

APPENDIX II

RESPONSE FORM
Codex Committee on Food Labelling
EWG on Application of Food Labelling in Emergencies

1st Consultation Paper

Please provide a response using this form and post it on the Codex Forum EWG on the Application of Food Labelling Provisions in Emergencies by **June 15, 2025**

Name of Member Country/Organization: **Allergy &Anaphylaxis Australia**

Question 1: Is additional text needed in this guideline to prevent the sale of unsafe product? If so, please propose additional text or concepts for the EWG to consider.

- YES
NO

Please provide reasons for your answer:

A&AA believes the guideline, through its purpose, scope and general considerations, clearly outlines the rationale and guidance to allow food labelling flexibility in emergencies, while ensuring a safe and adequate food supply. However, A&AA is concerned that where the term 'food safety' is used, it may not be understood that food safety encompasses food allergen safety. In some sectors in Australia, food allergen management is still not considered part of food safety.

Question 2: Are additional criteria necessary to assist competent authorities to determine when an emergency, as described in this guideline, is occurring?

- YES
NO

Please provide reasons for your answer:

A&AA does not believe that there needs to be additional criteria to assist competent authorities to determine when an emergency is occurring as the definition of an emergency is outlined in the scope of the document.

Question 3: Are the examples in these guidelines appropriate and helpful to facilitate understanding of the type of flexibilities that competent authorities may consider?

- YES
NO

Please provide reasons for your answer:

A&AA agrees that the examples in the guidelines are helpful for competent authorities to assist them in understanding the type of flexibilities that need to be considered. However, we would like there to be consideration on adding further information about ingredient substitution. If packaged food contains a common allergen that cannot be sourced in an emergency, the ingredient does not necessarily need to be substituted with another common allergen if it does not impact the product's acceptability. For example, a pre-made salad with walnuts that cannot be sourced, does not need to be substituted with another tree nut. The salad could be eaten without the addition of a different common allergen.

Question 4: Would additional guidance be helpful for competent authorities when considering how to represent approved substituted ingredients on labelling?

YES
 NO

Please provide reasons for your answer:

A&AA suggests that consideration needs to be given to addressing the risk to consumers if similar looking products that have different ingredients (allergens) are on the shelves at the same time. This is potentially more of a risk for packaged food with a long use by date. It is stated that flexibilities that include allowing formulation changes are to be communicated through accompanying documents, websites, in-store materials, or stickering if labelling modification is not possible. There needs to be coordinated messaging from the manufacturer, distributor, food authorities and other relevant organisations alerting consumers to this. Furthermore, a temporary flash or icon alerting the allergen change, printed on pack or as a sticker, would be helpful in alerting consumers to a change in the formulation of the product and remind them to check the ingredients and any allergen statements. Additionally, an effort needs to be made to notify consumers with food allergy of the allergen change. That is, communicate with A&AA as the peak patient organisation regarding social media, website and EDM alerts to make those with food allergy and their carers aware.

If there is permission allowing non-food safety labelling flexibilities for food made for catering purposes to be sold at retail, there should remain a requirement for there to be traceability of the product. That is, manufacturers/caterers should be obliged to keep a record of the exact ingredients of food so if a consumer requires information about a food ingredient that is not a common allergen, they can be told the information with certainty.

Question 5: Would additional information be helpful on stakeholder roles and responsibilities in the application of food labelling provisions in emergencies, similar to the *Principles and Guidelines for the Exchange of Information in Food Safety Emergency Situations (CXG 19-1995)*?

YES
 NO

Please provide reasons for your answer:

A&AA suggests that the inclusion of stakeholder roles and responsibilities would be helpful. We believe that food safety needs to be at the forefront of planning in emergencies and roles need to be clearly defined. This could be outlined in an emergency checklist, where responsibilities and responses are clear if/when there is an emergency. This should include regulators, manufacturers and distributors. Being proactive and anticipating issues, such as how to source alternative ingredients and having a process to substitute ingredients in an emergency could be included. We understand much will have been learnt in this space from the recent COVID-19 pandemic. There also needs to be a process to inform peak organisations who can assist with dissemination of information during these times.

Question 6: Does your country have authorities or a framework to implement or enforce food labelling provisions in a flexible manner to ensure a safe and adequate food supply in emergencies? Please provide further explanation of your response, whether “yes” or “no.”

- YES
 NO

Please provide reasons for your answer:

A&AA does not have a comprehensive understanding of the issue but believes there is adequate flexibility with food regulators and food legislation to ensure a safe and adequate food supply in emergencies through our current food laws and systems.

Question 7: Does your country have any further input on the draft guidelines (e.g. structure, content, or organization)? Please provide further explanation of your response, whether “yes” or “no.”

- YES
 NO

Please provide reasons for your answer:

As previously addressed in our response to Q1, A&AA believes that where the term 'food safety' is used, it needs to be clear that food safety encompasses food allergens.