

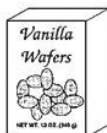
## Food Allergen Labeling Requirements

All packaged foods regulated under the Federal Food, Drug, and Cosmetic Act (FFD&C Act) that are labeled on or after January 1, 2006, must comply with food allergen labeling requirements found in the Food Allergen Labeling and Consumer Protection Act (FALCPA) of 2004. FALCPA's labeling requirements extend to retail and food-service establishments that package, label, and offer products for human consumption. FALCPA's labeling requirements do not apply to foods that are placed in a wrapper or container in response to a consumer's order - such as the paper or box used to provide a sandwich ordered by a consumer. However, FDA advises consumers who are allergic to particular foods to ask questions about ingredients and preparation when eating at restaurants or any place outside the consumer's home.

The Act identifies eight foods or food groups as the major food allergens. They are milk, eggs, fish (e.g., bass, flounder, cod), Crustacean shellfish (e.g., crab, lobster, shrimp), tree nuts (e.g., almonds, walnuts, pecans), peanuts, wheat, and soybeans.

It requires that food manufacturers and retailers label food products that contain ingredients, including a flavoring, coloring, or incidental additive that are, or contain protein from a major food allergen using plain English to identify the allergens. This can be accomplished in one of two ways.

1. Include the name of the food source in parenthesis following the common or usual name of the major food allergen in the list of ingredients in instances when the name of the food source of the major allergen does not appear elsewhere in the ingredient statement. For example:



**Ingredients:** *Enriched flour (wheat flour, malted barley, niacin, reduced iron, thiamin mononitrate, riboflavin, folic acid), sugar, partially hydrogenated soybean oil, and/or cottonseed oil, high fructose corn syrup, whey (milk), eggs, vanilla, natural and artificial flavoring) salt, leavening (sodium acid pyrophosphate, monocalcium phosphate), lecithin (soy), mono-and diglycerides (emulsifier)*

2. 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, in type size that is no smaller than the type size used for the list of ingredients. For example:

**Contains Wheat, Milk, and Soy**

If a "Contains" statement is used on a food label, the statement must include the names of the food sources of all major food allergens used as ingredients in the packaged food. For example, if "sodium caseinate," "whey," "egg yolks," and "natural peanut flavor" are declared in a product's ingredients list, any "Contains" statement appearing on the label immediately after or adjacent to that statement is required to identify all three sources of the major food allergens present (e.g., "Contains milk, egg, peanuts") in the same type (i.e., print or font) size as that used for the ingredient list.

## Specific requirements

- In the case of tree nuts, the specific type of nut must be declared (e.g., almonds, pecans, or walnuts).
- The species must be declared for fish (e.g., bass, flounder, or cod) and Crustacean shellfish (crab, lobster, or shrimp).
- “Soybean,” “soy,” and “soya” are reasonable synonyms for the common or usual name “soybeans,” and any one of these terms may be used to identify the food source of the major food allergen “soybeans.” Packaged foods that are made using soybeans as an ingredient or as a component of a multi-component ingredient (e.g., soy sauce or tofu) should continue to use the word “soybeans” as the appropriate common or usual name for this ingredient to identify properly the ingredient (e.g., “soy sauce (water, wheat, soybeans, salt)”).
- Exempted products:
  - raw agricultural commodities (generally fresh fruits and vegetables) are exempt as are
  - highly refined oils derived from one of the eight major food allergens and any ingredient derived from such highly refined oil.

## References

- Guidance for Industry Questions and Answers Regarding Food Allergens, including the Food Allergen Labeling and Consumer Protection Act of 2004 <http://www.cfsan.fda.gov/~dms/alrguid2.html>
- Advice to Consumers: Food Allergen Labeling And Consumer Protection Act of 2004 Questions and Answers <http://www.cfsan.fda.gov/~dms/alrgqa.html>
- Food Allergen Labeling and Consumer Protection Act of 2004 <http://www.cfsan.fda.gov/~dms/alrgact.html>

## Milk and milk by-products

butter, butter fat, butter oil, buttermilk, artificial butter flavor, casein, caseinates (ammonium, calcium, magnesium, potassium, sodium) cheese, cream, cottage cheese, curds, custard, Ghee, Half & Half, hydrolysates (casein, milk protein, protein, whey, whey protein), lactalbumin, lactalbumin phosphate, lactoglobulin, lactose, lactulose, milk (derivative powder, protein, solids, malted, condensed, evaporated, dry, whole, low-fat, milkfat, non-fat, skimmed, and goat’s milk) , nougat, pudding, rennet casein, sour cream, sour cream solids, whey (in all forms including sweet, delactosed, protein concentrate), yogurt, malted milk. The following may contain milk products - flavorings (natural and artificial), luncheon meat, hot dogs, sausages, high protein flour, margarine, Simplese ®

## Eggs

albumin, egg (white, yolk, dried, powdered, solids), egg substitutes, eggnog, globulin, livetin, vitellin, lysozyme, mayonnaise, meringue, ovalbumin, ovoglobulin, ovomucoid, ovomucin, ovotransferrin, ovovitellin, Simplese ®, surimi. The following may contain eggs - lecithin, marzipan, marshmallows, pasta, and natural and artificial egg flavors. A shiny glaze or yellow colored baked goods may indicate the presence of eggs.

## Legumes

### • Peanuts

beer nuts, cold pressed, expelled, or extruded peanut oil, ground nuts, mixed nuts, monkey nuts, Nu-Nuts ® flavored nuts, nut pieces, peanut, peanut butter, peanut flour, peanut protein, hydrolyzed peanut protein. The following foods may indicate the presence of peanut protein - African, Chinese, Indonesian, Thai, and Vietnamese dishes, baked goods (pastries, cookies, etc), candy, chili, chocolate, (candies, candy bars), egg rolls, marzipan, natural and artificial flavorings, nougat, sunflower seeds. Artificial nuts can be peanuts that have been deflavored and reflavored with a nut, like pecan, walnut, or almond. Mandelonas are peanuts soaked in almond flavoring.

- **Soy**

hydrolyzed soy protein, miso, shoyu sauce, soy (albumin, flour, grits, nuts, milk, sprouts), soya, soybean (granules, curd), soy protein (concentrate, isolate), soy sauce, Tamari, Tempeh, textured vegetable protein (TVP), tofu. The following ingredients may indicate the presence of soy protein - hydrolyzed protein, natural and artificial flavoring, vegetable broth, vegetable gum, vegetable starch, lecithin, or soy lecithin.

- **Tree Nuts**

almonds, Brazil nuts, caponata, cashews, chestnuts, filbert/hazelnut, gianduja (a creamy mixture of chocolate and chopped toasted nuts found in premium and imported chocolates), hickory nuts, macadamia nuts, marzipan/almond paste, nougat, Nu-Nuts, nut butters i.e. cashew butter, nut meal, nut oil, nut paste i.e. almond paste, nut pieces, pecans (Mashuga nuts), pesto, pine nuts (pinyon nuts), pistachios, walnuts. In addition: Mortadella may contain pistachios, tree nuts may be included in many foods including barbeque sauce, cereals, crackers, and ice cream.

- **Wheat**

bran, bread crumbs, bulgur, cereal extract, couscous, cracker meal, durum, durum flour, enriched flour, farina, flour (all-purpose, enriched, graham, high gluten, high protein, pastry, soft wheat), gluten, kamut, seitan, semolina, spelt, vital gluten, wheat (bran, germ, gluten, malt, starch), whole wheat berries, whole wheat flour. The following may indicate the presence of wheat protein - natural and artificial flavoring, hydrolyzed protein, soy sauce, starch (gelatinized, modified, modified food starch), surimi, vegetable gum.

- **Fish**

freshwater or saltwater finfish, octopus, squid

- **Crustaceans and Shellfish**

crab, crawfish, lobster, (langouste, langoustine, scampo, coral, tomalley), prawns, shrimp (crevette), snails (escargot), abalone, clams, muscles, oysters, scallops

The following may indicate the presence of fish or seafood protein: bouillabaisse, fish stock, natural and artificial flavoring, seafood flavoring (such as crab or clam extract), surimi.

**This is not necessarily an all – inclusive list. It is the responsibility of the seller to identify and declare the presence of all allergenic proteins in your food products.**