

18 September 2015

Food Standards Australia New Zealand  
PO Box 7186  
Canberra BC ACT 2610  
AUSTRALIA

**Re: Coeliac NZ's response to Proposal P1031: Allergen Labelling Exemptions**

Dear Sir/Madam

Coeliac NZ (CNZ) is a national not-for-profit organisation in New Zealand with over 3000 members nationwide. CNZ provide support, education and assistance to people who have been diagnosed with coeliac disease, dermatitis herpetiformis, and persons who on medical advice are required to follow a gluten free diet. It is estimated that 65,000 New Zealanders have coeliac disease.

CNZ welcome the opportunity to make this submission to *FSANZ Proposal P1031 – Allergen Labelling Exemptions*.

CNZ understands that Proposal P1031 refers to labelling of allergenic foods and is not a proposal to change gluten free labelling legislation. However, the document refers to levels of gluten and coeliac disease when proposing changes to the labelling allergen laws for glucose syrup derived from wheat which does affect our members and those with coeliac disease. When dealing with setting levels of gluten in law, allergens cannot be looked at in isolation; consideration must also be made for other severe reactions to this protein, especially coeliac disease.

Exposure to gluten may not cause an immediate 'anaphylaxis-type' reaction in those with coeliac disease, however coeliac disease is a serious condition where exposure to even the tiniest trace of gluten can result in a variety of horrific short term reactions and cause long-term chronic illness in sufferers.

Therefore, we would like to express our concerns about the proposal regarding **Glucose Syrup derived from wheat**.

**Concerns regarding the information provided in Proposal P1031:**

- i. The document talks of consultation and approval with the Allergen Bureau and 'allergy clinicians'. As coeliac disease and gluten are also a consideration of this document, CNZ would recommend consultation with gastroenterologists should also be required before any proposal of this nature is accepted by FSANZ.
- ii. It is unclear as to whether Australian manufacturers actually support the proposed limit of 10mg /kg level or not. A number of statements in the proposal make it difficult to come to a conclusion as to what levels are best for industry and the consumer:
  - a. 95% of Australian samples tested less than 3mg/kg (p5).
  - b. Current system is designed to provide <10mg/kg in 100% and <5mg/kg in 90% of samples (p9)
  - c. Filtration steps are designed to reduce gluten content to <10mg/kg (p9)
  - d. FSANZ conclude that .....10-20mg/kg is likely to present negligible risk (p9)

- iii. There is no reference to the self-regulation of gluten levels within the industry. Gluten affects the clarity and quality of the syrup. The more gluten, the cloudier (and more inferior) the syrup. Manufacturers have explained to CNZ that it is in their own business interest to keep the level of gluten as low as possible as this increases the quality of the syrup. Low quality syrup = fewer sales. As stated above – 95% are less than 3ppm but it is the quality of the syrup which drives manufacturers to keep it this low, not a regulated threshold of gluten.
- iv. The ‘birthday party scenario’ (p5) is misleading and should not be extrapolated to the whole population of ‘wheat sensitive individuals’ (which would include those with coeliac disease) as:
  - a. Not all confectionary contains glucose syrup derived from wheat
  - b. A one-off scenario is not the best way to generate a society norm
  - c. 7-16 year olds are not a true representation of the population
  - d. It should not be assumed that all confectionary containing glucose syrup derived from wheat has same % of glucose syrup and ratio of total protein to gluten.

**Concerns regarding the maximum level of gluten in glucose syrup in wheat being set at 10mg/kg:**

- v. As glucose syrup derived from wheat is a processed and packaged product, why wouldn’t laws for gluten allergen labelling be the same as laws for gluten free labelling?
- vi. The difference in Gluten Free labelling laws (i.e. FSANZ – no detectable gluten vs. CODEX  $\leq 20\text{mg/kg}$ ) is already confusing enough for manufacturers, gluten free consumers and the medical profession. To impose an additional threshold level of  $\leq 10\text{mg/kg}$  specifically for glucose syrup derived from wheat will only lead to further confusion. There must be a consistent approach across all manufactured products.
- vii. FSANZ concluded that wheat-derived glucose syrup with a gluten content of 10-20mg/kg is likely to present a negligible risk so why pick 10 as opposed to 20? There seems to be no advantage to anyone here by setting the residual gluten content at  $\leq 10\text{mg/kg}$ .
- viii. A threshold of  $\leq 10\text{mg/kg}$  is not consistent with EU labelling exemptions. CNZ believe that there should be consistency between international (as well as domestic) food standards. Inconsistency does not promote fair trade. Inconsistency simply causes unnecessary confusing for all involved.

**Conclusion**

CNZ do not recommend that the proposed *“glucose syrup made from wheat starch be exempted from mandatory allergen declaration requirements where the residual gluten content is  $\leq 10\text{mg/kg}$ ”* (p9) be accepted.

CNZ do recommend that exemption from labelling be granted to products containing glucose syrup derived from wheat, however do not support the proposed limit of 10mg/kg.

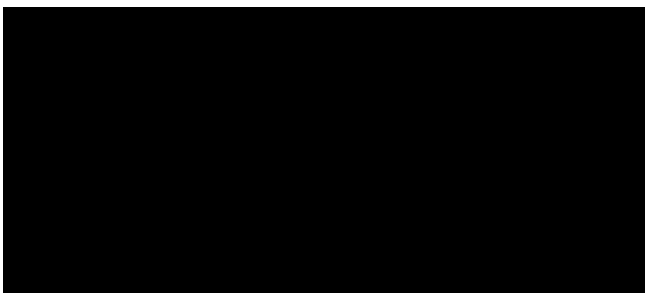
If a specified limit is required, then it should be  $\leq 20\text{mg/kg}$  in line with EU regulations.

CNZ would like to support the remainder of the proposal in regards to soybean oil and alcohol distillate.

As the voice of people with coeliac disease in New Zealand, CNZ appreciate the opportunity to make this response on behalf of CNZ members nationwide.

If you have any further questions, please do not hesitate to contact me at any time.

Kind regards



Carl Sunderland  
General Manager  
Coeliac New Zealand Inc.