier

Conveyor uses Nut Oil

Base used to make Pizza

Nut Oil on Base

Nut Oil not ingredient

Product labelled as containing Nuts
“May Contains” Statements

• May Contain….

• No legal requirement for labelling

• However…
  – Potential requirement in General Food Regulations
“May Contains” Statements

- 178/2002/EC General Food Regulations – Article 14

3. In determining whether any food is unsafe, regard shall be had:

(a) to the normal conditions of use of the food by the consumer and at each stage of production, processing and distribution, and

(b) to the information provided to the consumer, including information on the label, or other information generally available to the consumer concerning the avoidance of specific adverse health effects from a particular food or category of foods.

Unsafe if information provided is incorrect for certain consumer groups
“May Contains” Statements

- May contain statements should be risk based if used
- Should not be excessive
SUMMARY
Summary

- 14 allergen categories in EU

- Present in/on product must be labelled

- Label in ingredients list as a minimum

- Risk assess “may contains” statement use