

**CODEX COMMITTEE ON FOOD LABELLING**

**48<sup>th</sup> Session**

**Québec City, Canada,  
27 October – 1 November 2024**

**European Union Comments on**

**Agenda Item 5.1:**

**Revision to the General Standard for the Labelling of Pre-packaged Foods (GSLPF)  
(CXS 1-1985): Provisions relevant to allergen labelling (comments at Step 6)**

**(CX/FL 24/48/5 (Part A) - CL 2024/53-FL)**

**European Union Competence  
European Union Vote**

The European Union (EU) would like to thank Australia, the United Kingdom and the United States of America for the preparation of the document ‘CX/FL 24/48/5 (Part A) – Proposed draft revisions to the General Standard for the Labelling of Pre-packaged Foods (GSLPF) (CXS 1-1985) relevant to allergen labelling.

The EU would like to propose the following comments under the relevant sections to improve further the text. As regards the advice to Codex Committee on Food Hygiene (CCFH), the EU agrees that it would be timely at this stage to provide CCFH with advice again on the progress to better ensure consistency of the *Code of Practice on Allergen Management for Food Business Operators* (CXC 80-2020), especially for what concerns the definition and the lists of allergens (priority and regional list) in the revised General Standard for the Labelling of Prepackaged Foods (GSLPF).

Assuming agreement on the points still open for discussion at CCFL48, the EU considers that the text is ready for advancement to Step 8.

**Section 2 – Definition of terms**

The EU expresses its support for the proposed new definition of food allergen for the following reasons.

*“Food Allergen” means a food (including ingredients, food additives and processing aids) that can elicit IgE-mediated or other specific immune-mediated reactions in susceptible individuals, usually caused by a protein or protein derivative in the food.*

First, the proposed definition clearly delineates what constitutes food in the context of food allergenicity, encompassing foods, ingredients, food additives, and processing aids.

Secondly, the defining characteristic of a food allergen is its ability to elicit IgE-mediated or other specific immune-mediated reactions in susceptible individuals, rather than merely

containing protein. Therefore, this attribute should be prioritised in the definition. While it is true that, in most cases, the immune reaction is triggered by the protein component (and sometimes by glycoproteins), ongoing discussions suggest that other molecules may also play a role. Thus, the explanation regarding the protein component and its mechanism should follow this primary attribute.

In summary, the proposed definition enhances clarity and aligns with the key characteristics of food allergens.

## **Section 4 – Mandatory labelling of pre-packaged foods**

### ***Section 4.2.1.6 – Exemptions***

The EU expresses its appreciation to the chairs for having put forward the alternative text proposed during the last round of consultations (CP2) for further consideration. As previously explained, the EU is of the view that an exposure assessment is an integral component of the safety assessment process required for granting exemptions. Therefore, the EU believes that the proposed alternative text provides necessary clarity regarding the inclusion of such an assessment.

#### ***List of exemptions***

The EU reaffirms its position against the inclusion of a non-risk-assessed list of exemptions, for the reasons outlined in the background document opposing such a list. Furthermore, the EU does not deem it necessary to reference the 'current accepted exemptions' as examples, as this is neither common practice in Codex Standards nor necessary, given that the relevant report, containing these examples, is already referenced in the context of the evaluation criteria in section 4.2.1.6.

### ***Section 4.2.1.7 – Sulphite***

The EU supports the proposed wording of section 4.2.1.7. The EU favours the inclusion of the phrase "*food as consumed*" within the square brackets, as it accurately reflects the condition of the food after preparation or reconstitution. In contrast, the phrase "*as offered to the consumer*" may introduce ambiguity, particularly for products requiring reconstitution.

Moreover, the additional wording "*food as consumed*" ensures full alignment with existing risk assessments, which highlight the significant risk associated with the consumption of sulphites above 10 mg/kg. This is especially relevant to the General Standard for Food Additives (GSFA) (CXS192–1995), which, by default, sets maximum levels based on the final product as consumed.

### ***Section 4.2.2 – food and ingredients obtained through biotechnology***

The EU supports the proposed revision of paragraph 4.2.2.

#### ***Sections 4.2.3 and 4.2.3.1 – class names***

The EU supports the proposed changes made in these sections.

## **Section 8 – Presentation of mandatory information**

### **Sections 8.3 – Declaration of certain foods and ingredients**

#### ***Section 8.3.1***

The EU favours the proposed revised text for section 8.3.1, as it fully endorses the removal of the text ‘whenever possible’.

#### ***Sections 8.3.2 and 8.3.2.1***

The EU disagrees with the deletion of the reference to national competent authorities in section 8.3.2. It is the responsibility of regional or national competent authorities to decide on and determine the most appropriate means of declaring the specified names for the foods and ingredients in sections 4.2.1.4, 4.2.1.7, and, where applicable, 4.2.1.5. This should be explicitly stated in the text for sake of clarity. In this context, the EU proposes the following text:

*8.3.2 The specified name for the foods and ingredients in sections 4.2.1.4, 4.2.1.7 and where applicable 4.2.1.5 shall be declared in the list of ingredients or in a separate statement or in both **as determined by regional or national competent authorities**.*

The EU agrees with section 8.3.2.1.

Regarding sections 8.3.3 and 8.3.4, the EU believes that the notion of declaring the specified names for the foods and ingredients in sections 4.2.1.4, 4.2.1.7, and, where applicable, 4.2.1.5 has been overlooked. Therefore, the EU suggests that these paragraphs be reworded as follows:

*8.3.3 Where a food is exempt from declaring a list of ingredients, **the specified name for** the foods and ingredients listed in sections 4.2.1.4, 4.2.1.7 and where applicable 4.2.1.5 shall be declared, such as in ~~a~~ **the** separate statement made in accordance with section 8.3.2.1.*

*8.3.4 For single ingredient foods, section 8.3.3 does not apply where **the specified name** for the foods and ingredients in sections 4.2.1.4, 4.2.1.7 and where applicable 4.2.1.5 are declared as part of, or in conjunction with, the name of the food.*