

### ALLERGEN UPDATE - December 2007

The European Commission published Directive 2007/68 on 27 November which adds further allergenic ingredients to the existing requirement to mention sulphur dioxide. These will have to be shown in due course on wine labels if used during wine making. **UK food labelling regulations** originally made the inclusion of allergen labelling compulsory from 25 November 2005, in accordance with Commission Directive 2003/89 which amended the main food labelling Directive 2000/13. The Food Labelling (Amendments) (England) (No.2) Regulations 2004/2824 may be viewed on [www.opsi.gov.uk](http://www.opsi.gov.uk) (Office of Public Sector Information) website or purchased in paper form from the Stationery Office) [www.tso.co.uk](http://www.tso.co.uk) There is similar legislation for Scotland and Wales. Enforcement of this regulation lies with food authorities and enquiries should be directed to local Trading Standards.

Some allergenic ingredients were temporarily exempt from labelling after November 2005 while the European Food Safety Authority examined scientific data putting forward arguments for permanent exemption. The Panel on Dietetic Products, Nutrition and Allergies (NDA) published Opinions in August and October 2007 which will cease to exempt labelling of egg white and milk products, which may be used in fining of wine (other products are also used as fining agents and are described in Council Regulation 1493/1999 Annex IV)). However, fish products (isinglass) are now permanently exempt.

#### Descriptions

- **Contains sulphur dioxide** (or sulphites). The description applies if the finished wine contains more than 10 milligrams per litre of SO<sub>2</sub> (which most stable wines will have).
- egg and milk products *see under Timetable below*.

The descriptions may be shown on any label of a wine-sector product. For the UK market, this should be in English following the general principle of intelligibility for the final consumer. Other languages may also be shown. The European Commission published a list of languages accepted by authorities in each Member State after the initial sulphur dioxide requirement was introduced.

#### Timetable

Commission Directive 2007/68 states that products put on the market or labelled before 31 May 2009 may be marketed until stocks are exhausted i.e. the new requirements become compulsory from that date. Member States must have national legislation in place by 31 May 2008 and this is expected to have guidance about the descriptions needed for egg and milk products.

It is possible however that the industry may submit further data before the deadline date to the NDA to argue for permanent exemption for milk products. This advice will be revised if the submission is successful.

## References

### Food labelling Directives

(see <http://europa.eu.int/eur-lex/lex/en/repert/1520.htm#152020> for regulations relating to Consumers).

Wine regulations, including Council Regulation 1493/1999

see <http://europa.eu.int/eur-lex/lex/en/repert/036055.htm>

Languages permitted in each Member State

see [http://www.europa.eu.int/comm/agriculture/markets/wine/index\\_en.htm](http://www.europa.eu.int/comm/agriculture/markets/wine/index_en.htm)

European Food Safety Authority

see [http://www.efsa.eu.int/science/catindex\\_en.html](http://www.efsa.eu.int/science/catindex_en.html) for more information on the NDA and Opinions

## **Ingredients referred to in Directive 2007/68 – extracts**

3. Eggs and products thereof.

4. Fish and products thereof, except:

- (a) fish gelatine used as carrier for vitamin or carotenoid preparations;
- (b) fish gelatine or Isinglass used as fining agent in beer and wine.

7. Milk and products thereof (including lactose), except:

- (a) whey used for making distillates or ethyl alcohol of agricultural origin for spirit drinks and other alcoholic beverages;
- (b) lactitol.

12. Sulphur dioxide and sulphites at concentrations of more than 10 mg/kg or 10 mg/litre expressed as SO<sub>2</sub>.