APPENDIX III

RESPONSE FORM

Codex Committee on Food Labelling
Electronic Working Group on Allergen Labelling

2nd Consultation Paper

Please provide a response using this form and post on the Codex eWG Allergen Labelling online-forum by **19 July 2024**.

Name of Member Country/Observer: Allergy & Anaphylaxis Australia

Part A

Question 1: Do you support the proposed revision to the definition of 'food allergen'?	
Yes X	No ☐
Please provide reasons for your answer: ***"Food allergen"*** *means a food or ingredient* ***including a food additive or*** *processing aid, usually* ***containing*** *a protein or protein derivative****,*** *that can elicit IgE-mediated or other specific immune-mediated reactions in susceptible individuals.* A&AA agrees with the definition of food allergen given that processing aid is a separate definition in the GSLPF and the definition of ingredient does not refer to processing aids. A&AA also agrees with the addition of food additive for clarity.	

Question 2: Do you support the proposed revision to section 4.2.1.7?	
Yes X	No ☐
Please provide reasons for your answer: ***4.2.1.7 In addition to the foods and ingredients listed in section 4.2.1.4,*** *sulphite* ***in*** *concentration****s*** *of 10 mg/kg or* ***more****[8], shall always be declared using the specified name 'sulphite'* ***or 'sulfite' in addition to or as part of the ingredient name****.* *[8]Sulphite measured as the total concentration of sulphur dioxide (SO_2) and sulphur dioxide equivalents.* A&AA supports the proposed revision to section 4.2.1.7. As previously stated, we do not support threshold amounts for sulphite being applied to the final product as consumed as this is not consistent with how other ingredient/nutrition information is provided to consumers. Some consumers are likely to prepare ready-to-eat foods differently to the instructions of the	

manufacturer, rendering the information inaccurate. We also agree that the specified name be declared as either 'sulphite' or 'sulfite' as used in other Codex texts.

Question 3:
Do you support the proposed revision to section 4.2.3.1?

Yes X	No ☐

Please provide reasons for your answer:

4.2.3 *Except for those foods and ingredients as listed in sections 4.2.1.4, 4.2.1.7 and where applicable 4.2.1.5 that must be declared using the specified name in addition to or as part of the ingredient name, ingredients in the list of ingredients shall be declared in accordance with the provisions set out in Section 4.1 (Name of the Food) except that:*
4.2.3.1 *Unless a general class name would be more informative, the following class names may be used.* ***When a class name is used, those foods and ingredients listed in sections 4.2.1.4, 4.2.1.7 and where applicable 4.2.1.5 shall be declared using the specified name in addition to or as part of the class name.***

A&AA supports the proposed revision to section 4.2.3.1 and believes it provides clarity around the need for the use of a specified name in addition to or part of the class name regarding foods and ingredients listed in sections 4.2.1.4, 4.2.1.7 and where applicable 4.2.1.5.

Question 4:
Do you support the proposed revision to sections 8.3.1, 8.3.2 and 8.3.2.1?

Yes	No X

Please provide reasons for your answer:

8.3.1 The specified name for *the foods and ingredients listed in sections 4.2.1.4, 4.2.1.7 and where applicable 4.2.1.5 shall be declared so as to contrast distinctly from the surrounding text such as through the use of font type, style or colour.*

A&AA supports the proposed revision to section 8.3.1 that removes 'whenever possible'. As previously stated, we believe that there should be a standardised approach. It is vital for consumers to have ingredient labels with a clear contrast from surrounding text through the use of font type, style or colour.
For consumer safety, allergen declarations need to stand out from other information on a food label. This assists with critical allergen information being easier to access for consumers who may only quickly visualise the food label.

8.3.2 The specified name for the *foods and ingredients in sections 4.2.1.4, 4.2.1.7 and where applicable 4.2.1.5 shall be declared in the list of ingredients or in a separate statement or in both* ***as determined*** *by national competent authorities.*
8.3.2.1 *The* ***separate*** *statement shall commence with the word 'Contains' (or equivalent word) and* ***be [placed directly under or in close proximity to the list of ingredients. The statement*** *must declare* ***the specified names of*** *all the foods and ingredients which are declared in the list of ingredients as applicable in accordance with section 8.3.1.*

A&AA does not agree with the revision to sections 8.3.2 and 8.3.2.1 to allow national authorities to determine the most appropriate approach for allergen declarations for their populations.
A&AA believes that Codex should guide best practice and that there should be consistency across countries in declaring the foods and ingredients listed in sections 4.2.1.4, 4.2.1.7 and where applicable 4.2.1.5 as well as a requirement for those foods and ingredients to also be declared in a separate statement commence with the word 'contains' (or equivalent word). There should be consistency across countries given the international trade (export and import) of foods.

Question 5:
Do you support the removal of the square brackets from Section 4.2.1.6 and the update to the associated footnote?

Yes X	No ☐

Please provide reasons for your answer:

[4.2.1.6 *Subject to evaluation using established criteria[7], national authorities may exempt ingredients derived from foods listed in section 4.2.1.4, and where applicable section 4.2.1.5, from being declared.****]***
Footnote 7: FAO and WHO (2024). Risk assessment of food allergens: Part 4: Establishing exemptions from mandatory declaration for priority food allergens *https://doi.org/10.4060/cc9554en****.***

A&AA supports the removal of the square brackets from Section 4.2.1.6 and the update to the footnote so national authorities have guidance in evaluating any exemptions for allergen declaration.

Question 6:
Do you support including a list of exemptions in the GSLPF based on the 'current accepted exemptions' in Annex 1 from the Expert Committee's Part 4 report?

If Yes which of the 'current accepted exemptions' from Annex 1 do you consider suitable for inclusion on a list of exemptions?

Yes X	No ☐

Please provide reasons for your answer:

A&AA supports including a list of exemptions in the GSLPF based on the current accepted exemptions from Annex 1 from the Expert Committee's report.

A&AA believes that exemptions should be guided by scientific data and the Expert Committee. A&AA does not have the expertise to comment on which exemptions should be included on the list.

Part B

Question 7:

Do you support the revised text for Principle 4.2 in the draft PAL guidelines?

Yes X	No ☐

Please provide reasons for your answer:

*The decision to use PAL **shall** be based on the findings of **a** risk assessment[3] of unintentional allergen presence to **determine** exposure above a reference dose.*

[3] ***FAO and WHO (2023). Risk assessment of food allergens – Part 3: Review and establish precautionary labelling in foods of the priority allergens (Sections 3.3.1 to 3.3.6). https://doi.org/10.4060/cc6081en***

A&AA agrees with principle 4.2 that the decision to use PAL should be based on the findings of a risk assessment of unintended allergen presence to determine exposure above a reference dose. A&AA notes that the Expert Committee acknowledge both qualitative and quantitative approaches can be used for the purpose of making an appropriate risk assessment. We are unclear if this means both approaches should be undertaken or either approach is appropriate. If the statement suggests that qualitative assessment alone is deemed satisfactory A&AA would not support this. We believe that risk assessment should be evidence/science based, otherwise it is subjective. If risk assessment is not done quantitatively, using agreed reference doses, accurate and consistent information cannot be conveyed to consumers to allow them to make an informed choice.

Question 8:

Do you support the revised text for Principle 4.3 in the draft PAL guidelines?

Yes X	No ☐

Please provide reasons for your answer:

4.3 PAL shall only be used if unintended allergen presence cannot be mitigated to a level at or below the action level[3] for a food allergen based on the reference dose in the table at 4.3.1. Footnote 3: Action level (mg total protein from the allergen / kg food) = Reference dose (mg total protein from the allergen) / Amount of the food (kg). The amount of food should be established

based on a single eating occasion intake of the food ***preferably using the 50th percentile or mean of consumption data for the respective population(s) where available.***

Yes, A&AA agree that PAL should only be used if exposure to an allergen is above the established reference dose for that allergen (ED05) as we support quantitative risk assessment.

This is complex wording used and scientific processes may not be understood by small to medium manufacturers and people from CALD backgrounds.

Question 9:

Do you have any further comments on the proposed draft annex to GSLPF: Guidelines on the Use of Precautionary Allergen Labelling in Appendix II which the EWG Chairs propose to take forward for discussion at CCFL48?

Yes X	No ☐

Please provide reasons for your answer:

The presentation of PAL needs to be simple, consistent and clear for consumers. PAL statements should be clearly distinguishable on packet and need to be able to easily be visualised near the list of ingredients and any related allergen statements.

There should be a consistent approach to PAL, including the use of a single PAL statement. It is vital that consumers are presented with a consistent PAL so there is no room for interpretation. We are aware that some consumers and health professionals make assumptions about different PAL statements confer different levels of risk. For example, many believe that ''may contain traces'' is less of a risk than ''may contain'' and ''made on a production line'' is more of a risk than ''may contain''. Furthermore, they believe "made in a facility'' is less of a risk than ''made on a production line'' and ''may contain pieces of peanut'' is more of a risk than ''may contain peanut.' Additionally, there needs to be a process that is mandated for deciding whether PAL should be on pack or not. Products with a PAL are seen as high-risk products and products without a PAL can be trusted because they confer a low risk as they have been through a thorough risk assessment that has deemed a PAL statement not necessary. to require a to PAL statement.

If PAL is to be meaningful, accurate and effective, it is important that the education messaging is consistent.