

**Question for written answer E-002994/2023
to the Commission**

Rule 138

Marco Campomenosi (ID), Matteo Gazzini (ID)

Subject: Risks linked to the lack of regulation of precautionary allergen labelling in consumer information on food

The legislation governing foods labelled 'gluten-free' is a highly protective framework of standards at international and European level, ensuring safe access for coeliac people to products bearing this indication.

Nevertheless, in parallel to this, gaps remain in the rules on information for specific categories of consumers – those with allergies and intolerances¹ – about the accidental and unintentional presence of allergens in food. The wording 'may contain' does not actually feature among the required indications established by Regulation (EU) No 1169/2011. Over time, this has led to divergent guidelines on the meaning to be attributed to it and confusion among coeliac and allergic consumers, as well as among food business operators.

The gap is filled at the interpretative level by a practice that consolidates excessive use of warnings on labels by food business operators who often abuse precautionary allergen labelling (PAL), wanting to protect themselves. However, this practice is not always effective in protecting consumers because, by making the consumer responsible for assessing the risk linked to consuming foods, it increases the risk of adverse effects or nutritional deficiencies².

Can the Commission say whether it thinks there should be an extension of the labelling rules to PAL, as already provided for by Article 6 of Regulation (EU) No 1169/2011³ or, pending an agreement of the level of the Codex Alimentarius, whether guidelines should be issued to provide clarifications on the use of wording to consumers/patients and food business operators?

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¹ Coeliac consumers find out whether a food or drink is suitable for their diet by relying on the rule governing allergens, since gluten is mentioned, albeit indirectly: 'cereals containing gluten'.

² See, for example: Crevel et al., 2014 e Hattersley et al., 2014.

³ Chapter V – Article 36(3): 'The Commission shall adopt implementing acts on the application of the requirements referred to in paragraph 2 of this Article to the following voluntary food information: (a) information on the possible and unintentional presence in food of substances or products causing allergies or intolerances'.