



“May contain” labelling and cross-contamination, information and best practices

This paper presents some best practices in Europe collected by EFA food allergy working group. It shows that putting in place a safety chain for people with food allergy on food allergen management is possible through good practices.

Background

The current European Union legislation does not cover allergens that enter accidentally in the food (cross-contamination) during the manufacturing process. The food industry has put in place **voluntary precautionary labelling** such as “may contain” to indicate a risk of cross contamination, but these practices are not regulated or harmonised. While there is a need to warn the consumers with food allergies or intolerance about real risk of cross contamination in order for them to make informed choice, the overuse of these precautionary labels undermines their efficacy, and can unnecessarily reduce those consumers’ choice.

Moreover, evidence shows that these labels are misleading: a study demonstrated that parents assume there is a modulation between the different ways to describe this issue by the companies¹. 80% would not let their children eat products which say: “Not suitable for nut allergy sufferers” or “May contain nuts”. But only 50% of parents would not let their children eat products that say: “This product does not contain any nuts but is made in a factory that uses nuts”, “Cannot guarantee is nut free” or “May contain traces of nuts”. There is no real difference between these statements because these labels are neither regulated nor defined. In addition, feedbacks from patient associations show that many people think that this sort of labelling is obligatory.

Precautionary labelling should not be used to avoid putting in place good manufacturing practices. They should only be used when the risk is not sufficiently eliminated despite having followed best practices guidelines.

¹ [Parents' attitudes when purchasing products for children with nut allergy: a UK perspective.](#) Noimark L; Gardner J; Warner JO. *Pediatr Allergy Immunol.* 2009 Aug;20(5):500-4. Epub 2009 Jun 17.

A long term issue regarding cross contamination is the need to develop reliable thresholds by research, to determine when the quantity of food is likely or not to trigger a reaction in most people with food allergies.

There are several **existing guidelines proposed by industries, associations or national agencies** on food allergen management in all kinds of food, pre-packed or sold loose. They include guidelines on when to use “may contain” type of labelling and what to check beforehand.

Best practices in legislation

The **Swiss legislation** on warning of cross contamination is the same for prepacked food and food sold loose.

“Unintentional impurities” must be declared when they have been added involuntarily, with a level of more than 1g/kg of allergen (for all mandatory allergens except cereals and sulphites which have their own defined thresholds). All mandatory can be declared with a lower level, however in both cases, the declaration is only authorised if the enterprise (or the person responsible) can prove that it cannot be avoided despite putting in place all the rules of good practice.

For food sold loose this information doesn’t need to be in written form (label or other form of written material) as long as the consumer is informed one way or another.

Source: article 8 and 36 of the Swiss Internal Federal law on “labelling and advertisement of food products (817.022.21)”: http://www.admin.ch/ch/f/rs/c817_022_21.html (available in German, French or Italian)

General guidelines and advice on food allergen management and training

The **Swiss association for people with allergy “AHA!”** published a **practical guide for managing allergens in food sold loose** after a discussion with different stakeholders. It gives the following recommendations:

1. Principles that food sector personnel should follow to give reliable information to the customers with food allergy:

- Recipes must be documented and available at all times;
- When customers ask for precision, the information given must be reliable;
- In case of doubt, the composition of the food should be verified, if it is impossible to reply to a customer’s question it has to be told openly;
- Food sector professionals should agree with their suppliers on the possibilities for further information;
- Food sector professionals must formulate alternative dishes, acknowledging that even a low quantity of allergen can provoke a reaction;
- They should always avoid giving misleading or wrong information.

2. Good practices through best practise examples from food sector professionals

3. Check-list of actions to be taken by food professionals:

Short term action

- Inform colleagues in purchase, production, manufacture and sales on the needs of customers with food allergies;
- Establish principles for the information of the customers and take actions in consequence (responsibilities, flow of information);
- For ready-mix products retain products of reference or gather the necessary information in form of a description of products;
- Never give misleading/false information to customers.

Medium term action:

- 'A structured purchase': presence of reference products and description forms of products to have exact information on the composition of the products;
- Inform suppliers that only will accept product with complete and correct labelling;
- Examine offers when they are established for possible alternatives for people with food allergens.

Source: <http://www.ahaswiss.ch/>

The **Swedish food sector guidelines 2005** give the following advice on food allergen management:

“The recommended method for controlling the risk of allergen contamination is through establishing a HACCP [Hazard Analysis and Critical Control Points plan is a system for identifying, evaluating and managing hazards that are critical for food safety] program. This includes evaluation of the hazards associated with every step of the entire chain, from receiving raw materials to consumption of the finished product.” It includes measures to take to avoid cross contamination. It also contains advice on training of personnel regarding food allergen management, as well as on managing risk during product development or change of recipes, cleaning, taking care of the premises, equipment and production-line control, as well as on handling the food. There is also a chapter on labelling. Finally it proposes a very complete check list for the food sector professionals, available here: <http://www.foodallergens.info/Manufac/Management/checklist.pdf>.

Source: http://www.li.se/dokument/branschfragor/Branschriktl_Allergi_Eng.pdf

The **British Food Standard Agency** issued a voluntary **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**.

It sets out a qualitative approach to risk management which is made of 4 steps:

1. *Risk assessment* – what is the risk?

2. *Risk management* – can the risk be managed?
3. *Risk communication* – how should the risk be communicated?
4. *Risk review* – has the risk changed?

It proposes 7 steps to go through to analyze whether or not precautionary labelling is necessary (see section below). It also presents the different sources of possible cross-contamination. Once a risk has been identified, it gives key principles on how to manage allergen risk. In particular detailed advices are given on:

- the training of personnel, (including raising awareness in staff about food allergen and procedures to follow);
- raw materials and supply chain management (including advice on the information to ask from the supplier, managing raw materials, the sieving/draining of allergenic products and proper storage);
- managing manufacturing premises, equipment and processes;
- cleaning;
- packaging;
- development of new products and reformulation, (avoiding allergen ingredient when possible, and steps to take if an allergenic ingredient is introduced into a recipe);
- proper labelling (precautionary labelling, allergen-free labelling).

Finally it also gives information on allergenic products and the prevalence and severity of related allergies in annex II of the EU legislation, as well as the current UK legislation regarding cross contamination, practical examples of situations where cross contamination could occur, and information on allergy testing methods.

Source: <http://www.food.gov.uk/multimedia/pdfs/maycontainguide.pdf>

Guidelines on the use of precautionary labelling

The **Swedish food sector guidelines 2005** give the following definition and guidance on the use of **precautionary labelling**.

“May contain” labelling should only be used as a last resort when the risk for contamination by each allergen in a specific production-line is:

1. Uncontrollable, i.e. the ability to ensure the entire process is considered impossible, e.g. due to manufacturing in part occurring in systems that cannot be cleaned with water;
2. Sporadic, e.g. if the allergen is detected sporadically after product changes;
3. Documented through cleaning controls, test results, or substantiated consumer reaction.

It also recommends some steps² to go through to evaluate if there is a real risk before using precautionary labelling:

² See page 17: http://www.li.se/dokument/branschfragor/Branschriktl_Allergi_Eng.pdf.

1. to check if the product is manufactured from raw materials that contain allergens, or on a production line that come in direct contact with allergenic substance;
2. to assess if it is possible to remove allergen to a non-detectable level, and to only use 'may contain' labelling as a last resort when there is still a documented risk despite having implemented all necessary measures.

In the **British Food Standard Agency's Guidance on Allergen Management and Consumer Information** there is a step by step decision tree for so-called advisory (precautionary) labelling³.

It advises to first assess risk from both intentional and unintentional presence of allergen, check if the potential allergen is in the ingredient list, or is exempt from mandatory labelling, identify the risk and the possibility to manage it, and communicate the risk through precautionary labelling only if the risk cannot be managed.

Good food allergen management practices examples

The **Swedish Asthma and Allergy Association** has a **programme called Great, an Allergic Customer! for restaurants and catering**. As part of the programme, they receive training to manage and declare allergens.

When they fulfill the criteria for best practice they can receive a certificate for good practice and 'endorsement' from the Association that people with food allergy are welcome! For example the MacDonalDs chain restaurants in Sweden are certified.

Source: <http://www.astmaoallergiforbundet.se/page.aspx?pageid=339>

In the **guide on managing allergens in food sold loose** published by the **Swiss Association "aha"** some tips and principles are given by food professionals from their own experience:

- always keeping reference products;
- working closely with their supplier to get information on products;
- organising the production line so as to avoid cross contamination;
- designate some people in the staff as responsible to reply to the demands of clients with food allergies;
- keeping recipes documented and available.

³ See page 11: <http://www.food.gov.uk/multimedia/pdfs/maycontainguide.pdf>.