

**Conference for Food Protection
2020 Issue Form**

Issue: 2020 II-014

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:

AC#4 Amend Food Code for Notification of Major Food Allergens in Bulk Foods

Issue you would like the Conference to consider:

Amend Subparagraph 3-602.11(C)(2) of the Food Code to require notification of MAJOR FOOD ALLERGENS in consumer self-service bulk FOOD.

Public Health Significance:

Self-service bulk food items are an increasing source of food products for the American consumer. While these food products are usually purchased by consumers due to their discounted price and convenience, in recent years their popularity has increased due to economic reasons and changing markets of food delivery/consumer consumption trends. Part of the reason American shoppers are so attracted to these items is their belief that bulk-buying not only prevents waste and their role in providing climate change, but can save time and money, providing more value for the dollar¹.

Regulatory requirements for labeling major food allergens of packaged foods are very thorough. Providing the name of the food source on the label of packaged foods alerts consumers to the presence of a major food allergen, and may prevent an inadvertent exposure. However, these requirements do not include any type of consumer notification of major food allergens in bulk foods that are available for consumer self-dispensing. These consumer self-service bulk foods are typically not monitored by staff of the establishment, so consumers do not have the opportunity to inquire about foods that may contain major food allergen ingredients.

This amendment to the Food Code would provide additional protection to consumers with food allergies who are interested in purchasing bulk foods that are available for consumer self-dispensing.

¹ https://en.wikipedia.org/wiki/Bulk_foods

Recommended Solution: The Conference recommends...:

that a letter be sent to FDA requesting that Subparagraph 3-602.11(C)(2) of the most recent edition of Food Code be amended as shown below (new language underlined):
3-602.11 Food Labels.

(C) Bulk FOOD that is available for CONSUMER self-dispensing shall be prominently labeled with the following information in plain view of the CONSUMER:

- (1) The manufacturer's or processor's label that was provided with the FOOD; or
- (2) A card, sign, or other method of notification that includes the information specified under Subparagraphs (B)(1), (2), (5) and (6) of this section.

The referenced Subparagraph 3-602.11(B)(5) states:

(B) Label information shall include:

(5) The name of the FOOD source for each MAJOR FOOD ALLERGEN contained in the FOOD unless the FOOD source is already part of the common or usual name of the respective ingredient. Pf

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