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## EU-27

### FAIRS Subject Report

# New EU Labeling Rules for "Gluten Free" Foods 2009

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**Report Highlights:**

Commission Regulation 41/2009 lays down new EU harmonized rules for the composition and labeling of foodstuffs suitable for people who are intolerant to gluten. This regulation sets conditions for the use of the terms "very low gluten" and "gluten-free".

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Includes PSD Changes: No  
Includes Trade Matrix: No  
Annual Report  
Brussels USEU [BE2]  
[E4]

## New EU Labeling Rules for “Gluten Free” Foods

### Legislation

[Commission Regulation 41/2009](#) lays down new EU harmonized rules for the composition and labeling of foodstuffs suitable for people who are intolerant to gluten taking into account the standard adopted by the Codex Alimentarius Commission in July 2008. The regulation applies to all foodstuffs except infant formulae and follow-on formulae which are regulated under a specific directive (Directive 2006/141/EC).

The new rules were notified to the WTO under the TBT Agreement (Notification G/TBT/N/EEC/230) on October 27, 2008.

### Labeling

Under the new EU rules, food labels may carry the term “gluten-free” only if the gluten content does not exceed 20 mg/kg. Foodstuffs with a gluten content not exceeding 100 mg/kg will be able to carry the claim “very low gluten” on their labels. The terms “very low gluten” and “gluten-free” must appear in the same field of vision as the sales name.

### Composition

“Foodstuffs for people intolerant to gluten” are defined as foodstuffs for particular nutritional uses which are specially produced, prepared and/or processed to meet special dietary needs. Foodstuffs consisting of or containing one or more ingredients made from wheat, rye, barley, oats or their crossbred varieties which have been specially processed to reduce gluten may carry the claim “very low gluten” if the gluten content does not exceed 100 mg/kg and “gluten-free” if the gluten content does not exceed 20 mg/kg. Oats contained in foodstuffs for people with a gluten intolerance must have been specially produced, prepared and/or processed in a way to avoid contamination by wheat, rye, barley, or their crossbred varieties and the gluten content of such oats may not exceed 20 mg/kg.

### Implementation

In order to give manufacturers time to adapt to the new harmonized rules, products do not have to comply with the new rules until January 1, 2012. Products already complying with the new rules may use the new labeling system immediately.

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## Related reports from USEU Brussels:

Report Number	Title	Date Released
<a href="#">E48078</a>	<a href="#">Food &amp; Agricultural Import Regulations &amp; Standards Report</a>	7/10/2008
These reports can be accessed through our website <a href="http://useu.usmission.gov/agri">http://useu.usmission.gov/agri</a> or through the FAS website <a href="http://www.fas.usda.gov/scriptsw/attacherep/default.asp">http://www.fas.usda.gov/scriptsw/attacherep/default.asp</a> .		