

**Guidance on the labelling of flour which might contain mustard**

**Following a number of concerns over the potential cross-contamination presence of mustard .in some wheat coming into the UK from abroad – for example there have been three recalls in Italy of mustard being detected in pasta – we have sought guidance from the Food Standards Agency on this and the implications for labelling products containing flour. The following is the response from the FSA:**

*The labelling of allergy ingredient information falls under FIC REG 1169/2011 which requires “mustard and products thereof” be declared as allergens. The term ‘mustard’ refers to the mustard plant and other products which originate from it, such as leaves, sprouted seeds, mustard flour, table mustard, mustard oils, mustard seed oils and mustard oleoresins. The regulation does not name any particular mustard species and applies to all mustard allergens.*

*However FIC mandatory allergen labelling refers**only to ingredients and processing aids used in the production of foods, in cases where allergens are present due to cross-contamination precautionary allergen labelling (PAL), is required, which refers to voluntary food labels – such as “may contain” – used to indicate that a regulated allergen could be unintentionally present in a product, posing a risk to consumers with a food hypersensitivity.*

*In your e-mail you mention the use of “blanket alibi statements” in the UK - PAL is not legislated, but General Food Law stipulates that food labelling should not mislead consumers and that food may be deemed unsafe based on the information provided to consumers. Ultimately it is the responsibility of individual businesses to determine whether PAL is required through the carrying out a risk analysis of allergen cross-contact. If there is substantial risk of contamination that cannot be effectively mitigated this information should be passed down the supply chain so that the final supplier to the consumer can undertake a risk assessment to determine whether labelling is required.*

*Our current guidance on PAL is available at*[*https://www.food.gov.uk/business-guidance/precautionary-allergen-labelling*](https://www.food.gov.uk/business-guidance/precautionary-allergen-labelling)*. and you may wish to highlight this to your members as a helpful resource.*

*On the subject of testing for mustard allergens, our view is that ELISA test kits offer a good level of detection for the three mustard species where allergenic proteins are found (Brassica juncea, Brassica nigra and Sinapis alba).  However, studies have shown ELISA test kits to cross react with other similar Brassica species such as rapeseed (Brassica napus). Rapeseed is often used in crop rotation system usually followed by a cereal crop such as wheat. Ttherefore, cross contamination cannot be discounted. To overcome the cross-reactivity issues of ELISAs we would suggest a PCR approach to confirm presence of the 3 mustard species. The use of species-specific primers is the key to distinguish between the mustard species of interest and other similar Brassicas. The*[*published NCBI article*](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6470546/)*provides interesting information on this which you may find useful.  In addition, the efficacy and applicability of methods for testing allergens (including mustard) will be reviewed by colleagues in our Science Evidence and Research Department (SERD) in 2022, which will hopefully produce useful reference information for industry.*

*You may be aware of the Codex Alimentarius****,****a collection of internationally adopted food standards that aims to protect consumer health. The Codex Secretariat recognises that there is inconsistency in how food allergen risk from cross-contact is managed and communicated on food labels internationally and have requested that the Food and Agriculture Organization/World Health Organization convene an expert consultation to provide scientific advice on threshold levels for priority allergens. A summary report of their work was published in August 2021 (see*[*https://cdn.who.int/media/docs/default-source/food-safety/jemra/2nd-allergen-summary-report-20aug2021.pdf?sfvrsn=915a8417\_8*](https://cdn.who.int/media/docs/default-source/food-safety/jemra/2nd-allergen-summary-report-20aug2021.pdf?sfvrsn=915a8417_8)*) and the full report is due in March 2022. Though mustard isn’t classed as a priority allergen, colleagues within our Science Evidence and Research Department will review the evaluation criteria that they utilised and if the approach is assessed to be suitable, they plan to commission work to consider threshold levels for mustard, as well as other allergens that are regulated in the UK, but are not on the Codex priority list.*

*Finally, I would like to take this opportunity to mention the “may contain” consultation which is currently underway. One of the areas we are seeking views on is practices for assessing and controlling the risk of allergen cross-contact that should inform a food businesses’ labelling decision and I would encourage you and your members to take part.  The consultation portal can be found here:*[*https://www.food.gov.uk/news-alerts/consultations/precautionary-allergen-labelling-pal-the-may-contain-consultation*](https://www.food.gov.uk/news-alerts/consultations/precautionary-allergen-labelling-pal-the-may-contain-consultation)*.*