

Anaphylaxis Canada

Helping people live with deadly allergies

November 28, 2008

Health Canada
Bureau of Chemical Safety
Food Directorate
Proposed Labelling Amendments #1220 Consultation Committee
Food Directorate, Health Product Food Branch
Email: sche-ann@hc-sc.gc.ca

Dear Committee Members,

Re: Comments on Proposed Amendments to Enhance the Labelling of Allergens, Gluten Sources and Added Sulphites

Thank you for the opportunity to participate in the consultation process currently underway regarding the proposed amendments to Canada's Food and Drug Regulations.

As you are aware, Anaphylaxis Canada has been advocating for changes to how priority allergens are labelled on food packages for several years. Accurate and understandable food labelling is a critical issue for millions of Canadians including those at risk of anaphylaxis, their families, and members of the broader communities in which they live. It is therefore vitally important that the final amendments are as effective as possible, ensuring Canadians can make informed choices when purchasing or consuming products.

We were very pleased when the federal government announced the proposed amendments on July 23 and welcome the opportunity to provide constructive feedback before final amendments are adopted. It is in this spirit of co-operation that we provide the following comments which are intended to strengthen the proposed amendments.

We remain at your disposal for clarification of this feedback or further consultation and look forward to this process moving forward.

ANAPHYLAXIS CANADA

Signed copy sent by courier

Laurie Harada
Executive Director

Comments on Proposed Amendments to Canada's Food and Drug Regulations

Our Process

Anaphylaxis Canada has endeavoured to undertake a comprehensive consultation process on the proposed regulations.

We participated in a public briefing meeting in Pembroke, Ontario with Health Canada which was attended by approximately 25 members of the community representing small business, government officials and families with food-allergic members.

For several months, either independently or jointly with Health Canada, we have garnered feedback from the following consultations:

# People	Session / Meeting
12	Moderated focus group session with Anaphylaxis Canada staff and volunteers, Toronto
15	Briefing and survey of small food manufacturing representatives from Halifax, Nova Scotia (10 surveys completed)
35	Moderated focus group with parents from the Toronto Anaphylaxis Education Group
115	Presentation and survey of representatives from Ontario food manufacturers at a conference in Guelph (70 completed surveys)
15	Presentation at the Guelph Food Technology Centre to food industry representatives
25	Moderated focus group session with parents, family members and adults with food allergies at Ottawa Anaphylaxis Support Group
153	Presentation and feedback session via webcast viewed by 95 people (live webcast) and 58 people (archived webcast) - national
370	Total

More details on the consultations and demographic composition can be found in:

Appendix A: Focus Groups Summary

Appendix B: Webcast Participant Summary

Our Feedback

- 1. Anaphylaxis Canada enthusiastically supports Health Canada's objectives of minimizing risks to food-allergic consumers while maximizing their choice of safe and nutritious foods.**

Overall, these measures should lead to greater clarity in food labelling which will benefit Canadians with food allergies. Specifically, among the proposed measures that our organization believes will have a positive impact are: common language, mandatory source declarations of common food allergens and gluten sources, requiring the declaration of allergens present in components of ingredients currently exempt from component declaration, and expanding the scope of products that must provide ingredient listings.

"These changes will aid parents of non-allergic children as well as friends and family of allergic individuals." ~ Consultation Participant

- 2. Defined tree nut names should be followed by their class names in parenthesis, e.g. almonds (tree nuts).**

It is our view that without clearly distinguishing both tree nut names and their class names on food labels, many food-allergic Canadians, particularly young people and individuals whose first language is neither English nor French, are at risk of choosing unsafe food products. As there are several different types of tree nuts, some of which may not be known as such, Anaphylaxis Canada urges the inclusion of defined tree nut names followed by class names in parenthesis.

"The species name should be followed by 'tree nut' in brackets so it is simple for consumers to recognize the presences of nuts." ~ Consultation Participant

- 3. Defined species names for fish, shellfish, and crustacea should be followed by their class names in parenthesis, e.g. halibut (fish), oysters (shellfish), shrimp (crustacea).**

We support the proposal to list the species name of fish, shellfish and crustacea to maximize choice and to maintain consistency with the way we believe tree nuts should be listed. It is also our opinion that the species names must be followed by their class names in parenthesis to provide much needed clarity to consumers. This is specifically necessary for a product group as diverse as fish, shellfish and crustacea, where many consumers may not know all of the species names. The varieties of these foods have expanded and many have unfamiliar names or are known by more than one species name, e.g. squid - calamari. The class names of shellfish and crustacea in particular have not been well defined, causing many consumers to assume they must avoid all of these products in order to stay safe.

"I can eat sole and haddock but am allergic to salmon and cod. I would like to see the individual fish to know if I can eat it." ~ Consultation Participant

4. The source *and* common name of allergens are always listed with ingredients, e.g. casein (milk), hydrolyzed soy protein, seasonings (sesame seed), or flavouring (almond).

Anaphylaxis Canada supports the inclusion of both the source and common name of allergens in ingredient listings. It is our view that the more information that can be reasonably provided to consumers the greater chances food-allergic individuals can remain safe. Otherwise, consumers are forced to contact manufacturers directly, often unsuccessfully, for further information.

5. Listing of allergen components within the ingredients of food products should be clear, consistent and mandatory. Allergens should be highlighted by boldface type.

We do not support the current proposal to provide manufacturers with an option of listing allergens and components within the ingredients **or** in a declaration statement, proposed as “Allergy and Intolerance Information Contains”. Consumers have become accustomed to reading the ingredient list on labels to determine what allergens are contained in products. The option of listing allergen components or common language terms in a declaration statement immediately following the ingredient list could cause consumers to make an erroneous assumption that all manufacturers list allergens this way. We therefore urge that the listing of allergen ingredients and their components within the ingredient list be made mandatory.

We also recommend making it even easier for consumers to spot allergens in ingredient labels by listing allergen ingredients and components in bold.

We further note that the listing of allergens in the ingredient list and the additional inclusion of a mandatory declaration statement was supported by many of the respondents in our own consultation process, particularly if a declaration statement will be mandatory for products containing sulphites greater than 10 parts per million (ppm). Should the government choose to require a declaration statement in addition to the listing of allergens and components in ingredient lists, Anaphylaxis Canada recommends shortening this statement from “Allergy and Intolerance Information Contains” to simply “Contains”.

“People should not be detracted from reading the list of ingredients.” ~ Consultation Participant

“We feel strongly that the allergens should be declared in a statement following the ingredient list. In addition a symbol would be ideal for children and adults with English as a second language.” ~ Consultation Participant

6. Greater clarity is required in determining how sulphites are recognized on food labels.

Anaphylaxis Canada supports clear identification of sulphites when present in food products. However, it is our opinion that public education on the “sulphites threshold” of 10 ppm be conducted along with further research before final decisions are made as to when to require listing of sulphites in food ingredients or when to include a declaration statement.

- 7. We support the declaration of food allergens, gluten sources or added sulphites >10 ppm in alcoholic beverages and vinegar either in a list of ingredients or in a declaration statement, e.g. Contains: barley or almond (nut).**

We believe the allergenicity of fining agents in alcoholic beverages needs to be regularly monitored.

- 8. We support the labelling of food made on premise when it is pre-packaged, e.g. goods made in bakeries, delis, etc. We further support the labelling of all pre-packaged food sold off-premise. However, further consideration is needed on the effects of rigid amendments that would expand to non-commercial facilities, e.g. home-baked goods for donation.**

While Anaphylaxis Canada supports the spirit behind measures to ensure all food products have ingredient labels, we see this particular proposal as being too far-reaching and therefore impractical in its implementation. For example, it is unrealistic to expect that home-baked goods donated to a school or church bake sale will always include a fully reliable ingredient list. Labels that are overly prone to inaccuracies could lead to increased danger for allergic individuals. We are also very concerned about the potential “backlash” from those that feel these measures to assist food-allergic individuals have “gone too far”. Therefore, we urge further discussion around the practical application of the definition of "non-commercial facilities".

“Exempt volunteers donating food for school or church fundraisers, focus on education instead.” ~ Consultation Participant

“The bottom line is it's buyer beware”. ~ Consultation Participant

- 9. The federal government must accompany final regulatory changes with a comprehensive communications and public education campaign.**

As beneficial as any final changes to food labelling rules may be for food-allergic consumers in theory, it is the practical application that will determine how much safer life will be for these consumers. This is why we strongly recommend a comprehensive communications and public education campaign to accompany enactment of the new regulations and to ensure that the new rules are well understood by Canadians. Anaphylaxis Canada would be pleased to assist in this regard.

- 10. We urge the federal government to proceed with these amendments in a timely fashion.**

While we respect the complexities associated with these proposed changes and understand that the process leading to adoption takes time, the urgency felt by those at risk of anaphylaxis or with loved ones who are, is real. Anaphylaxis Canada is prepared and willing to help expedite this process by any reasonable means.

11. We urge the federal government to move forward with clarification measures for precautionary statements on food labels.

The inconsistency and uncertainty involving precautionary statements such as “may contain” remain an important issue for many of our members and individuals with whom we consulted as part of this process. Reasonable progress on this front is highly anticipated for the near future.

“When will regulations regarding 'may contain' statements be addressed? This is the area which is most difficult for us as our daughter needs to avoid all foods that 'may contain' peanuts or tree nuts.” ~ Consultation Participant