

ESA POSITION STATEMENT ON ALLERGEN LABELLING
adopted at the Technical Commission in London on 2 April 2014

Version 23 July 2014

ESA member companies ensure that all foods intended for the final consumer which intentionally contain allergens and / or their derivatives are labelled in accordance with EU Regulation No.1169/2011 of 25th October 2011 on the provision of food information to consumers.

This Regulation applies to all foods intended for the final consumer, including foods delivered by mass caterers, and foods intended for supply to mass caterers” (Article 1.3) and details the responsibilities of food business operators for providing food information (Article 8).

The Regulation also lists “substances or products causing allergies or intolerances” (Annex II) and details their labelling (Article 21).

ESA Members recognize their responsibility to ensure allergen information is available to their customers to enable them to fulfil their legal obligations.

Therefore for all foods intended for the final consumer the suggested position is:

I. Allergens must be labelled where:

- Allergens are intentionally present.

II. Allergen labelling is not necessary where:

- Allergens are not intentionally present **and**
- A risk assessment has demonstrated that adventitious contamination has been minimised. Risk management systems such as GAP, GMP and HACCP should be in place to make this risk assessment.

This absence of labelling **does not** infer a guarantee that the product is free from allergens.

III. “May contain” labelling

There is no legal requirement in the Regulation to indicate possible allergen cross contamination. However, many food business operators provide this information voluntarily to indicate the possible unintentional presence of allergens.

“May contain” labelling should only be used where:

- Allergens are not intentionally present **and**
- A risk assessment has demonstrated that adventitious contamination **cannot** be minimised or consistently controlled by practicable means **and**
- An individual risk assessment of the specified allergen suggests therefore that **“May contain” labelling** would be appropriate.

IV. “Free from” labelling should only be used where:

- An absolute guarantee of the absence of allergens can be given with the exception of allergens where limits are set by legislation.

The final decision on labelling is the responsibility of ESA members in conjunction with their customers.