



June 2008

Submission from the Dietitians Association of Australia

**Regulatory Management of Food Allergens
Issues Paper**

The Dietitians Association of Australia (DAA) is the national association of the dietetic profession. DAA represents over 3500 members, with branches in each State and Territory. DAA is a leader in nutrition and advocates for better food, better health, better living for all. DAA welcomes the opportunity to comment on the above issues paper.

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DAA appreciates the opportunity to make a submission to the Issues Paper for targeted consultation regarding the Regulatory Management of Food Allergens. A number of our members have a significant interest in food allergens through their roles which include medical nutrition therapy, food industry, food service, research and teaching and training.

DAA supports the review of the regulatory management of food allergens given that it is now 5 years since the implementation of the revised Code and in the light of recent scientific developments and international regulatory approaches. Furthermore, DAA is pleased to learn that work has commenced on a follow-up consumer survey on allergen labelling.

In general terms DAA is concerned that regulatory and non-regulatory approaches to food allergens will mean that information is available to consumers with allergies to enable them to confidently and safely choose the widest range of foods possible. DAA also acknowledges that clear and practical direction is needed to enable the food industry to manufacture foods and beverages which are appropriately labelled to meet the needs of consumers with allergies.

DAA makes the following statements in relation to some of the questions posed in the Issues Paper.

Question 1: DAA agrees with the issues raised in *Section 4.1 Labelling requirements for the current list of allergenic foods* to be considered in the review to promote clarity.

- Consumers with allergies may not have a problem with all species or types of a product, and more specific information would enable them to select items previously avoided because of general terms on labels.
- Declaring the source of derivatives would be helpful, for example lecithin (soy) and thickener (maize).
- Stating the common names of specific nuts rather than the general term of tree nut used is also supported. The term 'mixed nuts' may be appropriate where a range of nuts is included in a product.
- Clarifying the term fish would be helpful by naming the species and by clarifying whether molluscs and crustaceans are covered by the term fish. It is noted that the EU regulations distinguish between these three terms on the grounds that the allergenic proteins within the groups are distinct.
- DAA recommends that research be undertaken to determine whether molluscs are a significant allergen in the Australia and New Zealand population.

Question 2: DAA recommends that the list of cereals containing gluten be considered in the review.

- It has been reported to DAA that some manufacturers are erroneously including the triticale grain in products labelled as 'wheat free', even though it is a hybrid of wheat and rye and therefore covered by the current list in the table to clause 4 under Standard 1.2.3. However it may be clearer to manufacturers if triticale was specifically listed along with other cereals containing gluten.

Question 3: DAA agrees that the review should include an assessment of lupin as a potentially significant food allergen (within a scientific framework).

Question 4: DAA believes that clinical data on the prevalence of lupin allergy is being collected by the Allergy Unit of the Royal Prince Alfred Hospital, Camperdown, NSW related to their community of patients.

Question 6: DAA makes the following additional comments in relation to the assessment of new allergens.

- DAA supports the inclusion of new allergens in the Food Standards Code based on the prevalence and severity of reactions to such new allergens, and their consumption in the Australia and New Zealand context.
- The inclusion of new allergens on mandatory warning statements requires a transparent process, including the evidence for such statements in the Australia and New Zealand context.

Question 7: DAA supports the consideration of exemptions from labelling requirements (within a scientific framework) in some circumstances.

- DAA supports the declaration of allergens that can be detected and strongly recommends that scientific evidence is used to justify any exemptions from labelling for allergens considered unlikely to cause a reaction.

- DAA recognises that newer methods of analysis may detect allergens at lower levels, with the result that some foods would now be required to be labelled to indicate very low levels of allergen.
- There may be a case to continue labelling wheat as the source of an ingredient, for example glucose syrup, even though there is no detectable gluten in that ingredient. This is on the grounds that clients still prefer to have sufficient information about the ingredient on the label, to enable them to make a choice about whether they buy/consume the product. In the absence of such labelling those consumers would either avoid the product outright, or have to go to the bother of contacting the manufacturer to trace the source of the glucose syrup. Also, if there are exemptions from labelling, then manufacturers may not have information about the source of glucose syrup readily available to provide to consumers on request.
- DAA notes that there have been issues raised regarding the practical difficulties of ensuring the avoidance of allergens when foods are sold unpackaged, thus creating a risk of cross contamination of such food items.

Question 9: DAA agrees with the three issues discussed in 4.4.2. regarding label terminology and source of ingredient, presentation of allergen information on a label and precautionary statements.

- DAA supports investigation into precautionary statements which are clear and address the current overuse of the 'may contain' statement.

Question 11: DAA considers that more research is needed to determine whether regulatory, non-regulatory, or a combination of approaches is the most appropriate.

- DAA supports an evaluation of voluntary allergen labelling and consequent consideration of mandatory options as appropriate to determine the balance between regulatory and non-regulatory approaches.

Question 12: DAA considers that great caution should be exercised when interpreting the current state of knowledge on allergen thresholds and potential applications within the non-regulatory or regulatory approaches.

- Even if there is a high degree of confidence in the methodology used to detect the quantity of an allergen in a food, and population thresholds can be estimated there is still a significant variation in the threshold for an adverse reaction in an individual.
- Moreover even small amounts of an allergen may have profound consequences. In the case of peanuts for example, the threshold for a reaction is very low while the reaction is severe and immediate. Alternatively, low level exposure to allergens over a prolonged period can increase morbidity, as is the case with exposure to gluten in individuals with coeliac disease.

Question 13: The requirement to provide allergen information on request (either in writing or verbally) may not be adequate to minimise the risk to allergenic consumers in situations where food is exempt from bearing a label.

- DAA supports mandatory allergen labelling of food for catering purposes. The current exemptions for food for catering purposes allow for the possibility that staff in retail premises do not have sufficient information regarding the allergen content of the food they are preparing.