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Secretary, Executive Office of
Aging & Independence

PI-25-14
Ref: PI-10-11

TO: Aging Services Access Points (ASAP) Executive Directors, Nutrition Directors, Program Managers, Dietitians

FROM: Kelly Slattery, Director of Nutrition Programs

DATE: 11/14/2025

RE: Food Allergy Policy

Background:

In 2009, Massachusetts became the first state to mandate comprehensive food allergen awareness requirements for retail food establishments. In 2010, PI-10-11 was issued to achieve compliance with these requirements per [M.G.L. c.140 § 6B](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXX/Chapter140/Section6B), <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXX/Chapter140/Section6B>

The purpose of this law is to minimize risk of illness and death due to accidental ingestion of food allergens, by increasing food industry and consumer awareness of regulations and best practices with respect to major food allergens.

Since that time, there have been changes to food allergy awareness guidance. Effective January 1, 2023, the US Food & Drug Administration (FDA) updated the list of major food allergens to include [sesame](https://www.fda.gov/consumers/consumer-updates/allergic-sesame-food-labels-now-must-list-sesame-allergen) <https://www.fda.gov/consumers/consumer-updates/allergic-sesame-food-labels-now-must-list-sesame-allergen>. The other major food allergens are milk, eggs, fish (such as bass, flounder, or cod), crustaceans (such as crab, lobster, or shrimp), tree nuts (such as almonds, pecans, or walnuts), wheat, peanuts, and soybeans; and any food ingredient that contains these proteins.

Effective October 7, 2024, the Department of Public Health (DPH) Food Protection Program (FPP) issued [updated guidance](https://www.mass.gov/lists/food-allergen-awareness-guidance) <https://www.mass.gov/lists/food-allergen-awareness-guidance> on allergen awareness requirements. This includes a change to the training requirement, which expands training options if specific requirements are met, and is valid for 5 years. In addition, an [approved allergen awareness poster](https://www.mass.gov/doc/food-allergen-awareness-poster/download) <https://www.mass.gov/doc/food-allergen-awareness-poster/download> must be posted in employee work areas. Older American's Act Elderly Nutrition programs are exempted from allergy menu notice requirements per

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[105CMR 590.011\(C\)\(4\)\(b\).](#)

<https://www.mass.gov/files/documents/2018/10/09/105cmr590.pdf>

This Program Instruction supersedes and replaces PI-10-11.

Food Allergy Meal Policy

To ensure the safety of older adults participating in the congregate and home delivered meals programs, it is critical to gather accurate information regarding the nature of consumers' food allergies. New participants should be asked during intake what food allergies they may have and if they are life-threatening, which is defined as "resulting in anaphylaxis" and requires epinephrine. Information about the allergy may be requested from the consumer's physician, after securing appropriate release documentation.

Due to the volume of meals produced daily and the nature of production, safely eliminating an allergen from meals cannot be guaranteed. Ingredients in food products and recipes are subject to change without any notice. Also, there is a high risk that cross contact may occur between food items during production. Cross contact refers to the transfer of an allergen protein from an allergenic food to a non-allergenic one.

Recommended Actions

1. New consumers should be evaluated on an individual basis to determine if an allergy is life-threatening and whether accommodation is possible.

For a life-threatening allergy, accommodation might include:

- Providing meals from a vendor that can be guaranteed to be free of the allergen, including trace amounts and cross-contact.
- Referring the consumer to an Aging Services Access Point (ASAP) for an assessment as to what alternative accommodation may be available (such as food shopping and meals preparation services).

AGE does not review or approve food allergy waivers.

For non-life-threatening allergies, accommodations will be set by each local nutrition program such as:

- The program may provide the consumer with a list of menu items that may contain food allergens.
- A program may offer substitute/alternative meals or parts of the meal

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- A program may recommend that participants cancel meals on days on which potentially offending foods are scheduled to be served.
2. The presence of allergies and any accommodation should be documented in (A & D).

There are three custom fields in A&D:

Food Allergy (yes or no)

Food Allergy Details (free text)

Food Allergy Type (free text)

3. The Person in Charge (PIC) at the meal site, which is usually the congregate meal site manager, shall complete the AGE issued Allergen Awareness Training, at a minimum of every 5 years. Other program staff are also encouraged to participate in training. The training, which has been reviewed by DPH, includes:
- A slideshow incorporating [DPH required components](https://www.mass.gov/info-details/food-allergen-awareness-faqs) <https://www.mass.gov/info-details/food-allergen-awareness-faqs> and a Food Allergy Research and Education (FARE) video.
 - A 10-question exam
 - Certificate of successful completion

Please note that all Nutrition Program personnel must be instructed to call 911 and notify their supervisor in the case of an emergency due to an allergic response.

4. All congregate meal sites must display the [food allergy poster](https://www.mass.gov/doc/food-allergen-awareness-poster/download) <https://www.mass.gov/doc/food-allergen-awareness-poster/download> in the food preparation area.

Effective Date: Immediately

Contact: If you have questions about this PI, please contact Amy Sheeley, State Nutritionist, Amy.Sheeley@mass.gov