



FEDERATION OF EUROPEAN FOOD ADDITIVES  
AND FOOD ENZYMES INDUSTRIES

ELC Secretariat  
Avenue des Gaulois 9  
B-1040 Brussels  
Tel. 32-2-736.53.54  
Fax 32-2-732.34.27

Mr P Deboyser  
Head of Unit  
D4: Food Law & Biotechnology  
DG Sanco  
Brussels

Brussels, 7 July 2004

**Re: Directive 2003/89/EC (allergy labelling)**

Dear Mr Deboyser,

I am writing to you concerning the application of Directive 2003/89/EC of 10 November 2003, amending Directive 2003/13/EC as regards indication of the ingredients present in foodstuffs.

ELC is the Federation which represents food additive and enzyme manufacturers in the EU.

We met again at the Food Law Conference last week in Brussels and discussed the possibilities of notifications to the Commission before 25 August 2004 of the studies currently being conducted to establish whether ingredients or substances derived from ingredients listed in Annex III are not likely to trigger adverse reactions. I informed you about the food additives which are derived from raw materials such as wheat glucose syrup and refined soy oil for which studies are being conducted and have been or will be notified to the Commission. Provided that these raw materials for food additives are not considered allergenic, they will be excluded from Annex IIIa, pending the final results of the notified studies.

You seemed to agree with ELC's views that if these raw materials will be excluded from Annex IIIa, downstream uses of these raw materials in the production of food additives should consequently also be excluded.

Assuming that the raw materials we are referring to will be deleted from Annex IIIa, ELC would like to ensure that the wording of any amendment to Annex IIIa is carefully reviewed so that downstream products are not inadvertently included in the phrase of 'products thereof'. In order to avoid this problem we would propose a wording for the list that the Commission will adopt such as the following:

“Cereals containing gluten and products thereof, with the exception of  
- wheat glucose syrup **and products thereof**”

- .....
- .....

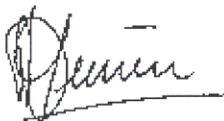
“Soybeans and products thereof, with the exception of

- refined soybean oil **and products thereof**”
- .....

Although this letter may be premature because the review in EFSA of the raw materials has only just begun, we would like to ensure that the Commission is fully aware of ELC’s position prior to the deadline of 25 August 2004.

We would very much appreciate if you could confirm that the derived products such as food additives can be treated in this way.

Yours sincerely,



Dionne Heijnen  
Secretary General ELC

Cc J. Humières, Unit D4 - DG Sanco