



A cautionary tale of allergen labelling

The regulatory status regarding cross-contamination
allergen labelling

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A cautionary tale of allergen labelling

Food allergies are reportedly on the rise. Mandatory allergen labelling has improved food and beverage safety, but more and more voluntary statements about allergens are appearing on food labels. In this white paper, Catherine Masselin considers precautionary statements relating to possible cross-contamination and explores the regulations surrounding them.

Allergen labelling is particularly important for consumers with food allergies or food intolerances. Eating even a small amount of the food to which they are allergic or intolerant can make them very ill and, in some cases, cause potentially fatal anaphylactic reactions¹.

Failure to control the introduction of allergens into food and beverage products is a risk that

cannot be taken lightly by the food and beverage industry. Products can become cross-contaminated if they come into contact with another object (utensils, work surfaces, hands, etc.) that hasn't been cleaned since touching an allergen. Even low allergen traces in products can pose a mortal danger for a consumer with allergies².

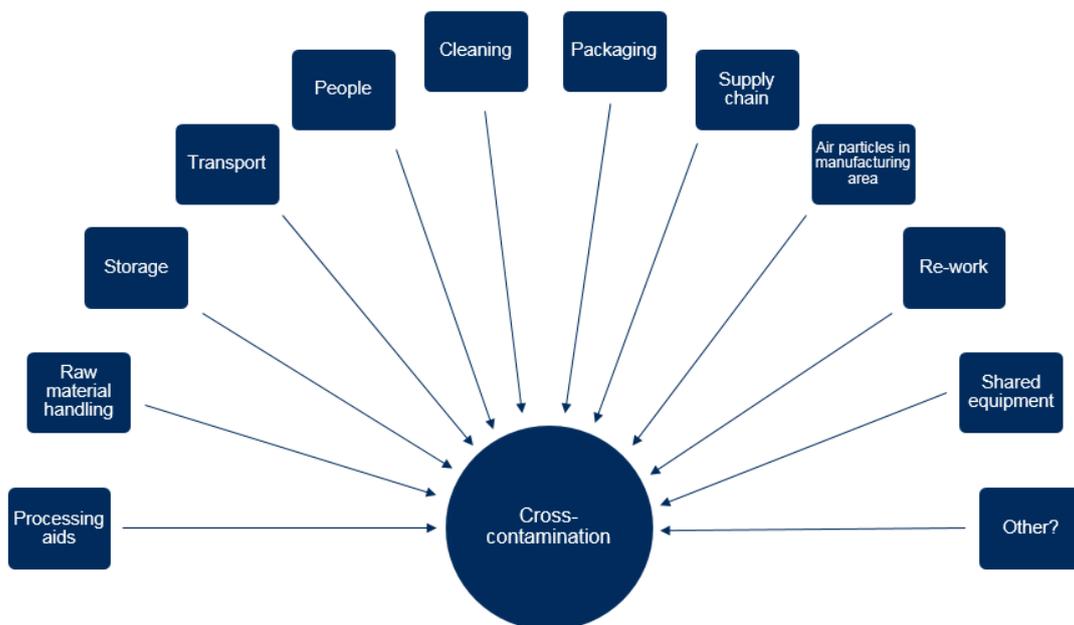


Fig. 1: Potential sources of allergen contamination/cross contact during food production (Source: UK FSA)

¹ Guidance on Allergen Management and Consumer Information, Food Standard Agency, 2006

² Peut-on enlever la mention peut contenir sur les étiquettes des produits alimentaires pour assurer aux consommateurs un produit sans allergènes?, Éric Letendre, 2009

People with food allergies need clear information in order to make informed choices. Product labelling must include both the allergenic ingredient – allergen labelling – but also any cross-contamination with allergens – precautionary allergen labelling.

Use of precautionary allergen labelling

An example of precautionary allergen labelling is a statement like “may contain traces of...” or “produced in a factory which handles...” or “not suitable for...allergy sufferers”.

There is a down side to this type of labelling. Using too many warning statements about the presence of allergens can unnecessarily restrict consumer choice, and also, negatively impact the effect of warning statements.

Indeed, according to the French Food Safety Agency: *“Precautionary labelling tends to be generalised on labels, such as “traces of”, “may contain”, etc., warning people with allergies or intolerances about possible contamination by non-voluntary components added in foodstuffs. This labelling instead confuses allergic or intolerant people because it does not bring them any information on the level of contamination and so does not allow them to make an informed choice when buying”.*

There is currently no specific legislation regarding precautionary labelling in the European Union. As a result, manufacturers should assess risks from contamination and implement measures to reduce the risk (Article 5 of Regulation (EC) No 853/2004 on HACCP). The use of statements like “may

contain traces of ...” or “may contain ...” is only a last resort in cases where it is not possible to control the risk of accidental contamination³.

Some other countries like Japan or Argentina prohibit the use of precautionary allergen labelling, while South Africa regulates it.

How to prevent allergen cross-contamination?

There is an effective prevention system that the food and beverage industry can use to prevent allergen cross-contamination called HACCP (Hazard Analysis and Critical Control Point).

The HACCP system was designed in 1960 and is recognised internationally. HACCP involves the analysis of critical control points during stages of food and beverage manufacture. Throughout the manufacturing process, control of critical steps (CCP) will allow operators to detect and control hazards before their products are distributed. The hazard, for example, can be the presence of allergens in a product. HACCP prerequisite programmes (recommended by the Codex Alimentarius Commission) should be followed by industry. The two main programs are: the Guide to Good Hygiene Practice (GHP) and Guide to Good Manufacturing Practice (GMP). These guides are particularly helpful in enabling professionals to establish the first steps of HACCP².

How close are we to global labelling?

Today we are eating more and more products sourced from all over the world. The worldwide manufacturing of food and beverage products

³ Precautionary labelling of foods for allergen content: are we ready for a global framework?, Allen et al., World Allergy Organization Journal 2014, 7:10

has an impact on both quality and safety, as different countries have different controls and regulations for food labelling and food allergens.

The positive list of food allergens varies between countries. Most of the countries include the 8 allergens prescribed by Codex (Cereals containing gluten, Crustacea, Eggs, Fish, Peanuts/Soybeans, Milk, Tree Nuts and Sulphites), but Japan for example is an exception, where the type of allergies differs³.

There are also differences in the definition of an allergen category. Tree nuts are a good example. A pine nut is considered a seed within the EU whereas in Canada and in the US it is considered a tree nut. The declaration of molluscs is not straightforward either, with some countries classifying them as fish allergens, while for others the classification is less clear³.

Could a global food allergen labelling regulation give people suffering with allergies clarity on whether a product contains an allergen and enable them to judge the likelihood of them suffering an adverse reaction in the event of cross-contamination?

Some countries prohibit the use of precautionary labelling like “may contain”, others regulate them and others have established thresholds. A first step to global allergen precautionary labelling, at the very least, would be consistency in the wording of such statements. But in time, a harmonisation of allergen labelling across the world is important in order to protect the consumer.

How Leatherhead can help

If you are unsure as to the legal compliance of the labelling of your product, we have a department of over 30 advisors, covering all major international markets, who are ready to help. We offer consultancy and can also provide training on food legislation, give advice on allergens, additives, flavourings and ingredients, as well as carry out label and formulation checks.

About the author

Dr Catherine Masselin is a Regulatory Consultant at Leatherhead Food Research covering food legislation in the UK, France, Belgium, Luxembourg and Canada. She has a Masters degree in Food Science and Nutrition from the French Institute AgroParisTech and a PhD in molecular and cellular biology from University Paris V. Before joining the team at Leatherhead in July 2013, Catherine worked as a technical support specialist at ThermoFisher Scientific.

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