



## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### CODEX COMMITTEE ON FOOD HYGIENE

#### Fifty-First Session

Cleveland, Ohio, United States of America, 4 - 8 November 2019

### PROPOSED DRAFT CODE OF PRACTICE ON FOOD ALLERGEN MANAGEMENT FOR FOOD BUSINESS OPERATORS (REVISED)

Prepared by the Chairs of the EWG (Australia, the United Kingdom and the United States of America)

#### Background

1. The 50<sup>th</sup> session of the Codex Committee on Food Hygiene (CCFH50, November 2018) agreed to forward the proposed Draft Code of Practice on Food Allergen Management for Food Business Operators for adoption by the 42<sup>nd</sup> session of the Codex Alimentarius Commission (CAC42) at Step 5 (with information related to labelling in square brackets); and to seek the advice of the Codex Committee on Food Labeling (CCFL) on the appropriateness of the use of a precautionary allergen labelling statement, the related definition, and the list of foods that cause allergic reactions.
2. CCFH50 also agreed to request that FAO/WHO convene an expert consultation to provide scientific advice on risk assessment of food allergens to address (1) what the threshold levels are for the priority allergens (cereals containing gluten, crustaceans, eggs, fish, milk, peanuts, soybeans, and tree nuts) below which the majority of allergic consumers would not suffer an adverse reaction; and (2) how thresholds can be used by Food Business Operators (FBOs) to determine (a) the extent to which a cleaning procedure removes an allergen to a level that prevents or minimizes the risk to the majority of allergic consumers from allergen cross-contact; and (b) whether an ingredient that contains a low level of an allergen (e.g., an ingredient with a precautionary allergen label) warrants control of its use to prevent or minimize allergen cross-contact. CCFH50 also asked that FAO/WHO provide information on the appropriate analytical methods for testing food and surfaces for the priority allergens and the methods/tools available for FBOs to determine whether allergen cross-contact is reasonably likely to occur in a food after a cleaning procedure; whether allergen cross-contact is reasonably likely to occur from equipment used for foods with different allergen profiles; and the level of allergen in a food resulting from cross-contact.
3. CCFL45 (May 2019) agreed to take on new work to review and clarify the provisions relevant to allergen labelling in the *General Standard for Labelling of Pre-Packaged Foods* (CXS 1-1985) (GSLPF) and develop guidance on precautionary allergen or advisory labelling. CCFL45 also requested scientific advice from FAO/WHO relating to the list of foods in Section 4.2.1.4 of the GSLPF relevant to allergen labelling with respect to criteria for assessing additions and exclusions from the list and whether there should be additions or deletions. CCFL45 agreed to establish an EWG chaired by Australia, and co-chaired by the United Kingdom and the United States of America, to prepare proposed draft revisions and guidelines for circulation for comments and consideration by CCFL46. CCFL indicated that it was not in a position to provide a reply to CCFH on the appropriateness of the use of a precautionary allergen labelling statement and definition at this time and noted that CCFL might be updating the list of foods and ingredients in Section 4.2.1.4 of GSLPF based on scientific advice from FAO/WHO.
4. CAC42 (July 2019) agreed to adopt CCFH's Proposed Draft Code of Practice on Food Allergen Management for Food Business Operators at Step 5 and agreed to the new work on allergen labelling by CCFL.

### **Proposal from the Chairs for Revisions**

5. Since scientific advice is needed for CCFL to address the request of CCFH and for CCFH to finalize the Draft Code of Practice on Food Allergen Management for Food Business Operators to address issues such as precautionary allergen labelling, the Draft Code of Practice on Food Allergen Management for Food Business Operators could remain at Step 5 for some time. However, because the draft Code of Practice contains a great deal of information on managing food allergens, which is a significant food safety issue worldwide, Australia, the United Kingdom and the United States of America believe that the document could be revised in a way that it could be adopted at step 8 and then revised again when FAO/WHO has conducted the requested expert consultations and CCFL has completed its work on precautionary allergen labeling and updating the list of foods and ingredients in Section 4.2.1.4 of GSLPF based on scientific advice from FAO/WHO. To this end, we are suggesting the following revisions:

- Paragraph 9 – remove square brackets and maintain the list of allergens as those referred to in the General Standard for the Labelling of Pre-packaged Foods (CXS 1-1985) with respect to labelling.
- Delete paragraph 14, which refers to precautionary allergen labeling and thresholds.
- Delete the definition of “precautionary allergen labeling.”
- Paragraph 72 - Remove the square brackets and delete the second sentence referring to precautionary allergen labeling.
- Paragraph 95 – Delete the last sentence, as it relates to precautionary allergen labelling.
- Paragraph 152 – delete all except the first sentence to remove text referring to precautionary allergen labelling.
- Paragraphs 160 and 161 – delete the paragraphs, since they are related to precautionary allergen labelling.

6. We recommend that CCFH51 consider these specific changes, make other editorial changes as needed, and make a recommendation as to whether the Draft Code of Practice on Food Allergen Management for Food Business Operators could be advanced to CAC43 for adoption at step 8. We also recommend that the Code of Practice on Food Allergen Management for Food Business Operators be added to the CCFH Forward Workplan and considered for revision when new information is available from the FAO/WHO consultation and CCFL.