



October 2, 2026

The Honorable Joseph F. Vitale

Chair, Senate Health, Human Services and Senior Citizens Committee

State House Annex

Trenton, New Jersey

Re: Letter of Support for S.3394

Dear Chair Vitale and members of the Senate Health, Human Services and Senior Citizens Committee,

On behalf of the undersigned organizations, we are writing today to express our strong support for S.3394. We believe that this bill will improve food safety for the nearly 1 million people in New Jersey with food allergies by requiring restaurants to document the top 9 allergens in a written format. The bill allows for flexibility in the format of disclosure, including an online option or on main menus, allergen charts, allergen menus, allergen chalkboards, or other similar formats.

An estimated 950,000 New Jerseyans live with food allergies.¹² Exposure to allergens can lead to severe reactions, including anaphylaxis and, in some cases, death. Because there is no cure to this chronic illness, people with food allergies must practice strict avoidance. As such, access to clear allergen information is critical. While federal laws have made it easier for individuals to avoid allergens in packaged foods, the labeling of restaurant food remains a significant gap in consumer safety.³

In fact, dining in restaurants represents the highest risk setting for food allergy reactions. Nearly 50% of reported fatal food allergy reactions are a result of food consumed from a restaurant or food establishment, and 75% of all food allergy reactions occur in a restaurant setting.⁴ Without menu disclosures and food-allergy trained staff, individuals with allergies must rely on verbal assurances from staff and spend significant amounts of time researching safe places to dine.⁵

More than half of parents of children with food allergies (53%) that AAFA surveyed in a regular patient study reported that they have left a restaurant in the middle of dining as a result of an allergy, and nearly 90% of parents have avoided certain restaurants altogether due to their child's allergy.⁶ Surveyed parents communicated the need for greater availability of information about the contents of restaurant meals and asked regulators to prioritize better food labeling inside restaurants.⁷ This bill would provide this critical transparency, making it easier for consumers to make safe choices and reducing the risk of life-threatening reactions.

Allergen disclosures take up minimal space on a menu and serve a vital public health function by helping consumers avoid potentially fatal allergic reactions.⁸ Countries around the world already require restaurants to disclose allergens.⁹ Many have already drawn

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 Kids With Food Allergies. (n.d.). *Food allergen labeling*. Kids With Food Allergies. Retrieved February 27, 2025, from <https://kidswithfoodallergies.org/living-with-food-allergies/choosing-safe-foods/label-law-food-allergen-labeling-consumer-protection-act/>

⁴ Radke, T. J., Brown, L. G., Faw, B., Hedeem, N., Matis, B., Perez, P., Viveiros, B., & Ripley, D. (2017). Restaurant food allergy practices—Six selected sites, United States, 2014. *Morbidity and Mortality Weekly Report*, 66(15), 404–407. <https://doi.org/10.15585/mmwr.mm6615a2>

⁵ Asthma and Allergy Foundation of America. (2019). *My life with food allergy: Parent survey report*.

⁶ Asthma and Allergy Foundation of America, 2019, p. 16

⁷ Asthma and Allergy Foundation of America, 2019, p. 38

⁸ Doctorov, E. C. (2023). Fearless dining: Mandating universal allergen disclosures on restaurant menus. *California Law Review*, 111(6). <https://doi.org/10.15779/Z385T3G14X>

parallels between the EU allergen restaurant labeling laws and the potential for states to improve allergen labeling laws in restaurants.¹⁰ This bill offers New Jersey residents the chance to adopt a similar, common-sense approach to protect the millions of residents managing food allergies

By enacting this bill, New Jersey would position itself as a leader in food allergy protections, setting a critical example for other states to follow. We urge the legislature to pass this bill into law and take an important step toward preventing needless allergic reactions and deaths.

Signed,

National Organizations

Asthma and Allergy Foundation of America
Addie Tells All
Alervio, Inc.
Allergic Emma
Allergic Living
Allergy and Asthma Network
Allergy Force LLC
Allergy Strong
Allergy Voyage LLC
Allergy Free Bakery
American College of Allergy, Asthma and Immunology
Camps Equinunk and Blue Ridge
Center for Science in the Public Interest
CertiStar
CURED Nfp
Elijah-Alavi Foundation
Epi-Pals
Food Allergy & Anaphylaxis Connection Team (FAACT)
Food Allergy Nursing Association
Food Allergy Science Initiative
Foodini
FOODiversity

FoodSage

⁹ European Commission. (2017). Commission notice of 13 July 2017 relating to the provision of information on substances or products causing allergies or intolerances as listed in Annex II to Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers (2017/C 428/01). *Official Journal of the European Union*, C 428, 1

¹⁰ 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>

International FPIES Association
Invisibly Allergic
Know My Menu
Loni Paige Events
Love for Giovanni Foundation
MenuTrinfo, LLC
NAPNAP
Natalie Giorgi Sunshine Foundation
National Action Network
National Celiac Association
New York Food Allergy & Wellness
No Nut Traveler
Nut Free Wok
Nutritics
Rebekah Reacts & Al the Allergy Pal
Red Sneakers for Oakley
SnackSafely.com
Spokin
The Food Allergy Psychologist
Thrive! Meetings & events

New Jersey-Based Organizations

Allergymomx2
Mom's Social Club
New Jersey Environmental Health Association
New Jersey State Nurses Association
NJ NAPNAP
Paris Ackerman LLP
Philippine Nurses Association of New Jersey
South Jersey Chapter of the National Black Nurses

New Jersey Independent Restaurants

East Coast Burger Company
Hands Down Cookies
Hyderabad Spice
In a Pinch
Meyer's Sweets
Mimi's Cookies
Missilla's Cakes Inc
Naru Sushi Hibachi
SugarBoards by JJ
Willow and Whisk