**Conference for Food Protection**

**2016 Issue Form**

**Issue: 2016 I-030**

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| **Council Recommendation:** | Accepted as  Submitted |  | Accepted as Amended |  | No Action |  |
| **Delegate Action:** | Accepted |  | Rejected |  |  |  |

*All information above the line is for conference use only.*

**Issue History:**

This is a brand new Issue.

**Title:**

Documenting Food Allergy Labeling Violations

**Issue you would like the Conference to consider:**

Adding an addendum to the 2013 FDA Food Code Section 8-403.10(B) to include a provision to document on an inspection report form any violation of food allergen labeling on foods pre-packaged and sold by the establishment as required by 3-602.11(B)(5).

**Public Health Significance:**

Mislabeled pre-packaged foods can cause life-threatening anaphylactic allergic reactions.

**Recommended Solution: The Conference recommends...:**

that a letter be sent to the FDA requesting the 2013 Food Code be amended to include a new subparagraph #7 in paragraph 8-403.10(B) (language to be added is underlined):

**8-403.10 Documenting Information and Observations.**

The REGULATORY AUTHORITY shall document on an inspection report form:

(B) Specific factual observations of violative conditions or other deviations from this Code that require correction by the PERMIT HOLDER including:

(7) Failure of pre-packaged items produced by the establishment to include listed allergens and potential cross-contact with allergens, when applicable.

**Submitter Information:**

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It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.