

Van: [redacted]@minvws.nl>
Verzonden: maandag 6 april 2020 17:49
Aan: [redacted]
CC: [redacted]
Onderwerp: FW: Declaration of mustard(seed) as allergen

Hoi [redacted]
 De ambtenaar van de Commissie heeft geantwoord op de vraag over mosterd.
 Mosterd moet dus beperkt worden tot ondergenoemde benamingen.
 Is dit antwoord voor jou afdoende?
 Groeten,
 [redacted]

Van: [redacted]
Verzonden: maandag 6 april 2020 17:45
Aan: [redacted]
Onderwerp: FW: Declaration of mustard(seed) as allergen
 Hi [redacted]
 Kunnen jullie dit bespreken met [redacted]?
 Groetjes!

Verzonden met BlackBerry Work
 (www.blackberry.com)

Van: [redacted]@ec.europa.eu <[redacted]@ec.europa.eu>

Datum: maandag 06 apr. 2020 5:36 PM

Aan: [redacted]@minvws.nl>

Onderwerp: RE: Declaration of mustard(seed) as allergen

Dear [redacted],

I am sorry for my late reply due to the current urgency that DG SANTE has to deal with.

I would like to stress that the assessment of the question you have raised should be based on the relevant EFSA opinion on the substance (as revised in 2014 <https://www.efsa.europa.eu/en/efsajournal/pub/3894>) Please note that, as a rule, it is not the role of the Commission to provide advice on how to label individual products. Food business operators are responsible to ensure compliance of their products with the applicable legislation. This is a series of practical questions that you may consider, and we also suggest, to ask for the opinion of the national competent authorities where these products will be marketed which are responsible for the enforcement and the application of Regulation (EU) No 1169/2011 on the provision of food information to consumers.

From my side I would like to observe that point 10 of Annex II to Regulation (EU) No 1169/2011 is not refereeing to a Latin name of mustard. Therefore, I had again a careful look at the above-mentioned EFSA opinion. Whereas it is stated here that mustard represents *Brassicaceae* family and cases of crossreactivity with other Brassica species were detected, at the same time it can be concluded that main species of mustard plant causing allergic reaction are Brassica juncea, Brassica nigra and Sinapis alba. Therefore, I would like to rectify my previous position on the matter and as a rule, limit the labelling of allergens as far as mustard is concerned to these mustard plants.

But as mentioned above, I kindly recommend you to contact the competent national authorities of the Member State where your members intend to market their products. I know that the problem of absence of scientific name was already raised by some Member States and the Commission has noted this lack of precision for the purpose of any future.

Best regards and stay safe in this difficult times

From: [redacted]@minvws.nl>

Sent: Monday, March 9, 2020 3:41 PM

To: [REDACTED] <[REDACTED]@ec.europa.eu>

Cc: [REDACTED] <[REDACTED]@ec.europa.eu>; [REDACTED]

[REDACTED] <[REDACTED]@ec.europa.eu>

Subject: RE: Declaration of mustard(seed) as allergen

Dear [REDACTED]

Based on your explanation below on the declaration of mustard(seed), another question was raised by our national food safety authority.

The initial questions were: What do we see as mustard? | What do we see as mustard plant? | Belongs *Sinapis arvensis* to the scope of the allergen mustard?

The answer on these questions was: mustard is to be understood as all types and parts of plants belonging to *Brassicaceae* family. Therefore, *Sinapis arvensis* is also covered by the term mustard.

However, the *Brassicaceae* family is big and also contains plants which are no allergens (e.g. cauliflower and broccoli | <https://en.wikipedia.org/wiki/Brassicaceae>).

Therefore the question: how should this be managed? Some uncertainty was raised whether by this answer also cabbages should be declared as allergen.

We don't think so, but how should this be interpreted and communicated to our (branch) organisations.

Thank you in advance for your reply.

Kind regards,

[REDACTED]



[REDACTED] | Beleidsmedewerker Voedselveiligheid |
Ministerie van Volksgezondheid, Welzijn en Sport | Directie Voeding, Gezondheidsbescherming en Preventie |
Parnassusplein 5 | 2515 XP | Den Haag | Postbus 20350 | 2500 EJ | Den Haag |
M 06 [REDACTED] | [REDACTED]@minvws.nl | www.rijksoverheid.nl |

Van: [REDACTED] <[REDACTED]@minvws.nl>

Verzonden: dinsdag 28 januari 2020 10:29

Aan: [REDACTED] <[REDACTED]@ec.europa.eu>

CC: [REDACTED] <[REDACTED]@ec.europa.eu>; [REDACTED] <[REDACTED]@ec.europa.eu>

Onderwerp: RE: Declaration of mustard(seed) as allergen

Dear [REDACTED]

Thank you for the explanation.

All clear now.

Have a good day.

Kind regards,

[REDACTED]

Van: [REDACTED] <[REDACTED]@ec.europa.eu> [REDACTED] <[REDACTED]@ec.europa.eu>

Datum: dinsdag 28 jan. 2020 8:58 AM

Aan: [REDACTED] <[REDACTED]@minvws.nl>

Kopie: [REDACTED] <[REDACTED]@ec.europa.eu> [REDACTED] <[REDACTED]@ec.europa.eu>,

[REDACTED] <[REDACTED]@ec.europa.eu> [REDACTED] <[REDACTED]@ec.europa.eu>

Onderwerp: RE: Declaration of mustard(seed) as allergen

Dear [REDACTED],

"Mustard" referred to in point 10 of Annex II to Regulation (EC) No 1169/2011 is to be understood as all types and parts of plants belonging to *Brassicaceae* family. Therefore, *Sinapis arvensis* is also covered by the term "mustard".

I hope that answers your question.

Best regards

[REDACTED]



European Commission

DG SANTE

Unit E1 : Food information and composition, food waste

Tel: (32- 2) [REDACTED]

e-mail: [REDACTED] <[REDACTED]@ec.europa.eu>

From: [REDACTED]@minvws.nl>

Sent: Tuesday, January 21, 2020 10:10 AM

To: [REDACTED]@ec.europa.eu>; [REDACTED]

[REDACTED]@ec.europa.eu>

Cc: [REDACTED]@minvws.nl>

Subject: Declaration of mustard(seed) as allergen

Dear [REDACTED]

In addition to the question regarding declaration of water, we have another question regarding mustard.

In the Netherlands, we got RASFF notifications on the presence of mustard in wheat gluten.

Based on some further research, it turned out to be a plant called *Herik*, which is a plant related to the mustard plant.

In Vo 1169/2011 (Annex II) substances or products causing allergies or intolerances which have to be mentioned on package are mentioned, including 10. *Mustard and products thereof*.

Next to this and written in the EFSA working document discussed in the workgroup of October 2019, there are multiple types of mustardplant (eg. *Sinapis alba*, *Brassica nigra*, *Brassica juncea* and *Brassica carinata*).

The plant Herik, which was found in wheat gluten, is called *Sinapis arvensis* and seeds hereof can be used to prepare mustard.

My related questions to this are:

- What do we see as mustard?
- What do we see as mustard plant?
- Belongs *Sinapis arvensis* to the scope of the allergen mustard?

Hope you can answer our questions.

Thank you in advance.

Kind regards,

[REDACTED]

Policy Officer Ministry of Health, Netherlands