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Technical Bulletin: RFP22-01

TO: Local Public Health Agency Administrators
Local Public Health Agency Environmental Public Health Specialists
Bureau of Environmental Health Services (BEHS) Public Health Environmental Specialists

THROUGH: Dusty Johnson, Acting Chief, BEHS *DJ*

THROUGH: Mark Jenkerson, Food Operations Manager, BEHS *MJ*

FROM: Paige VanLoo, Retail Food Program Manager, BEHS *PV*

SUBJECT: Sesame as a major food allergen effective January 1, 2023

DATE: March 29, 2022

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The 2021 Food Allergy Safety, Treatment, Education, and Research (FASTER) Act adds sesame as the 9th major food allergen effective January 1, 2023. The FDA has issued notices inviting data and information on the occurrences and severity of sesame allergies in the U.S. and the prevalence of sesame-containing foods in the U.S. that are not required to disclose sesame as an ingredient.

According to the FDA Draft Guidance, in 2018, Gupta et al. published results from a nationwide survey of over 50,000 United States households. This survey showed that 0.2% of children in the U.S. were reported to have a sesame allergy, which compared to childhood allergies to other major food allergens, ranks 9th just below soy, pistachio, and wheat (each 0.5%). As part of the same survey, a similar 0.2% prevalence of reported sesame allergy found in adults, just below the prevalence rates of the major food allergens pistachio (0.4%), cashew (0.5%), and soy (0.6%). This study also showed that two-thirds of children with reported sesame allergies experienced an emergency department visit. FDA’s review of reports found that one in four reported reactions to products in which sesame was undeclared and 44% of adverse reactions were described as severe.

Until this time, manufacturers have not been required to list sesame as an allergen, although in most cases it must appear in the ingredient statement. Beginning January 1, 2023, products that contain sesame must be labeled appropriately as a major allergen under the definition of “Major Food Allergen” and 3-602.11 Food Labels (B)(4) in 19 CSR 20-1.025 Missouri Food Code.

Even though sesame is not listed as a major allergen in the current Missouri Food Code, the code still requires that food “be labeled as specified in law” and state/local inspectors need to address that sesame is a major

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allergen effective January 1, 2023. If retail food establishments are not in compliance, they will be in violation of the Missouri Food Code as listed above and will need to be documented as such. It is encouraged that local public health environmental staff educate local establishments to avoid violation at the start of 2023. If compliance becomes an issue within retail food establishments, local public health agencies should reach out to their state district supervisor for assistance.

More information can be found at <https://www.fda.gov/food/food-labeling-nutrition/food-allergies>
FDA Draft Guidance: <https://www.fda.gov/media/143521/download>