

Labelling of allergens in wine

Regulation (EU) No 1169/2011 on the provision of food information to consumers (FIC) requires the indication of any ingredient or processing aid listed in Annex II to FIC or derived from a substance or product listed in that Annex which is used in the manufacture or preparation of a food and still present in the finished product, even if in an altered form.

In the case of products which are not required to provide a list of ingredients e.g. beverages which contain more than 1.2% by volume of alcohol, the indication must include the word 'contains' followed by the name substance or product as listed in Annex II to FIC.

Bearing in mind the long shelf life of wines, previous legislation which granted certain derogations in relation to allergen information must be taken into account when reading the information provided on wine.

The requirement to indicate allergens was first introduced in 2005 (Directive 2003/89/EC). Therefore, any wines (as defined in Annex VII, Part II of Regulation (EU) No. 1308/2013) placed on the market or labelled before the 25th November 2005, are exempt from the obligation to indicate the use of any of the EU listed allergens.

In 2005, Commission Directive 2005/26/EC established a list of food ingredients or substances which were provisionally excluded from the 25th November 2005 from the requirement to indicate their use as an ingredient in wines. The list included:

- Lysozym (produced from egg) used in wine
- Albumin (produced from egg) used as fining agent in wine
- Milk (casein) products used as fining agents in wines

Directive 2005/26/EC was repealed on the 26th November 2007 by Commission Directive 2007/68/EC however an amendment i.e. Commission Regulation (EU) No 1266/2010 of 22 December 2010 permitted wines as defined in Annex VII, Part II to Regulation (EU) No 1308/2013, which were placed on the market or labelled before 30 June 2012, and which comply with the provisions of Directive 2005/26/EC, to be marketed until stocks are exhausted.

Therefore wines which were placed on the market or labelled prior to 30th June 2012 are not required to indicate the following:

- Lysozym (produced from egg) used in wine
- Albumin (produced from egg) used as a fining agent in wine
- Milk (casein) products used as a fining agent in wine

As this derogation does not apply from the 30th June 2012 requirements regarding specific allergen information for wines as set out in *Commission Implementing Regulation (EU) No 579/2012 of 29 June 2012 amending Regulation (EC) No 607/2009 lays down certain detailed rules for the implementation of Council Regulation (EC) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products* are applicable to wines made completely or partially from grapes harvested in 2012 or later and labelled after 30 June 2012.

This Regulation set out requirements for wines as regards the terms concerning milk and milk-based products and eggs and egg-based products as referred to in Annex II to FIC. An indication of the presence of egg-based or milk-based products ingredients is only mandatory for wines if their presence can be detected in the final product using the analysis methods referred to in Articles 80(5) and 91(c) of Regulation (EU) No 1308/2013. The legislation permits methods recognised the OIV (International Organisation of Vine and Wine).

Regulation (EU) No 579/2012 states that for the purposes of indicating sulphites/sulfites, milk and milk-based products and eggs and egg-based products the terms that must be used are those listed in part A of Annex X to Regulation (EU) No 579/2012.

The allergen indications in English may be in one of the following forms

- In the case of Sulphur dioxide: 'sulphites', 'sulfites', 'sulphur dioxide' or 'sulfur dioxide'
- In the case of egg : 'egg', 'egg protein', 'egg product', 'egg lysozyme' or 'egg albumin'
- In the case of milk: 'milk', 'milk products', 'milk casein' or 'milk protein'

These terms may be accompanied, as applicable, by one of the pictograms shown below which are copied from part B of Annex X to Regulation (EU) No 579/2012.



Summary

Wines placed on the market or labelled before the 25th November 2005, are exempt from the obligation to indicate the use of any of the EU listed allergens

Wines placed on the market or labelled between the 25th November 2005 and 30th June 2012 must indicate the presence of the EU Identified allergens, but are exempt during that period from indicating the use of Lysozym (produced from egg) used in wine; Albumin (produced from egg) used as a fining agent in wine or Milk (casein) products used as a fining agent in wine.

Wines made completely or partially from grapes harvested in 2012 or later and labelled after 30 June 2012 must comply with the allergen requirements set out in Regulation (EU) No 1169/2011 and Regulation (EC) No 607/2009 as amended by Regulation (EU) No 579/2012. However note that Regulation (EU) No 579/2012 states that in the case of egg/egg products or milk/milk products ingredients the indication is only mandatory if their presence can be detected in the final product using the analysis methods referred to in Articles 80(5) and 91(c) of Regulation (EU) No 1308/2013.
