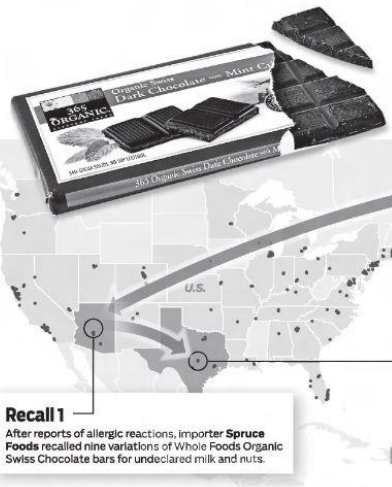
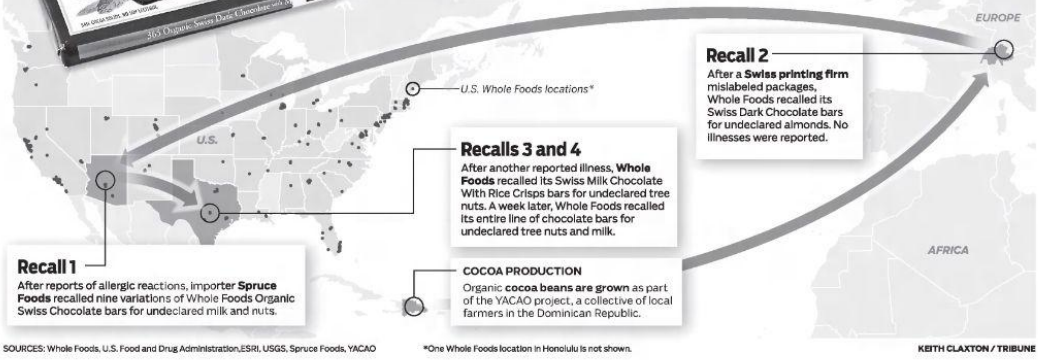


ALLERGY THREAT: A TRIBUNE INVESTIGATION



1 candy bar, 4 recalls

Whole Foods premium chocolate bars, whose production route spans from the Dominican Republic to Switzerland to the U.S., have been the subject of several recalls.



Weak links, high risks

Whole Foods' handling of chocolate bar shows how warnings fail

By Sam Roe
TRIBUNE REPORTER

Whole Foods Market has long trumpeted its premium chocolate bars for being made the old-fashioned way, in Switzerland.

But two years ago it added another manufacturing claim to the product's labels, one that would appeal to millions of Americans who suffer from potentially life-threatening food allergies.

"Good manufacturing practices," the labels stated, were "used to segregate" potential allergens such as tree nuts, soy or milk from the chocolate bars.

The labels were informative, comforting and—untrue.

A Tribune investigation found that the bar was, in fact, manufactured in a way that posed a risk to people with allergies.

In 2007, a year after the "good manufacturing" label was put on the bars, a child with food allergies had a reaction after eating the candy, which contained hidden tree nuts. Two recalls followed and the label was changed earlier this year.

But identical wording remains on hundreds of other products in Whole Foods' brand lines such as 365 Everyday Value and Whole Kitchen leaving consumers in the dark about whether these items pose an allergen risk.

The story of the Whole Foods chocolate bars is just one example of how consumers are at the mercy of a food chain with little accountability and labels that are not policed for accuracy.

Getting any single product on the shelves of any grocery store may involve a dozen firms and suppliers, each one not entirely certain of the other's health standards. Even companies such as Whole Foods that market themselves as a healthier choice may know little about the safety of their products.

One key threat: cross-contamination, which is when certain ingredients inadvertently end up in other products during the harvesting or manufacturing process.

By law, ingredient labels must disclose whether products contain any major allergens, but they do not have to warn about allergens that might slip into food.

In recent years a soaring number of companies have voluntarily put cross-contamination warnings on their products.

But the Food and Drug Administration found that some firms were using these labels to protect themselves from lawsuits, not simply to help consumers. The FDA has urged companies to not rely solely on labels and instead try to prevent cross-contamination by taking steps such as cleaning assembly-line equipment.

Now the agency is studying whether tougher policies are needed to ensure warning labels are uniform and not misleading.

Such measures might have prevented what Whole Foods did with labels on its chocolate bars and dozens of other products.

CONSUMER FACT CHECK

Is it safe or not?

Partly to protect themselves from lawsuits, food companies are increasingly placing allergy "advisories" on products. But many are confusing, with Whole Foods' reading more like an advertisement.

HOW LABELS CAN CONFUSE

■ Ingredient labels must disclose whether products are formulated using a major allergen, such as peanuts.

■ Labels do not have to declare whether allergens might inadvertently slip into products through cross-contamination, but many companies add such warnings voluntarily.

■ Language varies from "may contain (allergen)" to "made on the same equipment as (allergen)." The FDA is studying whether uniform language is needed.

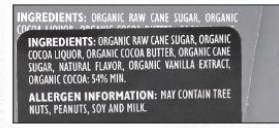
HOW ADVISORIES CAN MISLEAD

The FDA says that if a company uses such advisory labels, they cannot be misleading.

▼ In 2006, Whole Foods put language on products that said "good manufacturing practices" were used to "segregate" allergens from food:



▼ But after a child had an allergic reaction to a chocolate bar, Whole Foods began using a more straightforward warning:



BONNIE TRAFLET / TRIBUNE

Whole Foods' "good manufacturing" label is one of the few that puts a positive spin on the possibility of cross-contamination, according to Steve Taylor, a leading allergy expert and director of the allergen laboratory at the University of Nebraska.

"If you are going to do that," he said, "you had better have your act together 100 percent of the time."

'Impossible to segregate'

Walk down any Whole Foods aisle and you're bound to see products with labels boasting of "good manufacturing" practices.

Though they are gone from Whole Foods chocolate bars, the Tribune found such labels on more than 300 products in one of the chain's west suburban stores, including snack mixes, chips and cookies—foods prone to cross-contamination.

Based on reading the label, for example, a consumer with a wheat allergy might consider buying Whole Foods' Blue Corn Tortillas because its label promises that "good manufacturing practices [were] used to segregate ingredients in a facility that also processes milk, wheat and soy ingredients."

But the reality is that segregating wheat from that product is difficult at best. Just ask Mike McCabe, a sales executive for Buono Foods, the Albuquerque firm that manufactures the tortillas for Whole Foods.

"Wheat dust in the tortilla plant" is really impossible to segregate" from non-wheat products, McCabe said.

Buono cleans equipment and uses separate assembly lines for different products, he said. But wheat is so tiny and prevalent at the plant, he added, that "I could be breathing in wheat dust right now, and I'm two buildings away in an office."

Whole Foods acknowledged the tortilla labels are problematic. The

kind of food, can cause a potentially deadly reaction.

When asked if Whole Foods is confident that its blanket "good manufacturing" claim was accurate for each of those products, Evans initially said: "With the quality assurance program that we have in place today, yes, we are very confident."

In a later interview, though, she acknowledged that Whole Foods has been conducting a review of its products that began within the last two years to see if label changes are in order—a process, she said, that will take another year.

One chocolate bar's tale

"Our 365 Organic Everyday Value Swiss Milk Chocolate is made in Switzerland, using slow, traditional Old-World conching, or blending methods," the label reads in part. "... All of our cocoa beans are grown organically in the Dominican Republic by a co-op of small farmers."

This is another way of saying that, like most food store chains, Whole Foods uses a web of contractors to produce its private label offerings.

In the late 1990s, an Arizona company, Spruce Foods, began importing premium chocolate bars from Switzerland and selling them to Whole Foods.

About the same time, representatives from the importer and Whole Foods together toured the Swiss plant, run by Chocolat Bernain, according to Norm Petersen, co-owner of Spruce Foods. He said they saw that products were made on the same production line without cleaning in between. That meant ingredients from one product could easily end up in another.

But no warnings to that effect were put on the labels.

In the summer of 2002, a 2-year-old girl with a known milk allergy ate a piece of a Swiss Dark Chocolate bar. The toddler started coughing, said her throat hurt and broke out in hives.

After her mother gave her Benadryl, the girl recovered and the episode was reported to the FDA. Eight weeks later, that bar and eight variations under the Whole Foods Organic Swiss label were recalled for hidden milk and nuts.

Whole Foods was added. The problem went away, but not for long.

In early 2006, Whole Foods placed the new "good manufacturing" allergen statement on nearly all its private-brand products. Within days, at least two consumer complaints were lodged with the FDA over the confusing nature of that warning language, agency records show. A parent of a girl allergic to peanuts and tree nuts wrote: "How does one interpret this kind of information?"

Then, last year, a child had an allergic reaction to a Swiss Milk Chocolate with Rice Crisps bar. Whole Foods tested the bars and found hidden hazelnuts, walnuts and pecans. Whole Foods sent the test results to its importer Spruce Foods, which contacted the Swiss manufacturer.

"And the manufacturer said, 'Why is anyone surprised?'" Petersen recalled. "Nothing had changed. The Swiss still took few precautions

to prevent allergens from slipping into its products," he said.

On Dec. 14, 2007, Whole Foods announced a recall of a limited number of just the Milk Chocolate with Rice Crisps bars. The chain immediately tested other varieties of its Organic Swiss chocolate bars, finding similar problems. So a week later, Whole Foods recalled eight varieties of the candy bars, 1.1 million in all.

"They watered down the disclosure" by switching to the good manufacturing label "and it bit them in the backside," said Petersen.

He blamed new personnel at Whole Foods for the decision. "They likely had never been over in that plant," he said. Whole Foods officials could not say who from the chain, if anyone, had visited the plant in past years.

But in January, a Whole Foods employee inspected the Swiss factory and concluded the equipment was indeed so difficult to clean that hidden allergens were unavoidable, the company said. So the chain earlier this year rewrote the allergen statement and put warning stickers on the bars.

The stickers state the candy "may contain" certain allergens. But even this raises questions about whether the warnings should be stronger. A spokesman for the Chocolat Bernain factory, Josef Ruegg, said it is "almost impossible" to avoid cross-contamination in the facility. "There are 19 chocolate manufacturers in Switzerland," he said, "and all of them are confronted with this."

The Tribune sent a Whole Foods Organic Swiss Dark Chocolate bar to the Nebraska lab. The candy's label said the bar "may contain" tree nuts and milk, and test results showed that it did. (Tests on the Whole Foods tortillas for gluten, meanwhile, came back non-detect.)

Whole Foods said that when it became aware it had a problem with its chocolate-bar labels, the company removed the "good manufacturing" language from all of its chocolate products.

But the Tribune found several still being sold with that label, including solid chocolate chips, chocolate chunk pieces, hot chocolate mix, chocolate chip cookies, chocolate ice cream bars and chocolate torte.

Informing of the Tribune's findings, Evans said the labels on four of those six products were appropriate because the items were so carefully manufactured and tested that they were virtually immune to hidden allergens. But she acknowledged that the ice cream bars and cookies were not so carefully made.

She said those products would soon be getting new labels.

Evans emphasized that Whole Foods collects detailed allergen-related information, such as the likelihood of cross-contamination, on all of its manufacturers and suppliers. And, she added, Whole Foods and third-party auditors inspect factories for allergen problems.

Asked why such scrutiny didn't catch fundamental problems at the Swiss candy factory, she said, "It's a continual education."

sroe@tribune.com

Search our database of recalled food

chicagotribune.com/allergy | Find out if any of your family's favorite foods posed risks of hidden allergens.

Product name	Allergen	Type of food	Recall firm	Recall area
Pop-Tarts	Milk	Chips, snacks	Kellogg	Nationwide