

Allergen Bureau

An update on Allergen Bureau activities

Jasmine Lacin-Lee
Allergen Bureau Director / BVAQ
FDF member meeting 26th June 2024

A photograph of a man in a blue shirt and grey jacket standing in a supermarket aisle, looking at a product on a shelf. He is holding a smartphone in his left hand. The aisle is filled with various food products on shelves.

Informing the
food industry

Allergen Bureau

- Membership based organisation established to provide food industry with rapid responses to questions about allergen risk management in food ingredients and manufactured foods
- Established in 2005, pre-competitive, 'not-for-profit', Allergen Bureau directors provide voluntary, unpaid services

Become a member



Vision & Mission

Vision: A trusted food supply for allergen sensitive consumers around the world.

Mission: Lead the global food industry in best practice allergen management, sharing information that builds trust and transparency that supports allergen sensitive consumers to make informed choices.

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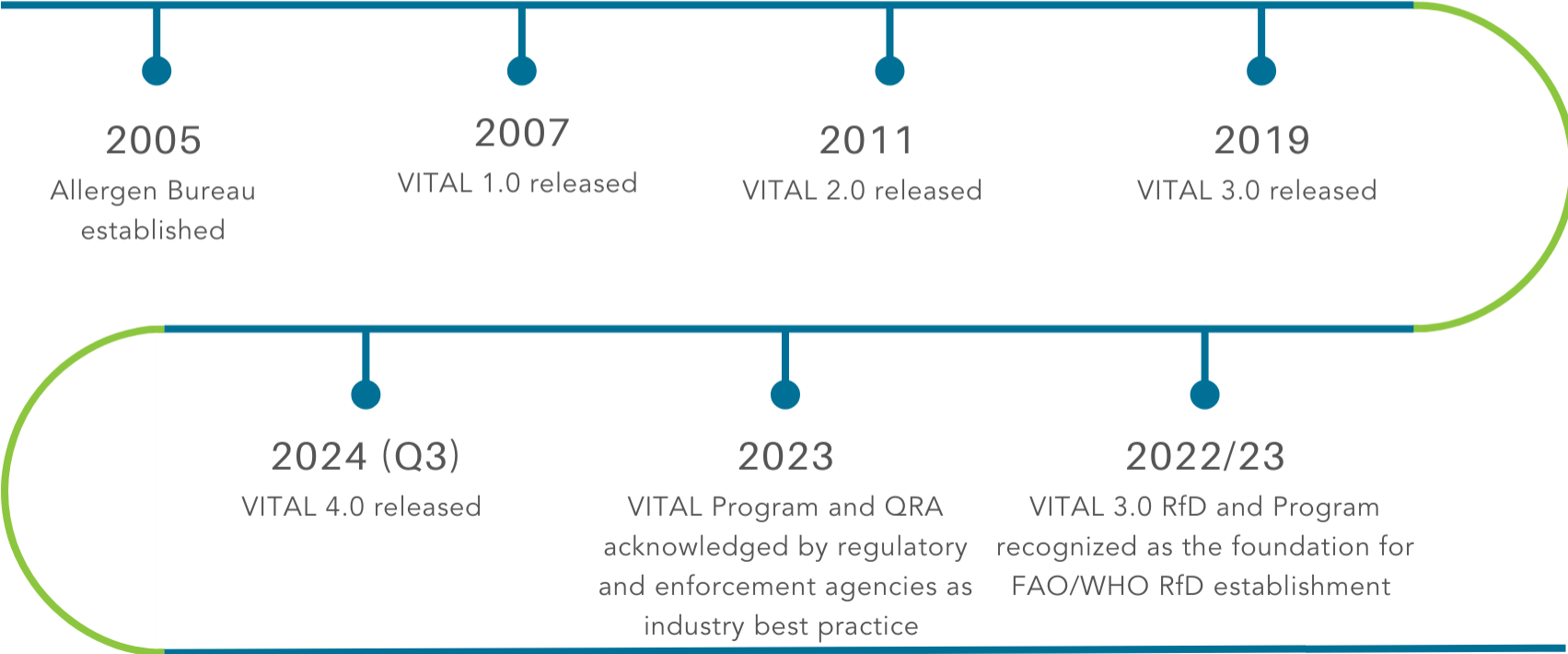


Agenda

- Update on VITAL ED05 transition
- ED05 Key messages
- Industry PAL Survey
- Consensus Statement
- The VITAL Program and due diligence



The VITAL Program Development



Global Reach and Use

- Approximately 7400 organisations have registered to use the VITAL online tool
- More the 74500 reports generated since online version available
- This does not capture the application of the VITAL Program is other ways (i.e. manual, consultants, other platforms)

TOP 3 VITAL Online regions (as at June 2024)

1. ANZ (73%)
2. Europe (14%)
3. UK (5%)

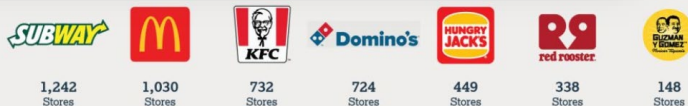


Current Allergen Bureau projects Australia/NZ

BY ALLERGEN BUREAU - SEPTEMBER 26, 2023

Would You Like To Participate In A New QSR Working Group?

Australia's Market Leaders by Store Network



FOOD ALLERGY WEEK®
ALLERGY & ANAPHYLAXIS AUSTRALIA
TOOWOOMBA AWARENESS BREAKFAST
THURSDAY 6 JUNE 2024
Join us for breakfast and a panel with food allergy experts.

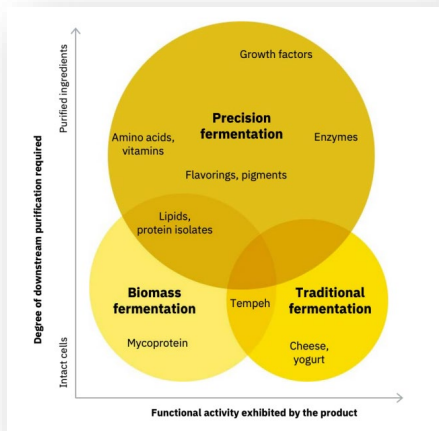
Maria Said AM
Allergy & Anaphylaxis Australia

Stewart Eddie
ASKAFOODTECH

Jasmin Lacs-Lee
Allergen Bureau

Fiona Fleming
Aust. Institute of Food Science & Technology

For details & to register visit [www.austlii.edu.au/au/other/austrlii/au/other/austrlii/au/other/allergy/](#)



Allergy & Anaphylaxis Australia

Update on Food Allergen Labelling

Wed 17th April | 8:00pm AEST | Online Webinar

Allergen Bureau

<https://www.burgessrawson.com.au/property-blog/huge-appetite-for-fast-food-assets/>
<https://allergyfacts.org.au/news-alerts/past-events/update-on-food-allergen-labelling-wednesday-17-april-2024>
<https://www.linkedin.com/company/the-australian-institute-of-food-science-and-technology/posts/?feedView=all>
<https://gfi.org/wp-content/uploads/2023/01/2022-Fermentation-State-of-the-Industry-Report-1.pdf>

Current work underway to support ED05 transition

- VITAL 4.0 Summary Guide
 - Inclusion of FAQ
- VITAL Online tool changes
 - Inclusion of ED05 (default)
 - Inclusion of NL legislation to EU legislation
 - Inclusion of ED01 to the Action level grid only
- VITAL Training
- Consensus statement updates
- PAL survey
- Stakeholder engagement (Patient advocacy groups, HCP, Government)

ED05 FAQs

- Developed based on industry and stakeholder need
- Includes
 - The science
 - How this translates to consumers
 - What the industry needs to focus on
- Developed to assist industry to be prepared for / during the transition?
- Sets a foundation for aligned messaging across stakeholders



ED05 Transition Messaging

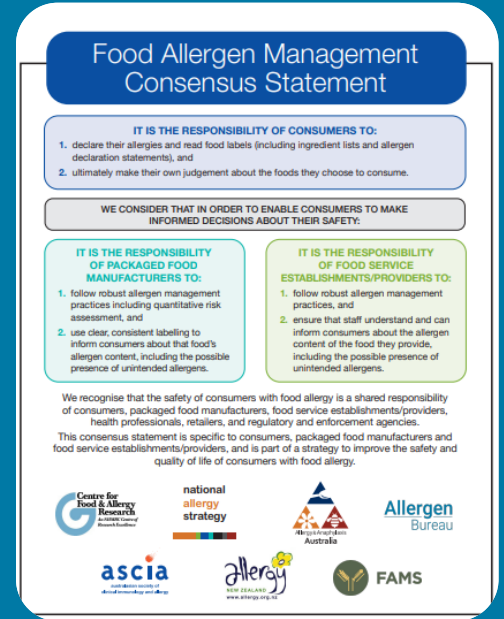
1. VITAL Philosophy remains unchanged: IDENTIFY, ELIMINATE, REDUCE, MANAGE, COMMUNICATE
2. Risk profile for businesses or products is unlikely to change
3. Businesses may experience an increase in consumer calls. Due diligence is key.
4. PAL statements must be meaningful
5. VITAL risk-based assessments have never been underpinned by a 'no risk' philosophy



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Joint Consensus Statement

- Update to include PAL, release expected Q3
- Education & Collaboration must be the focus
 - Healthcare professions (dietitians, allergy nurses, clinicians)
 - Legislators and enforcement agencies
 - Consumers and carers
- Aligned key stakeholder messaging
- Allergen Collaboration continues to work to solve the problems of SME



Food Allergen Management Consensus Statement

IT IS THE RESPONSIBILITY OF CONSUMERS TO:

1. declare their allergies and read food labels (including ingredient lists and allergen declaration statements), and
2. ultimately make their own judgement about the foods they choose to consume.

WE CONSIDER THAT IN ORDER TO ENABLE CONSUMERS TO MAKE INFORMED DECISIONS ABOUT THEIR SAFETY:

IT IS THE RESPONSIBILITY OF PACKAGED FOOD MANUFACTURERS TO:

1. follow robust allergen management practices including quantitative risk assessment, and
2. use clear, consistent labelling to inform consumers about that food's allergen content, including the possible presence of unintended allergens.

IT IS THE RESPONSIBILITY OF FOOD SERVICE ESTABLISHMENTS/PROVIDERS TO:

1. follow robust allergen management practices, and
2. ensure that staff understand and can inform consumers about the allergen content of the food they provide, including the possible presence of unintended allergens.

We recognise that the safety of consumers with food allergy is a shared responsibility of consumers, packaged food manufacturers, food service establishments/providers, health professionals, retailers, and regulatory and enforcement agencies.

This consensus statement is specific to consumers, packaged food manufacturers and food service establishments/providers, and is part of a strategy to improve the safety and quality of life of consumers with food allergy.

Centre for Food & Allergy Research
Allergy Research Australia

national allergy strategy

Allergen Bureau

ascia
Allergy Society of Australia

Allergy
NEW ZEALAND
www.allergy.org.nz

FAMS

Why do the PAL survey?

- Managing consumer expectation during the transition
- An assumption that PAL will reduce, but currently this is not based on data
 - There is no data available directly from industry on what drives current PAL
- Show case that industry commitment



Preliminary PAL survey findings

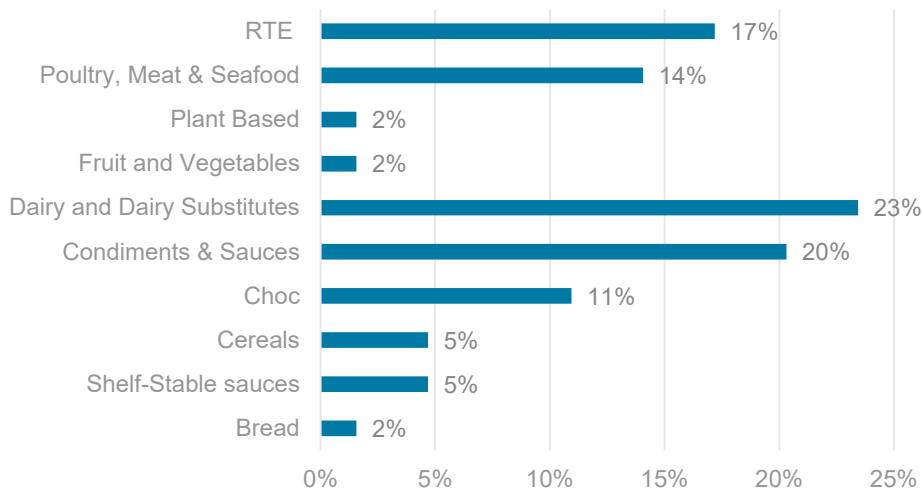
- QRA provided by companies in Australia/NZ and overseas
- More answers to qualitative questions provided than quantitative
- This supports businesses are managing allergens well, and the philosophy of the program is applied (eliminate, reduce, manage)
- Particulate cross contact appears to be mostly from ingredients NOT from the manufacturing site
- Constraints:
 - QRA already indicates PAL not required (i.e. AL1), therefore unable to participate
 - Small sample size
 - Businesses are using QRA in different ways

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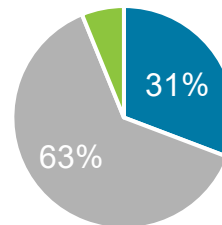


What have we seen?

Categories of the supermarket represented

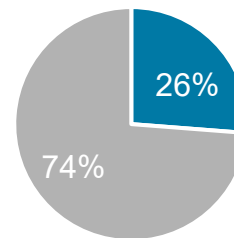


Survey Results - Drivers of PAL



■ Homogeneous x contact ■ Particulate x contact
■ Unusable

Impact of ED05 on labelling outcome



■ PAL Reduction ■ No PAL Reduction



Next Steps

- Data collection from companies is almost complete
- Expected outcomes:
 - Better understanding of labelling impact – based on data
 - Information supports education to consumers / HCP regarding PAL risk from companies using QRA
 - Assists to address particulate cross contact risk and ignoring PAL statements
- New study commenced to review the uptake of VITAL on retail products. Last conducted 2013.



Let's Talk
Legal Defense

How VITAL is Supporting Enforcement Decisions & Protecting Businesses

- Australian & NZ acknowledge a statutory due diligence in respect to breaches in the Food Standard Code
- The application of VITAL has been used to demonstrate due diligence to an enforcement agency

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Due Diligence – The Legal Terms

Defence of due diligence

- (1) the person **took all reasonable precautions and exercised all due diligence**
- (2) Without limiting a person satisfies those requirements if ..—
 - (a) ... the commission of the offence was due to—
 - (i) an act or default of another person, or
 - (ii) reliance on information supplied by another person, and
 - (b) that—
 - (i) .. carried out all such checks ... reasonable in all the circumstances, or
 - (ii) it was reasonable to rely on checks ..

Australia – all jurisdictions

Food Safety Program

- ... a person may satisfy those requirements by proving that—
- (a) the person complied with a food safety program for the food business; or
 - (b) in any other case, the person complied with a scheme (for example, a quality assurance program or an industry code of practice) that was—
 - (i) **designed to manage food safety hazards** and was based on Australian national or international standards, codes or guidelines designed for that purpose; and
 - (ii) documented in some manner.

VITAL & Due Diligence Defence

Food Authority



VITAL® – PAL due diligence

- VITAL® is a recognised system for assessing incidental allergen contamination risk.
- industry code of practice) that is **designed to manage food safety hazards** – allergens, and is a guideline designed for that purpose

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Source: Presentation by A.Edwards Food Law Conference: Navigating Regulation and Risk. Title: Rethinking HACCP, Why Label Approval and Application Should be a Critical Control Point in Food and Beverage Production (01.12.2023)

Case Study – No PAL

- A single consumer reports a reaction to a product.
- Allergy to cows milk
- The product does not contain milk, nor carries a PAL
- Dairy detected in the product at 0.19ppm
- Enforcement agency reviews the companies' procedures
- VITAL risk assessment had been conducted, outcome = no PAL required
- Levels detected were below which would have required a PAL and supported the VITAL outcome
- No action was taken against the company
- “took all reasonable precautions and exercised all due diligence to prevent the commission of the offence” (s26(1) *Food Act 2003 (NSW)*)

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Have you used VITAL?

The Allergen Bureau's VITAL (Voluntary Incidental Trace Allergen Labelling) Program is a standardised allergen risk assessment process for food industry.



vital.allergenbureau.net



Case Study - PAL

- Product does not contain milk, but carries a PAL statement
- Multiple consumer complaints across Australia, with varied levels of reactions
- Product investigated and found to be compliant
- Product was not recalled, but the distributor voluntarily withdrew the effected product
- Most concerning:
 - HCP advice that it is safe to eat products with PAL
 - Consumers ignore PAL
 - “safe” consumption = false PAL perception

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The VITAL Standard

- Released 2019
- Voluntary
- Consumer visibility
- Auditable / Internationally recognized – GFSI prerequisite
- Robust
- Product / product group specific
- Hurdles
 - Lack of industry uptake
 - Audit fatigue
 - Currently no market pull

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THANK YOU

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