



May 22, 2025

The Honorable Amy Paulin
LOB 823
Albany, NY 12248

Dear Chairwoman Paulin,

We, the undersigned organizations, write today on behalf of the 1.1 million New York residents living with a food allergy to express our strong support of A6558A.^{1,2} We believe that this bill will improve food safety for millions of residents of New York with food allergies by requiring pre-packaged foods to be labeled for the top nine allergens.

While federal laws have made it easier for individuals to avoid allergens in packaged foods, the labeling of pre-packaged food for direct sale represents a glaring gap in consumer safety. The Food Allergen Labeling and Consumer Protection Act (FALCPA) of 2004 requires packaged foods regulated by the FDA to clearly identify the Top 9 major food allergens.³ However, FALCPA does not apply to pre-packed food, leaving millions of individuals with food allergies in New York at risk when purchasing these

¹ Centers for Disease Control and Prevention. (2023, January 26). *More than a quarter of U.S. adults and children have at least one allergy*. National Center for Health Statistics.

² U.S. Census Bureau. (2024). *National population totals and components of change: 2020–2023*. U.S. Department of Commerce.

³ Baker, R. (2018). The global status of food allergen labeling laws. *California Western Law Review*, 54(2), Article 4. <https://scholarlycommons.law.cwsl.edu/cwlr/vol54/iss2/4>

food items.⁴ In a vital move for consumers, food establishments were recommended in 2022 by the Food and Drug Administration (FDA) to label pre-packaged foods for the top 9 allergens.⁵ The 2022 edition is reflective of input from regulatory officials, industry, academia, and consumers that participated in the biennial meeting of the Conference for Food Protection in 2021.⁶ A6558A would work to incorporate those recommendations into an official mandate to identify the top 9 federally mandated allergens in pre-packaged items.

Exposure to an allergen can cause severe reactions, including anaphylaxis and, in some rare cases, death. Because there is no cure for food allergies, awareness and preparedness are key for protecting health and saving lives. Natasha Ednan-Laperouse tragically passed away after consuming an unlabeled baguette from a Pret a Manger in Oxford, England. As a result, the United Kingdom parliament passed Natasha's Law in 2019 that would require food operators to label pre-packaged food items, including sandwiches, cakes, and salads, to document a full ingredients list and highlight the top 14 allergens. A6558A would align New York with global best practices.

We urge the legislature to pass this important piece of legislation and to better protect people with food allergies in New York.

Sincerely,

Asthma and Allergy Foundation of America (AAFA)

Kenneth Mendez

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Robyn Lao DNP, CPNP-AC

Allergies With Mia

Mia Silverman

⁴ Doctorov, E. C. (2023). Fearless dining: Mandating universal allergen disclosures on restaurant menus. *California Law Review*, 111(6). <https://doi.org/10.15779/Z385T3G14X>

⁵ U.S. Food and Drug Administration. (2022). *Food Code: 2022 recommendations of the United States Public Health Service Food and Drug Administration* (§ 3-602.12(C)). U.S. Department of Health and Human Services. <https://www.fda.gov/food/fda-food-code/food-code-2022>

⁶ Allergic Living. (2023, January 20). *FDA Food Code calls for allergen labels for dining, delis, bakeries*. <https://www.allergicliving.com/2023/01/20/fda-food-code-calls-for-allergen-labels-for-dining-delis-bakeries/>



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