

# Joint Research Centre (JRC)

The European Commission's  
Research-Based Policy Support Organisation



## Food Allergies Authorities and Legislative Considerations

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<http://www.jrc.ec.europa.eu/>

**Legislators and regulatory agencies have the duty to take initiatives to protect the citizen. This includes measures aimed at the protection of consumers, including allergic consumers**





**Layton Thompson was travelling home on the Northern Line on December 2006 when a suspect package brought the service to a halt at Angel tube station.**



**A bomb disposal was brought in to the tube station to make the package safe. It turned out to be someone's discarded lunch.**

Source: BBC website

*INGREDIENTS:  
....peanut....*

*May contain....peanut*

*This product is  
produced in factory  
working with peanut*



**For people suffering from a food allergy there are many suspect packages. To protect themselves those people rely on a good identification of the contents (labelling)**

- There is **no cure** for food allergy
- Allergenic individuals can protect themselves by **avoiding the allergenic foods**
- Since **November 2005** the presence of the 12 most important allergenic ingredients have to be **declared on the label** of food products (14 from December 2008)
- There is a clear need for **methods** capable of detecting food allergens at the low mg/kg range
- Validation of such methods is required to improve the **reliability** of analytical results



**Sulphur dioxide  
and sulphites**



**Celery**



**Egg**



**Fish**



**Milk**

## **Directives 2000/13/EC & 2003/89/EC:**

**food allergens that have to be  
declared on the label**



**Soybeans**



**Wheat and  
other cereals**



**Mustard**



**Peanut**



**Shell fish and  
crustaceans**



**Sesame**



**Tree nuts**

Annex IIIa of Directive 2000/13/EC, as amended by Directive 2003/89/EC, establishes a list of ingredients that are known to trigger allergies or intolerances. The latter Directive states that whenever the listed ingredients are used in the production of foodstuffs they must be labelled.

Article 6, paragraph 11 of the same Directive requests that the list in Annex IIIa shall be systematically re-examined and, where necessary, updated on the basis of the most recent scientific knowledge.

Furthermore, paragraph 11 states that Annex IIIa may be amended, in compliance with the procedure referred to in Article 20 (2), on the basis of a scientific opinion of the European Food Safety Authority.

L 368/110

EN

Official Journal of the European Union

23.12.2006

**COMMISSION DIRECTIVE 2006/142/EC  
of 22 December 2006**

**amending Annex IIIa of Directive 2000/13/EC of the European Parliament and of the Council listing  
the ingredients which must under all circumstances appear on the labelling of foodstuffs**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European  
Community,

Having regard to **Directive 2000/13/EC of the European  
Parliament and of the Council of 20 March 2000 on the  
approximation of the laws of the Member States relating to  
the labelling, presentation and advertising of foodstuffs** (1) and  
in particular Article 6(11), third paragraph, thereof,

Having regard to the opinions of the European Food Safety  
Authority of 6 December 2005 and 15 February 2006,

- (5) In the case of molluscs (gastropods, bivalves or cephalopods), the EFSA states in its opinion of 15 February 2006 that they are most often consumed in their current state but are also used as ingredients, after any processing, in a number of preparations and in products such as surimi. Allergic reactions, which can be serious, affect up to 0,4 % of the population, i.e. 20 % of all cases of allergic reactions to seafood. The main allergenic protein in molluscs is tropomyosin, which is the same as that in crustaceans, and cases of cross-allergies between molluscs and crustaceans occur frequently.

- (6) It can be concluded from these observations that lupin and molluscs should be added to the list in Annex IIIa of **Directive 2000/13/EC**.

28.11.2007

EN

Official Journal of the European Union

L 310/11

## DIRECTIVES

### COMMISSION DIRECTIVE 2007/68/EC

of 27 November 2007

amending Annex IIIa to Directive 2000/13/EC of the European Parliament and of the Council as regards certain food ingredients

(Text with EEA relevance)

**This directive contains a consolidated list of allergenic ingredients that need to be declared and exemptions for highly processed ingredients derived from these allergenic foods**



食安発第 0603001 号  
平成 20 年 6 月 3 日

各 { 都道府県知事  
保健所設置市長  
特別区長 } 殿

厚生労働省医薬食品局食品安全部長

食品衛生法施行規則の一部を改正する省令の施行について

食品衛生法施行規則の一部を改正する省令（平成 20 年厚生労働省令第 112 号）が本日公布され、これにより食品衛生法施行規則（昭和 23 年厚生省令第 23 号。以下「省令」という。）の一部が改正されたので、下記の事項に留意の上、その運用に遺憾なきよう取り計らわれたい。また、当該改正の内容につき、関係者への周知方よろしく願います。

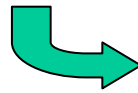
記

## 第1 改正の趣旨

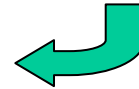
- (1) アレルギー疾患を有する者の健康危害の発生を防止する観点から、「えび」又は「かに」を原材料とする加工食品（当該加工食品を原材料とするものを含み、抗原性が認められないものを除く。）にあつては、これらを原材料として含む旨を表示させることとすること。
- (2) 上記（1）と同様の観点から、「えび」又は「かに」に由来する添加物（抗原性が認められないものを除く。）を含む食品にあつては、当該添加物を含む旨及び当該食品に含まれる添加物が「えび」又は「かに」に由来する旨を表示させることとすること。

**From June 2008  
Shrimp & Crab  
added to the list  
of allergenic foods  
that already contained  
Milk, Egg, Wheat,  
Buckwheat & Peanut**

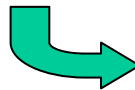
**The farm**



**The food industry**



**The market**



**The consumer**

## Notifications by hazard category

	hazard category	total	border control - import rejected	border control - screening	company's own check	consumer complaint	market control
<b>2007</b>	allergens	64	9	2	7	5	41
	<b>Total:</b>	<b>2997</b>					
<b>2006</b>	adverse effect / allergic reaction	27	-	-	6	9	12
	<b>Total:</b>	<b>2947</b>					
<b>2005</b>	adverse effect / allergic reaction	14	-	-	1	3	10
	<b>Total:</b>	<b>3228</b>					

**Information taken from RASFF annual reports**

## Allergy Alerts from the UK Food Standards Agency

**2007 (Mar-Dec)      60 Alerts**

**2008 (Jan-Sept)      51 Alerts**

**Consumers and other stakeholders can sign up to receive such alerts directly to their mobile phones via a text messaging system**

**Minimise the occurrence of food allergic reactions triggered by the consumption of undeclared allergens – Labelling**

**Maximize the choice of safe and nutritious food to allergic consumers – Precautionary statements**

**Allergens can be unintentionally present in food products (e.g. as a result of cross-contamination or cross contact)**

**This issue is not covered by the European Directives concerning labelling**

**May contain  
guidance**

**Recommended  
when a real risk  
has been identified**



## Guidance on Allergen Management and Consumer Information

Best Practice Guidance on Managing Food Allergens with  
Particular Reference to Avoiding Cross-Contamination  
and Using Appropriate Advisory Labelling  
(e.g. 'May Contain' Labelling)

This guidance is voluntary

### 3.3.1 Advisory Labelling

The presence of deliberately added allergenic ingredients, and/or advice on the possible presence of allergen cross-contamination, may additionally be indicated by means of an allergy information/advice panel. These panels are not a legal requirement but, where such information is given, it is best practice to associate it clearly with the ingredients list. If such devices are employed, all allergenic foods or ingredients as defined by law and used in the food should be listed in such a box, panel or statement. If using a box headed, for example, 'Allergy Advice', make sure that there is a clear distinction between allergens that are deliberate ingredients and those that are possible cross-contaminants. An example of how this may be done is given below, but other formats for the box or statement may be used:



Guidance on Allergen Management and Consumer Information

Best Practice Guidance on Managing Food Allergens with Particular Reference to Avoiding Cross-Contamination and Using Appropriate Advisory Labelling (e.g. 'May Contain' Labelling)

This guidance is voluntary

#### INGREDIENTS

Wheatflour, Sugar,  
Vegetable Oil, Barley Malt  
Extract, Salt, Raising Agent:  
Sodium Bicarbonate, E503,  
E450, Glucose Syrup

#### CONTAINS

Wheat, Barley, Gluten

#### MAY CONTAIN

Nuts

Advisory labelling on possible cross-contamination with allergens should be justifiable only on the basis of a risk assessment applied to a responsibly managed operation. Warning labels should only be used where there is a demonstrable and significant risk of allergen cross-contamination, and they should not be used as a substitute for Good Manufacturing Practices.

## 315 Cookies



## 254 Chocolates



**Purchased in: Austria, Belgium, Bulgaria, Czech Republic, Germany, Hungary, Poland, Romania, Slovakia, The Netherlands**

## Frequency of precautionary labelling

- **Cookies 57% contains precautionary warnings on the label**
- **Chocolates 86% contains precautionary warnings on the label**



- analysed for peanut and hazelnut content
  - ELISA
  - dipsticks



- analytical results compared to information on food labels

## Percentage testing positive

	Label type	peanut	hazelnut
<b>Cookies</b>	“may contain”	25	36
	“present in environment”	25	23
	no warning	11	25
<b>Chocolate</b>	“may contain”	43	79
	“present in environment”	7	60
	no warning	25	53

**The declaration of allergenic ingredients on the label of food products plays an important role in protecting the health of allergic consumers**

**Authorities can enhance the protection of food allergic consumers by: legislative efforts (including updating of legislation), control of food products on the market, issuing of alerts and providing guidance to producers and consumers**



**Thank you for your attention**