



# Demonstration of Knowledge and Manager's Role in Allergen Awareness

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# What is a Major Food Allergen?

There are currently nine major allergens in the North Carolina Food Code—Milk, Eggs, Fish (including crustaceans), Shellfish, Tree Nuts, Wheat, Peanuts, Soybeans, and Sesame Seeds.

This list does not include highly refined oils derived from any of the above listed items. For instance, refined peanut oil has peanut proteins removed.





# FDA Regulations

## Food Allergen Labeling and Consumer Protection Act (FALCPA)

- Signed into law in 2004
- Requires labeling of packaged foods with the 8 major food allergens
- Failure to properly label results in misbranding and enforcement action from the FDA
- Aims to help consumers identify and avoid foods containing major allergens
- FDA study (1999): 25% of sampled foods failed to list peanuts or eggs despite containing them

## Food Allergy Safety, Treatment, Education, and Research Act (FASTER)

- Signed into law in April 2021 (effective January 1, 2023)
- Introduces 9th major food allergen: sesame
- Requires an update report to Congress about FDA's monitoring efforts
- Mandates that the Secretary of Health and Human Services report on the prevalence, severity, diagnosis, prevention, treatment, and management of food allergies





# What is the Importance of Allergy Awareness?



Food allergies can range from mild symptoms such as hives, lip-swelling, and intestinal cramps to severe reactions like anaphylaxis, respiratory distress, shock, and even death.



They affect 4% of the American population, which is about 12 million people. This prevalence leads to approximately 30,000 emergency room visits and 150-200 deaths annually.





# Demonstration of Knowledge

**NC Food Code 2-102.11(C)(9):**

The Person in Charge must demonstrate knowledge by accurately responding to the inspector's questions relevant to the food operation.

This includes identifying foods classified as Major Food Allergens and describing the symptoms they can cause in individuals with allergies.





# Person-in-Charge Duties

## (Active Managerial Control)

**NC Food Code 2-103.11(N):**  
The Person in Charge shall ensure employees are properly trained in food safety, including food allergy awareness, as it relates to their assigned duties.

### Restaurant and retail food service managers must:

- Recognize the serious nature of food allergies, including allergic reactions, anaphylaxis, and death.
- Know the nine major food allergens.
- Understand food allergen ingredient identities and labeling.
- Prevent cross-contact during food preparation and service.

In 2008, the Conference for Food Protection (CFP) passed a provision emphasizing that food allergy awareness should be part of food safety training for the Person in Charge. Consequently, NC Food Code mandates that food safety training for employees includes food allergy awareness to ensure they can safely manage duties related to food allergies.

**Paragraph (N)** allows the development and implementation of operational-specific training programs for food employees without requiring them to pass a test from an accredited program.

# Labeling of Packaged Food



## Section 3-602.11 of the 2009 FDA Food Code

Food packaged in a food establishment must be labeled with the following:

- The common name of the food or an accurate description.
- If made from two or more ingredients, a list of all ingredients, including those in each food component (e.g., mayonnaise), in descending order of predominance by weight.
- Quantity of contents.
- Name and place of the business.
- **Declaration of each major food allergen (Pf).**
- Nutrition labeling if health claims are made.
- Disclosure of color additives in salmonid fish.



# Labeling of Packaged Food

## Self-Service Packaged Foods at Unmanned Stations:

- Must be labeled as per Paragraph 3-602.11(B).
- Example: Convenience store self-service displays, deli displays, meat market displays, cafeterias.

## Packaged Foods at Manned Service Lines:

- Not required to be labeled if continually manned by food employees.
- Continually manned means food employees are available at all times when consumers are obtaining food.

## Food Packaged for Delivery and Sale at a Second Location:

- Must meet labeling requirements unless handed out by a food employee of the establishment that packaged the food.
- Example: Pizza delivery and Meals on Wheels are exempt if portioned per consumer selection.

## Bulk Unpackaged Foods Available for Consumer Self-Service:

- Must be prominently labeled with manufacturer's or processor's label or equivalent information in Paragraph 3-602.11(B).
- Example: Bulk food bins.

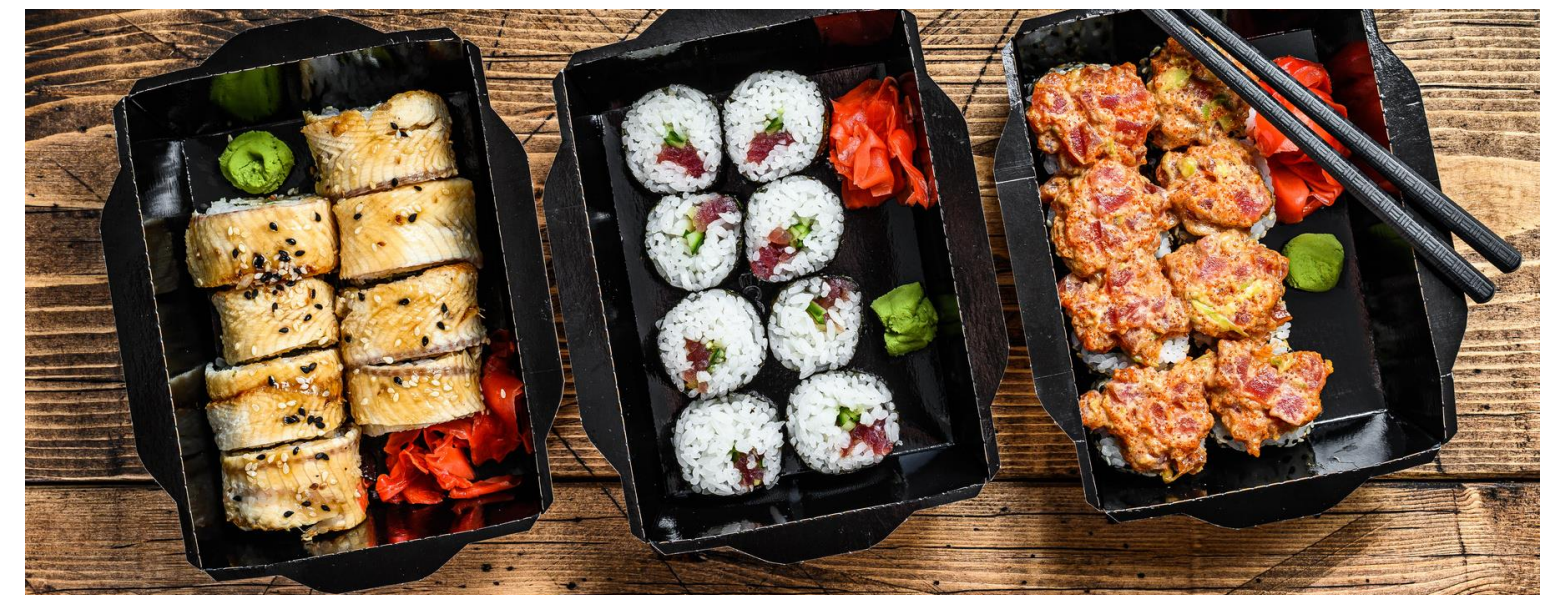
## Bulk Foods Portioned per Consumer Specification:

- No label required unless health, nutrient content, or other claims are made.
- Example: Food bars with ready-to-eat portions are exempt from labeling.

**What Major Food Allergens would you expect to see in conventional sushi packaged for retail sales?**

NCDHHS position statement defines whether or not a food is considered “packaged” and if it requires labeling.

For detailed guidance, refer to the NC Department of Health and Human Services Position [Statement](#).





# What Can Food Safety Experts Do To Make Customers with Allergies Feel Safe?

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## Preparation:

- Use separate equipment and workspaces for allergen-free meals.
- Thoroughly clean equipment and workspaces before preparing allergen-free food.

## Dedicated Allergy Specialist:

- Designate a specific person to handle food allergy questions and preparation requests.

## Staff Training:

- Educate staff on the seriousness of food allergies.
- Ensure they know the most common major food allergens.
- Teach them to recognize the symptoms of an allergic reaction.
- Instruct on how to prevent cross-contact between food allergens and other foods.
- Provide detailed information about specific menu items that contain allergens (accurate ingredient list/recipe).
- Train them on appropriate actions if a customer reports a food allergy.
- Equip them to respond to severe allergic reactions (e.g., trouble breathing).
- Implementing these practices can significantly enhance the safety and comfort of customers with food allergies.





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