



FOOD ALLERGENS



More than 160 foods have been identified to cause food allergies in sensitive individuals. However, eight foods account for over 90 percent of all documented food allergies in the United States. In 2004, the federal government enacted the Food Allergen Labeling and Consumer Protection Act (FALCPA) to identify and regulate labeling of food products that contain any of the eight major allergens. In California, Health & Safety Code (H&SC) section 110673 provides that foods are “misbranded” if their labels do not conform to the requirements listed in FALCPA. Misbranded foods cannot be legally sold or transferred and may be subject to embargo and/or other enforcement actions.

FALCPA has identified the following eight foods or food groups as major food allergens, that if consumed by sensitive individuals, would likely result in a severe or life-threatening reaction:

- Milk
- Eggs
- Fish (e.g., bass, flounder, cod)
- Crustacean shellfish (e.g., crab, lobster, shrimp)
- Tree nuts (e.g., almonds, walnuts, pecans)
- Peanuts
- Wheat
- Soybeans

FALCPA requires food manufacturers to label products containing an ingredient or protein from a major food allergen in one of the following manners:

- When the name of the food source of the major allergen does not appear elsewhere in the ingredient statement; food manufacturers can include the name of the food containing the allergen in parenthesis, followed by the common or usual name of the major food allergen in the list of ingredients. For example, the ingredient “whey” would be listed adjacent to “(milk)”.
- Manufacturers can place the word "Contains" followed by the name of the food source from which the major food allergen is derived, immediately after or adjacent to the list of ingredients. The type size must not be smaller than the type size used for the list of ingredients. For example: *Contains Wheat, Milk, Egg, and Soy.*

Under FALCPA, raw agricultural commodities (usually fresh fruits and vegetables) are exempt from labeling requirements. In addition, highly refined oils derived from one of the eight major food allergens and any ingredient derived from such highly refined oils are also exempt from the allergen labeling requirements.