

“May Contain” Statements—

Help or Hindrance for the Allergic Consumer?

Precautionary Allergen Labeling (PAL) statements such as “May contain” are intended as a useful tool for food-allergic consumers. Their use is entirely voluntary and, when used appropriately, they can warn those with food allergies and intolerances about the possible presence of a trace amount of an ingredient, which is not declared in the ingredients list on the packaging. Allergens which cause anaphylaxis commonly elicit this type of statement where cross-contamination in the manufacturing process may be possible. For the consumer, the accuracy of these statements is critical to their particular avoidance diet. Ray Murphy from the Allergen Bureau in Australia said, “‘May contain’ statements, are a valuable risk management tool, but only when they are applied judiciously by the food industry and are understood and acted on appropriately by allergic consumers.”

Health Canada and the U.S. Food and Drug Administration (FDA) recommend the use of “May contain” but allow the use of other statements such as “Produced in a facility, which handles...” or “Made on a line which also carries...” These statements are allowed where it is reasonable, and provided they are accurate and not misleading. While “May contain” statements give allergic consumers very little information on which to base a purchasing decision, their wordier counterparts offer slightly more reassurance. “Produced in a facility...” type statements give the impression that the manufacturer is conscious of the hazard at hand and is doing everything in their power to control it.

The use of PAL statements has increased over time and exacerbating consumer frustration is that there is no accepted hierarchy of risk. While perceptions of risk between one allergic consumer and another may differ when reading PAL statements, a “May contain” statement infers an equal level of severity and risk as those pertaining to the facility or the line. Consumers with food allergies and intolerances make dynamic risk assessments every time they shop and, according to research by Allen,¹ the use of different statements appears to further confuse them. A survey by Hirst² identified more than 30 different variations of PAL statements are currently in use.

As well as checking ingredients lists and allergen information, consumers are known to draw inferences on allergen content and

base purchasing decisions on brand reputation, imagery and product name. Confusing their purchasing decision even further are variables relating to the amount of product in a given portion size and the amount of allergen required to trigger a reaction in that particular individual.

Jennifer Gerdts, executive director of Food Allergy Canada said, “Today’s system of precautionary labeling is not effective. It is leading consumers to make their own interpretation on what these statements mean. The consequences of this are two-fold, risk-taking behavior among those who decide the may contain statement is meaningless when it is not; and unnecessary restrictions on nutrition when the statement is not meaningful.”

At the present time, with the exception of gluten and sulphites, there are no defined thresholds for allergen declaration. This has led to some manufacturers placing precautionary statements on their products unnecessarily. Hirst’s survey² found that in 45 percent of products, which advised that peanuts “may” be present, peanut protein was in fact not detected. PAL statements should therefore only be used where there is a quantifiable risk of unintentional cross-contamination. Dr. Samuel Godefroy from the department of food science at Université Laval, Québec in Canada said, “It is urgent that action be taken to reassert the effectiveness of these statements, by ensuring that they are not used on food labels, unless supported by a science-based risk assessment to be conducted by industry and considering the most recent food allergen threshold information.”

PAL statements must not be used as a substitute for GMPs (good manufacturing practices) or robust PRPs (prerequisite programs). Manufacturers and brand-owners have a responsibility to their consumers to appropriately assess the risks that cross-contamination by allergens pose in their facility. In addition, adequate sanitation, swabbing and finished product testing should be undertaken to minimize the risk of allergen cross-contamination. This includes ensuring that the facility is being provided with documented assurances from their suppliers that a given ingredient is accurately labeled.

One possible solution to superfluous PAL statements is to secure allergen certification through a third-party. The Gluten-Free Certification Program (GFCP) provides

a set of rigorous operational standards for manufacturers to control gluten and is founded on a fundamental commitment to a “start clean, stay clean” approach to safe food production. Facilities certified under the GFCP must verify that their gluten-free management systems meet the requirements of the program via a third-party audit process. This means that all ingredients and final products must not contain more than 20 ppm of gluten in order to bear a GFCP trademark. Because of this, the use of PAL statements relating to gluten-containing grains or their hybrids is prohibited under the GFCP.

Using a PAL statement in combination with a third-party declaration puts at risk the reputation of the very same certification the company has worked so hard, and spent money, to attain. Worst of all, the allergic consumer is left with conflicting information, thus making their purchasing decision no easier than it was in the first place.

References:

- 1 Allen, K. J., Turner, P. J., Pawankar, R., Taylor, S., Sicherer, S., Lack, G., Rosario, N., Ebisawa, M., Wong, G., Clare Mills, E. N., Beyer, K., Fiocchi, A. and Sampson, H. A. (2014) Precautionary labelling of foods for allergen content: are we ready for a global framework? *World Allergy Organization Journal* Vol 7, No 10 [online] Available at: www.waojournal.org/content/pdf/1939-4551-7-10.pdf.
- 2 Hirst, B. (2014) Survey of Allergen Advisory Labelling and Allergen Content of UK Retail Pre-Packaged Processed Foods [online] Available at: www.food.gov.uk/sites/default/files/survey-allergen-labelling-prepacked.pdf.



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