CODEX ALIMENTARIUS COMMISSION

Food and Agriculture Organization of the United Nations

World Health Organization

Viale delle Terme di Caracalla, 00153 Rome, Italy - Tel: (+39) 06 57051 - E-mail: codex@fao.org - www.codexalimentarius.org

Agenda Item 5 **FL/47 CRD23**

Original Language Only

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD LABELLING

Forty-seventh Session

Gatineau, Canada
15 – 19 May 2023

Comments from Institute of Food Technologists (IFT)

Agenda Item 5

PROPOSED DRAFT REVISION OF THE *GENERAL STANDARD FOR THE LABELLING OF PREPACKAGED FOODS* (CXS 1-1985) RELEVANT TO ALLERGEN LABELLING

Dear CCFL delegates,

The Institute of Food Technologists (IFT) appreciates the opportunity to provide the Committee with comments on allergen labeling and on precautionary allergen labeling guidelines.
IFT is a global organization of approximately 12,000 individual members from 95 countries who are committed to advancing the science of food. Since 1939, IFT has provided scientific, technical and career development resources for advancing the science of food and its application across global food and agricultural systems.

4.2.1.5 (Foods and ingredients that are known to cause food allergy or coeliac disease)

In order to facilitate global harmonization, IFT proposes removal of the table of foods and ingredients (together with their specified names). As was proposed during the EWG, this section may result in inconsistency of approach in global trade and is open to interpretation at national or regional level – which could result in confusion to consumers.

Given [additional] allergen labelling requirements may be prescribed by national legislation, we propose amendments to the text to read:

"In addition to the foods and ingredients listed in section 4.2.1.4, competent authorities may also require the declaration of other foods and ingredients. This shall be based on risk management considerations, taking into account available risk assessment data for the respective population."

A footnote, referencing the 'May 2021 Ad hoc Joint FAO/WHO Expert Consultation on Risk Assessment of Food Allergens' should serve as reference guidance for Governments.

Any references to 4.2.1.5, elsewhere in the text, should be deleted.

Oats

IFT observes that oats have been included in the list of foods and ingredients known to cause food allergy or coeliac disease. We respectfully indicate that the May 2021 Ad hoc Joint FAO/WHO Expert Consultation on

Risk Assessment of Food Allergens had excluded oats from 4.2.1.4 because they pose a low public health risk of causing IgE mediated allergy and the scientific evidence demonstrates that pure oats are rarely coeliac toxic, and it may be that most adverse incidents relate to contamination of oats with other gluten-containing cereals.

IFT suggests oats be removed from 4.2.1.4, since oats do not naturally contain gluten and have no role in toxicity for the vast majority of people with coeliac disease as the May 2021 Ad hoc Joint FAO/WHO Expert Consultation on Risk Assessment of Food Allergens concluded based on the scientific review. Numerous oat products are being marketed as “Gluten Free” - produced via either controlled supply chains or using in-line, redundant sorting technologies to remove contaminants such as wheat from the oats. The occurrence of cross contamination of gluten-containing grains in oat products is, however, prevalent, and clinically relevant, so this should be covered in the guidance on PAL, the Code of Practice on Allergens for Food Business Operators, or elsewhere in the GSLPF. Oats should be considered systemically cross contaminated, unless specifically produced and grown as referenced above to meet a “Gluten Free” status, hence a Code of Practice may be relevant.

4.2.1.6 (Sulphites)

IFT agrees that when sulphite is present in a food at a total concentration of 10 mg/kg or above, it shall always be declared using the specified name ‘sulphite’. We suggest providing additional clarification, that the total concentration be calculated for products as proposed ready for consumption or as reconstituted according to manufacturers’ instructions. This should prevent consumer confusion for products that require dilution before consumption (such as foods in powder form), as well as permitting as many products as possible be made available to consumers who are sensitive to sulphites.

4.2.1.7 (Exemptions)

Although IFT agrees with the principle that food additives and processing aids derived from any of the foods and ingredients listed in 4.2.1.4 should not be exempted, if the food additive or processing aid has itself been demonstrated not to cause hypersensitivity, then there is no logical requirement to declare the food or food ingredient from which it was derived*, especially since it may incite fear in the mind of the consumer. As drafted, the currently proposed text is, for example, incompatible with US and EU law, which have already considered the concept of “non-allergenic” derivatives. An ingredient, proven to have allergenic protein removed through processing – for example, highly refined soy, nut or fish oils used as carriers for flavours – should be exempt from allergen declaration.

We support inclusion of a generic provision that would permit labeling exemptions on a case-by-case basis – based upon the degree of risk, using all available science, technology, and clinical data.

**Notwithstanding any requirement to declare the origin due to religious or ethical concerns, or for those foods or food ingredients obtained through biotechnology.*

PROPOSED DRAFT ANNEX TO THE GSLPF:
GUIDELINES ON THE USE OF PRECAUTIONARY ALLERGEN LABELLING

4.3 (Use of PAL)

The section stating “PAL shall only be used if the presence of a protein from an allergen is equal to or above the action level for this allergen, using the listed reference dose values…” suggests that precautionary allergen labelling is justified only with a quantitative risk assessment, which contrasts with section 4.2 which states “The decision to use PAL should be based on the findings of a risk assessment which shall include, but is not limited to, quantitative risk assessment.” Moreover, the reference dose is only helpful on the dose of an allergen but not based on frequency of consumption. Where frequency is expected to be high or expected to be low, a separate conclusion on PAL may be more appropriate.

IFT does not object to implementing the May 2021 Ad hoc Joint FAO/WHO Expert Consultation on Risk Assessment of Food Allergens recommendation of basing references doses on ED05. We do, however, note the importance of considering the increased sensitivity of certain population groups such as infants and young children, and the likelihood that such groups will consume a product.