



## ***INFORMATION***

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### **EU ALLERGENS LABELLING – EGG AND MILK PRODUCTS: SOME OPTIONS**

Further to our previous newsletter (2 of 25 May 2012) we have now received an official English translation of the EU draft legislation (see last document attached hereto), which has only clarified the position in respect of the use of pictograms to some extent. This is explained in paragraph 2(b) below. We are also glad to report that our government, together with some other countries, will again officially raise our concerns with the European Union at the 13 to 15 June 2012 Geneva meetings of the Committee on Technical Barriers to Trade (a committee of the World Trade Organisation).

Final resolution of this matter, including whether our concerns were heeded at last, will only occur once the EU has officially published this legislation in final form. At this stage, this is foreseen for the end of June 2012. Thus, the position for the time being remains:

- (a) All wine from the harvests of 2011 and before will be exempt from mandatory egg/milk allergen labelling.
- (b) Wine of the 2012 harvest, labelled before 30 June 2012, will also be exempt.
- (c) Wine of the 2012 harvest, labelled after 30 June 2012, will not be exempt.

We realise above-mentioned is an untenable position for you. In the hope that this might be of some help to you, we share below some of the options producers are implementing or contemplating in an effort to limit their damages, despite not having finality herein.

#### **1 Egg/milk allergens not present**

The presence of egg/milk allergens need not be declared on the label if the wine has tested negative for the presence of these residual allergens using a technique with a detection limit of 0.25 mg/L. If you do not use these products and can rule out any possible cross contamination, you should stay with just the sulphites statement.

#### **2 Egg/milk allergens possibly present**

To analyse for the allergens concerned will be prohibitively expensive. The consensus seems, even on the remotest of possibility that some residues might be present, to be that the lesser of the two evils will be to declare said allergens. If so, you have two options. Your choice will probably determined by the space required on your label. These options are:

##### **(a) Use words only**

As you know, the allergens statement must be preceded by “Contains”. The “Contains” need not be repeated for each allergen. For example, “Contains sulphites, egg, milk” will be sufficient. However, each EU member state may stipulate in which language(s) the allergens statement must be presented. Annexure A sets out the languages stipulated for sulphites. We trust that this will be a good point of departure for the other allergens as well. Thus, for example, if your wine is intended for Belgium, Estonia, France, Malta, Portugal, Spain and the United Kingdom you will only need the allergens statement in English. If however, your markets are Denmark, Finland,

Germany, The Netherlands and the United Kingdom your allergens statement will have to be as follows:

*Innehåller sulfiter, ägg, mjölk / Sisältää, sulfiitteja, muna, maito / Enthält Sulfite, Ei, Milch / Bevat sulfieten, ei, melk / Contains sulphites, egg, milk*

Obviously, the more languages the more space required. The pictogram option below then may be viable. The risk with using words only at this uncertain stage is that some EU member states may require other languages for milk/egg than for sulphites. Also, the translations for “egg” and “milk” (See Annexure B) are not official translations, but you should be able to ascertain correctness with your importers.

**(b) Use one language with a pictogram**

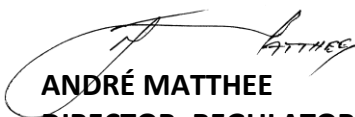
It seems from the official English translation of the draft legislation that you need to use words in one language only if accompanied by a pictogram. For example, if you export to any or all EU countries you need only the following:

*Contains sulphites, egg, milk*



Size requirements are not prescribed – neither for the words, nor the pictogram. However, as for all mandatory items, they must be presented in indelible characters and must be legible and clearly distinguishable from surrounding text or graphics. The eggs and/or milk carton with glass of milk pictures can be left out as is applicable.

We trust above-mentioned will be of help. Updates will be provided as soon as information comes to light.

  
**ANDRÉ MATTHEE**

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WINE OF ORIGIN (WO) · INTEGRATED PRODUCTION OF WINE (IPW) · ESTATE BRANDY

**LANGUAGES STIPULATED BY THE EU STATES FOR THE ALLERGENS STATEMENT**

<b>Member State</b>	<b>Language(s)</b>	<b>Competent Authority</b>
Austria	German	Bundesministerium für Land- und Forstwirtschaft, Stubenring 12 – 1010 Wien Tel.: +431 71100 2840 – Fax: +431 71100 2725
Belgium	Dutch or French or German or English	Ministère Santé Publique – Tel.: +32 2 5247371, Ministère Economie – Tel.: +32 2 2777481
Bulgaria	Bulgarian	Executive Agency on vine and wine, 125, Tsarigradsko chaussee, blvd, bl.1, 1113 Sofia, Bulgaria tel: +359 2 9708 111 fax: +359 2 9708 122
Cyprus	Greek	Wine Products Council, P.O. Box 71011 – 3840 Limassol, Tel.: +357 25892892 – Fax: +357 25819305 e-mail: <a href="mailto:cwpc@wpc.org.cy">cwpc@wpc.org.cy</a>
Czech Republic	Czech	Ministerstvo zemědělství České republiky, oddělení pro víno, Tel.: +420 221812 332 e-mail: <a href="mailto:heimlich@mze.cz">heimlich@mze.cz</a>
Denmark	Danish or Swedish	Danish Veterinary and Food Administration, Mørkhøj Bygade 19 – 2860 Søborg Tel.: +45 33 95 60 00 e-mail: <a href="mailto:fa04@fvst.dk">fa04@fvst.dk</a>
Estonia	Any EU language	Ministry of Agriculture, Tel.: +372 6256 512
Finland	Finnish <u>and</u> Swedish (Swedish can be replaced by Danish or Norwegian)	National Product Control Agency for Welfare and Health, Säästöpankinranta 2 A – 00531 Helsinki Tel.: +358 9 3967 2761 – e-mail: <a href="mailto:satu.pekkarinen@sttv.fi">satu.pekkarinen@sttv.fi</a>
France	French or English	Ministère de l'Economie, Bureau D2, Teledoc 251, Boulevard Vincent Auriol n° 59, 75703 Paris Cedex 13, Tél. +33(0)144972907 – Fax +33(0)144973039, e-mail: <a href="mailto:d2@dgccrf.finances.gouv.fr">d2@dgccrf.finances.gouv.fr</a>
Germany	German	Referat für Wein, Marktangelegenheiten bei Hopfen, Bier, Mineralwasser und Erfrischungsgetränken Rochusstraße 1 _ 53123 Bonn, Tel: +49 228 529 3402 – Fax: +49 228 529 3375
Greece	Greek	Ministry of Agriculture, Tel. +30 210 2124173 e-mail: <a href="mailto:ax2u043@minagric.gr">ax2u043@minagric.gr</a>
Hungary	Hungarian	National Institute for Wine Qualification, Bem József tér 2 – 1027 Budapest, Fax: 0036 1 2124978
Ireland	English	Food Division, Department of Agriculture and Food, Kildare Street, Dublin 2, Tel: +353 1 6072303
Italy	Italian	Ministero Attività Produttive, Tel.: +39 06 47887729 – Fax: +39 06 47887797 e-mail: <a href="mailto:giuseppe.degiovanni@minindustria.it">giuseppe.degiovanni@minindustria.it</a>
Latvia	Latvian	Ministry of Economics – Department of Internal Market, Consumer Rights Protection Division, Brivibas str. 55, Riga, LV – 1519, Tel.: +37 1 7013101 e-mail: <a href="mailto:pasts@em.gov.lv">pasts@em.gov.lv</a>
Lithuania	Lithuanian	Ministry of Agriculture, Gedimino av. 19 – 01103 Vilnius, Fax: +370 5 2391212 e-mail: <a href="mailto:zum@zum.lt">zum@zum.lt</a>
Luxembourg	French or German or Luxembourgian	Institut Vitivinicole, B.P. 50 – 5501 Remich, Tel.: +35 2 236121
Malta	Maltese or English or Italian	Ministry for Rural Affairs and the Environment, Valletta e-mail: <a href="mailto:randall.caruana@gov.mt">randall.caruana@gov.mt</a> , tel.: 00356 25904151 fax: 00356 25904225
Poland	Polish	Wydział Kontroli Jakości Handlowej Artykułów Rolno-Spożywczych i Środków Produkcji tel.: +48 22 6232915, e-mail: <a href="mailto:dbalinska@ijhars.gov.pl">dbalinska@ijhars.gov.pl</a>

<b>Member State</b>	<b>Language(s)</b>	<b>Competent Authority</b>
Portugal	Portuguese or English or French or Spanish	Instituto da Vinha do Vinho, Rua Mouzinho da Silveira n° 5 – 1250 165 Lisboa Tel.: +351 213 506 710 – Fax: +351 213 534 820, e-mail: <a href="mailto:presidencia@ivv.min-agricultura.pt">presidencia@ivv.min-agricultura.pt</a>
Romania	Romanian	Ministry of Agriculture and Rural Development, State Inspection for Vine and Wine Technical Control
Slovakia	Slovak	Ministry of Agriculture, Dobrovičova 12 – 81266 Bratislava, e-mail: <a href="mailto:adriana.varinska@land.gov.sk">adriana.varinska@land.gov.sk</a>
Slovenia	Slovenian	Ministrstvo za Kmetijstvo, Dunajska 58 – 1000 Ljubljana Tel.: ++386 1 478 9000, Fax.:++386 1 478 9021, e-mail: <a href="mailto:gp.mkgp@gov.si">gp.mkgp@gov.si</a>
Spain	Spanish or English or French or Italian or Portuguese	Ministerio de Sanidad y Consumo, Paseo del Prado, 18-20., E-28071 – Madrid Tel. +34 91 596 10 00
Sweden	Swedish or English	National Food Administration, Box 622 – 75126 Uppsala, Tel.: 018-175593, e-mail: <a href="mailto:amoa@slv.se">amoa@slv.se</a>
The Netherlands	Dutch	Voedsel-en Warenautoriteit (VWA), CentreCourt – Prinses Beatrixlaan 2 – 2595 AL Den Haag Telefoon (070) 448 48 48 – Fax (070) 448 47 47, e-mail: <a href="mailto:info@vwa.nl">info@vwa.nl</a>
United Kingdom	English	Food Standards Agency, Room 115, Aviation House, 125 Kingsway, London Phone: +44 (0) 207 276 8192, e-mail: <a href="mailto:theresa.ekong@foodstandards.gsi.gov.uk">theresa.ekong@foodstandards.gsi.gov.uk</a>

**ANNEXURE B**

<b>Authorised languages</b>	<b>Translations</b>			
	<b>Contains</b>	<b>sulphites</b>	<b>egg</b>	<b>milk</b>
Bulgarian	Съдържа	сулфити	яйце	мляко
Czech	Obsahuje	siřičitany	vejce	mléko
Danish	Indeholder	sulfitter	æg	mælk
Dutch	Bevat	sulfieten	ei	melk
English	Contains	sulphites	egg	milk
Estonian	Sisaldab	sulfitid	muna	piim
Finnish	Sisältää	sulfiitteja	muna	maito
French	Contient	sulfites	œuf	lait
German	Enthält	Sulfite	Ei	Milch
Greek	Περιέχει	θειώδη	αυγό	γάλα
Hungarian	Tartalmaz	szulfitok	tojás	tej
Italian	Contiene	solfiti	uovo	latte
Latvian	Satur	sulfiti	ola	piens
Lithuanian	Sudėtyje	sulfitai	kiaušinis	pieno
Maltese	Fih	sulfiti	bajd	ħalib
Norwegian	Inneholder	sulfitter	egg	melk
Polish	Zawiera	siarczyny	jajko	mleko
Portuguese	Contém	sulfitos	ovo	leite
Romanian	Conține	sulfiți	ou	lapte
Slovak	Obsahuje	siričitany	vajcia	mlieko
Slovenian	Vsebuje	sulfiti	jajce	mleko
Spanish	Contiene	sulfitos	huevo	leche
Swedish	Innehåller	sulfiter	ägg	mjölk



EUROPEAN COMMISSION

Brussels, XXX  
[...] (2011) XXX projet

**COMMISSION IMPLEMENTING REGULATION (EU) No .../..**

**of XXX**

**amending Regulation (EC) No 607/2009 laying down certain detailed rules for the implementation of Council Regulation (EC) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products**

**COMMISSION IMPLEMENTING REGULATION (EU) No .../..**

**of XXX**

**amending Regulation (EC) No 607/2009 laying down certain detailed rules for the implementation of Council Regulation (EC) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products ('Single CMO' Regulation)<sup>1</sup>, and in particular Article 121, first paragraph, point (m), in conjunction with Article 4 thereof,

Having regard to Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs<sup>2</sup> and in particular point (a) in the second subparagraph of Article 6(3a) thereof,

Whereas:

- (1) For beverages containing more than 1.2% by volume of alcohol, the first subparagraph of Article 6(3a) of Directive 2000/13/EC provides for the obligation to label all ingredients defined in paragraph 4(a) of that Article and listed in Annex IIIa to that Directive.
- (2) The exemption from this obligation as regards wines, within the meaning of Annex XIb to Regulation (EC) No 1234/2007, placed on the market or labelled before 30 June 2012 until stocks are exhausted, as provided for in Commission Directive 2007/68/EC<sup>3</sup>, as amended by Regulation (EU) No 1266/2010<sup>4</sup>, shall no longer apply as from 30 June 2012.
- (3) It is therefore necessary to establish detailed rules for labelling these beverages, including a mention of the substances referred to in Annex IIIa to Directive 2000/13/EC and used when making the beverages, if their presence can be detected in the final product using the analysis methods referred to in Article 120(g) of Regulation (EC) No 1234/2007 and if they consequently must be considered ingredients within the meaning of Article 6(4)(a) of Directive 2000/13/EC.

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<sup>1</sup> OJ L 299, 16.11.2007, p. 1.

<sup>2</sup> OJ L 109, 6.5.2000, p. 29.

<sup>3</sup> OJ L 310, 28.11.2007, p. 11.

<sup>4</sup> OJ L 347, 31.12.2010, p. 27.

- (4) In a multilingual context, labelling products using pictograms may improve the readability of the information provided to consumers and offer better guarantees for consumers. Therefore operators should be given the possibility of complementing written information with pictograms.
- (5) Regulation (EC) No 607/2009 should therefore be amended accordingly.
- (6) In order to prevent the new rules from affecting the marketing of products that are already labelled, it should be specified that they apply only to wines made completely or partially from grapes harvested in 2012 or later and labelled after 30 June 2012.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

Regulation (EC) No 607/2009 is amended as follows:

- 1) Article 51 is replaced by the following:

#### *'Article 51*

#### **Application of certain horizontal rules**

1. For the purposes of indicating the ingredients as referred to in Article 6(3a) of Directive 2000/13/EC, the following terms may be used:
    - a) for sulphites, the terms 'sulphites', 'sulfites', 'sulphur dioxide' or 'sulfur dioxide',
    - b) for milk and milk-based products, the terms 'milk', 'milk products', 'milk casein' or 'milk protein',
    - c) for eggs and egg-based products, the terms 'egg', 'egg protein', 'egg product', 'egg lysozyme' or 'egg albumin'.
  2. The terms referred to in paragraph 1 may be accompanied, as applicable, by one of the pictograms shown in Annex X.'
- 2) Annex X is replaced by the contents of the Annex to this Regulation.

#### *Article 2*

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

It is applicable, as regards the ingredients referred to in points (b) and (c) in the second subparagraph of Article 51(1) of Regulation (EC) No 607/2009, as amended by this



Regulation, to the wines referred to in Annex XIIb to Regulation (EC) No 1234/2007, made completely or partially from grapes harvested in 2012 or later and labelled after 30 June 2012.

Done at Brussels,

*For the Commission  
The President  
José Manuel Barroso*

