

RESPONSE FORM

Codex Committee on Food Labelling

Electronic Working Group on Allergen Labelling

1st Consultation Paper

Please provide a response using this form and post on the Codex eWG Allergen Labelling online-forum by **8 July 2022**.

Name of Member: Maria Said

Country/Organisation: Allergy & Anaphylaxis Australia

Question 1:

Do you agree with the Chair's proposal to include all of the following foods and ingredients in the revised section 4.2.1.4 as recommended by the Expert Committee?

- Cereals containing gluten (i.e. wheat and other *Triticum* species, rye and other *Secale* species, barley and other *Hordeum* species and their hybridized strains)
- crustacea
- eggs
- fish
- milk
- peanuts
- tree nuts (almond, cashew, hazelnut, pecan, pistachio and walnut)
- sesame

Yes

No

Please provide reasons for your answer: Yes, we agree with including the above food and ingredients as there has been extensive data analysis and literature reviews by the expert committee. We are pleased that there was acknowledgement of regional considerations. However, we do suggest that wheat be listed separately to cereals containing gluten as we need to differentiate wheat allergy, which can trigger anaphylaxis, from gluten containing cereals, that trigger symptoms in coeliac disease. This would be consistent with Australia/New Zealand's Plain English Allergen Labelling (PEAL) legislation. What is written by Codex and regulators needs to be consistent because the lack of clarity increases confusion among manufacturers, food businesses and consumers.

Please note that in the notes above referring to why cereals containing gluten were included in the list it says it is because "they are foods that cause coeliac disease." This is not the

case. Coeliac disease is an autoimmune disease and is managed with a gluten free diet that controls symptoms and side effects.

Question 2

Which option do you prefer for the approach to the allergens identified by the Expert Committee for regional consideration that are currently listed in Section 4.2.1.4?

1. Only priority allergens as identified by the Expert Committee be included in the revised list. This would result in the removal of soybean and specific tree nuts (Brazil nut, macadamia and pine nut) from the list in section 4.2.1.4.
2. CCFL provides case-by-case risk management consideration of identified regional allergens currently listed in section 4.2.1.4 i.e. soybean and specific tree nuts (Brazil nut, macadamia and pine nut) based on other factors (e.g. extent of use in food) to determine if these allergens should or should not be retained in the list.

Option 1

Option 2

Other

Please provide reasons for your answer.

If answering 'Other', please describe your proposed option and explain why you support this.

Food consumption patterns vary widely worldwide, so it is important that there is case by case risk management consideration of allergens specific to regions. For example, macadamia nuts are commonly consumed in Australia and severe allergy is well documented, including 2 deaths that we are aware of in recent years.

With regard to soybean, we suggest contacting [FSANZ](#) Food allergy and intolerance scientific advisory group for advice regarding soy as a regional allergen. We understand that soy is recognised by Australasian Society of Clinical Immunology and Allergy (ASCIA) as a common trigger for FPIES in Australia.

Question 3:

Do you agree to include the footnote for cereals containing gluten as proposed by the Chairs (see section 4.2.1.4 in Appendix I)?

Yes

No

Please provide reasons for your answer:

Yes, we agree with including the footnote for cereals containing gluten but also suggest that spelt and hybridized strains are relevant to wheat (if added as a separate priority allergen).

Question 4

Which option do you prefer for the approach to oats?

1. *Remove oats from 'cereals containing gluten' in the list of priority allergen as recommended by the Expert Committee*
2. *Retain oats based on other risk management considerations such as the potential for contamination of oats with other gluten containing cereals. Noting that CXS 118-1979 provides the allowance of uncontaminated oats to be determined at the national level for products covered by that standard e.g. gluten free and reduced gluten foods.*

Option 1

Option 2

Other

Please provide reasons for your answer.

If answering 'Other', please describe your proposed option and explain why you support this.

We agree with removing oats from 'cereals containing gluten' if FSANZ Food allergy and intolerance scientific advisory group can determine that oats in Australia/New Zealand that there is no cross contamination with gluten/wheat containing cereals during crop production, processing and packaging.

Question 5:

Do you support lactose remaining in the list to section 4.2.1.4 based on there being no new risk assessment available?

Yes

No

If NO, then what approach should be taken for lactose (i.e. removed from the list, include elsewhere in the GSLPF or another approach)?

Lactose should be removed from the list given it is not related to immune mediated food allergy. We need to separate lactose from milk as an allergen to avoid ongoing confusion in the food industry and with consumers. Many still do not understand that lactose free products are not safe for those people with a cow's milk protein (dairy) allergy. We believe that it is beyond the scope of allergen labelling in the GSLPF.

Question 6:

Do you support sulphite remaining in the list to section 4.2.1.4 based on there being no new risk assessment available?

Yes

No

If NO, then what approach should be taken sulphite (i.e. removed from the list, include elsewhere in the GSLPF or another approach)?

Sulphite should be removed from the list given it is not related to immune mediated food allergy, although known to trigger asthma symptoms in some cases. Again, similar to lactose, sulphite being listed as a priority allergen could continue to lead to confusion in the community, with many incorrectly believing it is an allergen.

We believe that it is beyond the scope of allergen labelling in the GSLPF.

Question 7:

Which option do you prefer in regards to exemptions from declarations?

1. *No provision for allowing exemptions (i.e. maintaining the status quo).*
2. *A generic provision allowing exemptions from declaring foods and ingredients listed in section 4.2.1.4, subject to case by case evaluation against criteria (from the Expert Committee) by national authorities.*

Option 1

Option 2

Other

Please provide reasons for your answer. If answering 'Other', please describe your proposed option and explain why you support this.

We believe that there should be a provision for exemptions only if appropriate assessment has been undertaken to establish that the food additives/processing aids pose little or no risk, as determined by scientific expert committee advice.

Australia and NZ have permitted exemptions and A&AA is not aware of reactions to relevant foods with those permitted exemptions.

Question 8:

Do you support including the specific name for the foods and ingredients listed in section 4.2.1.4 that is to be used when declaring allergens in the ingredient list and/or a separate summary statement?

Yes

No

Please provide reasons for your answer.

Yes, we support including the specific name for the foods and ingredients in the ingredient list and in the summary statement. This is included in the PEAL legislation and will make it simpler and less confusing for consumers when identifying their food allergens. It is another step in reducing risk for the consumer with food allergies.

Question 9:

Do you support the revised text for section 8.3 (see Appendix I)?

Yes

No

Please provide reasons for your answer and/or suggest alternate text as required.

We support the revised text for section 8.3 but suggest

1. Wheat be added as a food/ingredient separate to cereals containing gluten that always MUST be listed for reasons explained in Question 1.
2. Sulphite removed for reasons explained in Question 6.
3. We ask that the following be clarified – does marketed mean sold?

“When it is not possible to provide adequate information on the presence of an allergen through labelling, the food containing the allergen should not be marketed”

4. We prefer the use of the term MUST instead of “shall” through section 8.3.
“Shall” can be interpreted as may or should.