



Ministry of Health, Welfare and Sport

The Dutch experience

in implementing the FAO/WHO food allergen reference doses and guidance

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Content

- History of food allergens
- Starting point of national discussion
- New national policy rule
- From January 2026 onwards
- What's next?

Disclaimer!!

The Netherlands is part of the European Union, but
The Dutch policy rule is not the opinion of the EU



History of food allergens (EU)

- Before 2005: no specific regulation on allergens
- Since 2005: several allergens (12, later on 14) need to be labelled in the list of ingredients
- Since 2016: allergens should be prominently labelled in the list of ingredients. In addition, regulation on PAL still needs to be drafted



History of food allergens (NL)

- Zero tolerance; presence of an allergen not listed in the ingredients list or not labelled with 'contains' is harmful, regardless the quantity
- Reference values established on a national level based upon BuRO publication
- No (legal) value to PAL-warnings, several warnings can be used including '*may contain*' and '*produced in a factory where ...*'
- Court case 2022; establish a clear policy with new, up-to-date reference values



Starting point of national discussion

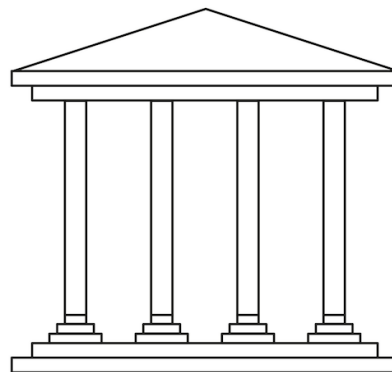
- Court case in 2022
- Working group including enforcement (NVWA), science (BuRO), industry and patient organisations
- FAO/WHO scientific publications
- Codex discussion in mind



New national policy rule

Based on 4 pillars:

- 1) FAO/WHO publications
- 2) Preventing cross-contamination through good preventive measures
- 3) Risk assessment
- 4) Agreement on PAL (*mandatory or forbidden*)



1) FAO/WHO publications

CODEX ALIMENTARIUS
INTERNATIONAL FOOD STANDARDS



Food and Agriculture
Organization of
the United Nations



World Health
Organization

E-mail: codex@fao.org - www.codexalimentarius.org

**CODE OF PRACTICE ON FOOD ALLERGEN MANAGEMENT
FOR FOOD BUSINESS OPERATORS**
CXC 80-2020

Adopted in 2020.

Guidance on Food Allergen Management
for Food Manufacturers
Version 2

March 2022



2) Preventing cross-contamination through good preventive measures

Has the company taken sufficient measures to prevent cross-contamination with allergens?

- Knowledge of supplier, raw materials and ingredients
- Separation during storage
- Separation during production (different factory, different space, different line, separation in time)
- Hygiene and cleaning
- Training/education

➔ **Implementation of Regulation 852/2004 (Annex II, Chapter IX, point 9)**

Richtlijnen kruisbesmetting allergenen

FNLI – CBL – NVWA – versie april 2024

Inleiding

Sinds aanpassing⁽¹⁾ van de Verordening (EG) Nr. 852/2004 inzake levensmiddelenhygiëne in 2021 gelden nadere eisen om schoon te maken na het verwerken van allergenen. De Europese Commissie heeft met de publicatie van een Mededeling⁽²⁾ in 2022 deze wetgeving toegelicht. Hierin is aangegeven dat de wetgeving een inspanningsverplichting behelst om kruisbesmetting te voorkomen en dat preventie van kruisbesmetting in alle gevallen de eerste stap is waar voedingsmiddelenbedrijven aan moeten werken. Als blijkt dat er daarna nog steeds daadwerkelijke risico's bestaan voor de consument, is etikettering uit voorzorg belangrijk.



3) Risk assessment

- Risk assessment can only be implemented after preventive measures have been sufficiently and correctly implemented
- No theoretical approach 'there is a chance ..'
- Proven approach, substantiated presence through cross-contamination (e.g. through analyses)

Cross-contamination still occurs after implementing / applying preventive measures?

1] Allergen amount that can end up in the food through cross-contamination will not exceed the reference values
(no exceedance demonstrated with substantiation)

2] Allergen amount that can end up in the food through cross-contamination will be able to exceed the reference values
(exceedance demonstrated with substantiation)

4) Agreement on PAL (*mandatory or forbidden*)

- Reference values are NOT exceeded → NO PAL / prohibition
- Reference values CAN BE exceeded → PAL / obligation

Allowed labelling:

- 'Kan xxx bevatten' / 'May contain xxx'
- 'Niet geschikt voor xxx' / 'Not suitable for xxx'





From January 2026 onwards

- Allergic consumers can make the right and safe choice
- No unnecessary warning on safe food
- No unsafe food without a warning
- PAL has a (legal) meaning
- Clear and unambiguous communication



What's next?

- Set up of campaigns
- Finalisation of Q&A
- Follow-up of Codex discussion
- Push for EU Regulation
- Formal evaluation after 6 months
- Discussion on non-prepacked food products (catering)

Questions? 😊

Thank you