

## Identification of substances or products causing allergies or intolerances, for unpackaged food

Allergens in foodstuffs must be avoided by those who have a particular food allergy. A reaction may be induced in allergy-sufferers even with the slightest trace of allergens, which is why manufacturers and suppliers must identify whether their foodstuffs contain allergens.

This information sheet serves to provide information on the requirements of identifying substances causing allergies/intolerances when sold loose. Further regulations on identification not specified within this information sheet must also be complied with. A food business operator remains obliged to conduct comprehensive checks and assessments on the basis of current legislation and to comply with the relevant guidelines, from which other requirements may arise in individual cases. They bear main responsibility for producing and supplying safe food and are responsible for ensuring compliance with the requirements in place.

### 1) How to identify unpackaged foodstuffs

Within the meaning of this regulation, unpackaged foodstuffs refer to:

- Food offered for sale to end consumers or communal catering operators<sup>(\*)</sup> without pre-packaging
- Food packaged at the point of sale upon the request of the end consumer
- Food packaged directly prior to sale and not offered for self-service.

Unpackaged foodstuffs may only be supplied to end consumers or catering operators if the substances or products stated under 2) are clearly and legibly marked. The substances and products which induce allergies or intolerances are to be identified in such a way that end consumers or catering operators can take note of their presence prior to purchasing and disbursement.

Identification can take place in the following ways:

1. On a sign on the foodstuff or in the vicinity
2. By the catering operator on food and drink menus or in price lists - identification must be provided in easily understandable headers or footers if there is clear and direct reference thereto in the designation of the foodstuff
3. Using a poster in the sales area
4. Through other written information or electronic information provided by the food manufacturer which is to be made directly available to the end consumer and catering operators prior to disbursement of the food and reference thereto must be made alongside the foodstuff or on a poster.

Deviations are permitted - via verbally providing information by a trained employee by no later than the disbursement of the food, if:

- Upon request by the end consumer, information is promptly provided prior to completing the sale and disbursing the food

- The manufacturer has written records to hand concerning the ingredients or processing aids used in the respective foodstuff
- The written records intended for the competent authority are readily accessible and can be made available to end consumers upon request.

## 2) Substances or products causing allergies or intolerances

- A) **Cereals containing gluten**, namely: wheat (such as spelt and Khorasan wheat), rye, barley, oats or their hybridised strains, and products thereof. This does not include glucose syrups based on wheat, including dextrose, wheat-based maltodextrins, glucose syrups based on barley, and cereals used for making alcoholic distillates including ethyl alcohol of agricultural origin
- B) **Crustaceans** and products thereof
- C) **Eggs** and products thereof
- D) **Fish** and products thereof, excluding fish gelatine, which is used as a carrier substance for vitamin and carotenoid preparations, and fish gelatine or Isinglass used as fining agent in beer and wine
- E) **Peanuts** and products thereof
- F) **Soy beans** and products thereof. This does not include fully refined soy bean oil and fat, naturally mixed tocopherols (E306), natural D-alpha tocopherols, natural D-alpha tocopherol acetate, natural D-alpha tocopherol succinate from soybean sources, phytosterols derived from vegetable oils, phytosterol esters derived from soybean sources, phytostanol esters derived from plant sterols from soy bean sources
- G) **Milk** and products thereof (including lactose), not including whey used for making alcoholic distillates including ethyl alcohol of agricultural origin, as well as lactitol
- H) **Nuts**, especially almonds, hazelnuts, walnuts, cashews, pecans, brazil nuts, pistachios, macadamia or Queensland nuts and products thereof; this excludes nuts used for making alcoholic distillates including ethyl alcohol of agricultural origin
- I) **Celery** and products thereof
- J) **Mustard** and products thereof
- K) **Sesame seeds** and products thereof
- L) **Sulphur dioxide** and sulphites in concentrations more than 10 mg/kg, or 10 mg/l of total SO<sub>2</sub> present in the ready-to-consume products or in the products attributable to the foodstuff in its original condition in accordance with the instructions of the manufacturer
- M) **Lupins** and products thereof
- N) **Molluscs** and products thereof

The information provided above is based on

- Regulation (EC) No. 1169/2011
- and its predecessor, the foodstuff information and amendment regulation – VorILMIEV

\* Fixed/installed or mobile stands, restaurants, canteens, schools, hospitals or catering firms whose commercial activities involve the preparation of foodstuffs for direct consumption by end consumers.

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Sprechzeiten nach Vereinbarung