

**Conference for Food Protection  
2018 Issue Form**

**Issue: 2018 II-007**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

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

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**Issue History:**

This is a brand new Issue.

**Title:**

Amend Food Code - Food Allergen Training for Persons in Charge

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

Amend the Food Code in regard to food allergen language (2-202.11 (9)) with the addition of required completion of an ANSI-accredited food allergen training program.

**Public Health Significance:**

" Consistency in terminology/mandated Allergen Training"

It is time for the food service industry to join together and embrace common training and terminology in describing food allergens, Celiac Disease, and food intolerances/sensitivities. Although the FDA Food Code requires limited knowledge by the Person-In-Charge (PIC), it does not go far enough in providing real prevention and mitigation of negative consequences from food related reactions especially for those who are concerned that a life-threatening anaphylactic event could occur while dining out. The expectation throughout the foodservice industry is that food handlers must have knowledge of the major food allergens and symptoms they could cause. However, for food managers this requirement does not go far enough in protecting public health.

A recent study conducted by Han Wen and Junehee Kwon (2017) has shown that food operators still lack the basic knowledge needed to prevent reactions and may even provide inaccurate information to consumers giving them a false sense of security. Fallout from these interactions erode public trust in our retail foodservice facilities. Specifically, PIC's lacking training in the following areas could contribute to severe reactions or even death:

- Proper communication with customers
- Understanding correct terminology (e.g. food allergy vs intolerance)
- Identifying anaphylactic shock
- Hidden ingredients and cross-contact

Mandated knowledge of these or any other crucial prevention issues are not currently addressed in the code.

In addition, food safety training currently required in several states has created an onerous patchwork of regulations that could be remedied with the continuity of the FDA Food Code. Consistency in terminology would prevent myriad unintended consequences related to food-allergen exposure. The same scenario was true with food labeling. While the Food Code does mandate the information that should appear on food labels, It does not provide specific advice on methods to ensure safety for those with food allergy school (National Academies of Sciences, Engineering, and Medicine, et al. 2016). There is an emerging threat to public health if food service operators are inconsistent in their terminology just as there was a threat when food labeling mandates differed from state to state and county to county.

As an example, recent FDA regulation "established a federal definition of the term 'gluten-free' for food manufacturers that voluntarily label FDA-regulated foods as 'gluten-free.' The definition was intended to provide a reliable way for people with Celiac disease to avoid gluten." (US Food and Drug Administration, 2017). The FDA also encouraged the restaurant industry to move quickly to ensure that its use of gluten-free labeling was consistent with the federal definition. This established criteria will protect individuals with Celiac disease and those with gluten sensitivities. The same can be said for this proposed issue submission in terms of protecting those with food allergies.

In regard to allergic reactions to food among children, a year-long study conducted in 2010 found that almost 40% of children suffered a severe food allergic reaction (defined as anaphylaxis, low blood pressure, trouble breathing or wheezing and a combination of vomiting, angioedema, and coughing), with anaphylaxis comprising almost 16% of those reactions (Acker, Warren W. MS, et al, 2017). Because children often dine out with their parents, restaurant PICs must be prepared to address the needs of children with known food allergies. Mandated knowledge of these or any other crucial prevention issues is not currently addressed in the code. In 2013, the CDC developed voluntary guidelines for managing food allergies in schools to mitigate the incomplete and inconsistent response to food allergy emergencies in schools (CDC, 2013). This proposed issue submission will provide complete and consistent responses to manage food allergy emergencies for children and adults.

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

that a letter be sent to the FDA requesting that Section 2-102.11(C)(9) of the 2013 Food Code be amended by new language as follows (underline format used for new language.)

Based on the RISKS inherent to the FOOD operation, during inspections and upon request the PERSON IN CHARGE shall demonstrate to the REGULATORY AUTHORITY knowledge of foodborne disease prevention, application of the HAZARD Analysis and CRITICAL CONTROL POINT principles, and the requirements of this Code. The PERSON IN CHARGE shall demonstrate this knowledge by:

(C) Responding correctly to the inspector's questions as they relate to the specific FOOD operation. The areas of knowledge include:

(9) Showing proficiency of required information through passing a food allergen course that is part of an ACCREDITED PROGRAM and describing foods identified as MAJOR FOOD

ALLERGENS and the symptoms that a MAJOR FOOD ALLERGEN could cause in a sensitive individual who has an allergic reaction.

**Submitter Information 1:**

Name: Betsy Craig  
Organization: AllerTrain by MenyTrinfo  
Address: 155 North College Ave Suite 200  
City/State/Zip: Fort Collins, CO 80524  
Telephone: 970-295-4370  
E-mail: betsy@menutrinfo.com

**Submitter Information 2:**

Name: Dee Dee Vicino  
Organization: AllerTrain by MenyTrinfo  
Address: 155 North College Ave Suite 200  
City/State/Zip: Fort Collins, CO 80524  
Telephone: 970-295-4370  
E-mail: deedee@menutrinfo.com

**Content Documents:**

- "FDA Food Code Link 2013"

**Supporting Attachments:**

- "Prevalence of food allergies and intolerances-Acker, Warren W. MS, et al."
- "Food Allergy Risk Communication in Restaurants-Han Wen and Junehee Kwon"
- "Gluten and Food Labeling-US Food and Drug Administration"
- "Finding a Path to Safety in Food Allergies-Part 1"
- "Finding a Path to Safety in Food Allergies-Part 2"
- "Finding a Path to Safety in Food Allergies-Part 3"
- "Finding a Path to Safety in Food Allergies-Part 4"
- "Finding a Path to Safety in Food Allergies-Part 5"
- "Finding a Path to Safety in Food Allergies-Part 6"
- "Finding a Path to Safety in Food Allergies-Part 7"
- "Finding a Path to Safety in Food Allergies-Part 8"
- "Finding a Path to Safety in Food Allergies-Part 9"
- "Voluntary Guidelines for Managing Food Allergies-Schools/Early Care Part 1"
- "Voluntary Guidelines for Managing Food Allergies-Schools/Early Care Part 2"
- "Voluntary Guidelines for Managing Food Allergies-School/Early Care Part 3"
- "Voluntary Guidelines for Managing Food Allergies-School/Early Care Part 4"

*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.*