Allergen labelling of certain emulsifiers from mustard seed

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EU removes allergen labelling for emulsifiers E 470a, E 471, and E 477 from mustard

Commission Delegated Regulation (EU) 2024/2512 of 17 April 2024 amending Annex II to Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, as regards behenic acid from mustard seeds to be used in the manufacturing of certain emulsifiers

Update

Foods from mustard seeds sold in the EU must be labelled for allergens. The EU has introduced an exception for emulsifiers E 470a, E 471, and E 477 produced from behenic acid derived from mustard seed. Foods containing these emulsifiers will not require allergen labelling as they do not trigger an allergic reaction.

Impacted products

Mustard seeds, food

What is changing?

Mustard (and its derived products) is considered by the EU as an allergen (Annex II of Regulation 1169/2011) and therefore requires allergen labelling. The EU has introduced an exception for the following mustard seed product:

behenic acid from mustard seed with a minimum of 85% of purity and obtained after two distillation steps used in the manufacturing of the emulsifiers E 470a, E 471, and E 477.

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Why?

The European Food Safety Authority (EFSA) evaluated the risk of allergies associated with E 470a (sodium, potassium, and calcium salts of fatty acids), E 471 (mono- and diglycerides of fatty acids), and E 477 (propane-1,2-diol esters of fatty acids). It concluded that it is extremely unlikely that consumption of these emulsifiers would trigger an allergic reaction in mustard-allergic individuals under the proposed conditions of use (EFSA 2023).

Timeline

The new rules apply from **15 October 2024**.

Foods placed on the market or labelled before 1 April 2025 with allergen labelling included for E 470a, E 471, and E 477 can be sold until the stocks are exhausted.

What are the major implications for exporting countries?

Exporters of food products containing the emulsifiers E 470a, E 471, and E 477 no longer need to label products for mustard seed allergies.

Recommended Actions

Exporters of food products containing the emulsifiers E 470a, E 471, and E 477 (but no other mustard seed products) should amend labelling to remove reference to mustard seed allergies.

Background

Annex II to Regulation 1169/2011 includes the EU list of food allergens. To ensure better information for consumers, and to take account of the most recent scientific knowledge, Art. 21(2) of this Regulation requires the Commission to systemically re-examine and, where necessary, to add or remove substances.

Resources

Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers.

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EFSA (2023) Re■evaluation of behenic acid from mustard seeds to be used in the manufacturing of certain emulsifiers pursuant to Article 21(2) of Regulation (EU) No 1169/2011 – for permanent exemption from labelling. EFSA Journal, 21(9): e08240.

Sources

Regulation (EU) 2024/2512 on the provision of food information to consumers, as regards behenic acid from mustard seeds to be used in the manufacturing of certain emulsifiers

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