

Open Sesame:

Why Sesame Must Be Disclosed As an Allergen on Food Labels

Introduction: Sesame is A Hidden Allergen that Risks Lives

An estimated 300,000 to 500,000 people in the United States suffer from sesame allergy.¹ For them, consumption of sesame seeds or products made from sesame, like sesame paste or oil, can trigger a range of allergic reactions that includes hives, difficulty breathing, and even fatal anaphylaxis. Studies show that even amounts as low as 100 mg of sesame-derived ingredients can provoke a dangerous reaction, while a 30 mg reactive threshold has been observed in other individuals.² According to a leading allergist, Robert Wood, M.D., Director of Pediatric Allergy and Immunology at Johns Hopkins University School of Medicine in Baltimore, “Sesame allergies have probably increased more than any other type of food allergy over the past 10 to 20 years. They’re now clearly one of the six or seven most common allergens in the U.S.”³

Yet under current labeling requirements in federal law, *manufacturers need not label sesame as a separate ingredient at all*. Sesame protein might fall under “spices” or “natural flavorings,” or sesame may be listed by a strange name such as gingelly or sesamol, giving allergic consumers no warning that a product contains sesame. Consequently, consumers have limited – or sometimes no – access to information about the presence of sesame in food, despite the widespread and potentially fatal nature of an allergic reaction. One parent, Joe Medler, told the story of his son’s terrifying allergic experience with sesame:

*[W]e were having our normal lunch. Then little red pinpricks appeared around our son’s red and watering eyes. That’s weird. Then bright red blotches all over his face and a high whistle from the air trying to get in and out. Then running to the car. Then heavy vomiting, as it was the only way it seemed he could get breath. Then, no breathing and beet red.*⁴

CSPI, along with leading allergists and affected families, filed a Citizen Petition before the Food and Drug Administration (FDA) in 2014, calling on the agency to require labeling of sesame in foods.⁵ In June 2015, Senators Chris Murphy (D-CT), Richard Blumenthal (D-CT), and Ed Markey (D-MA), joined us in asking FDA to require sesame allergen labeling.⁶ And as of July 22, 2015, more than 6,800 people have signed an on-line Change.org petition written by a parent of a sesame-allergic child, Brian Heller of Virginia, asking FDA to require sesame warning labels on products.⁷

A Thorough Product Investigation Reveals Alarming Refusals to Disclose Allergens Even on Request

As a follow-up to our Citizen Petition and with the help of sesame-allergic consumers, CSPI recently conducted an investigation into how and whether consumers with sesame allergy can protect themselves given the current lack of labeling requirements. We found that an alarming number of companies refuse to disclose whether sesame is present in products even when asked.

At CSPI's request, through diligent personal effort, families affected by sesame allergy compiled a list of companies that do not disclose sesame in ingredient lists or allergen statements, including many products that may contain "hidden" sesame in ingredients listed as "natural flavoring" or "spices." Using this crowd-sourced list (see Appendix A), CSPI contacted food companies, finding that a shocking number of companies will not disclose sesame content to potential customers *even when responding to a direct inquiry*. The resulting lack of basic transparency in the food supply leaves even the most vigilant consumers dangerously in the dark. Below are just a tiny sampling of products that sesame-allergic consumers might want to avoid because their manufacturers will not disclose sesame content even upon request.

Kellogg's®
Raisin Bran Crunch®

Nutrition Facts		Amount/Serving	%DV*	Amount/Serving	%DV*	Amount/Serving	%DV*
Serving Size 1 Container (80g)		Total Fat 1.5g	2%	Cholesterol 0mg	0%	Dietary Fiber 6g	26%
Calories 280		Saturated Fat 0g	0%	Sodium 280mg	12%	Sugars 29g	
Calories from Fat 10		Trans Fat 0g		Total Carb. 68g	23%	Protein 5g	
* Percent Daily Values (DV) are based on a 2,000 calorie diet.		Vitamin A 20%	Vitamin C 2%	Calcium 2%	Iron 45%		
		Vitamin D 25%	Thiamin 50%	Riboflavin 45%	Niacin 50%		
		Vitamin B6 45%	Folic Acid 40%	Vitamin B12 45%	Zinc 15%		

Ingredients: Whole grain wheat, sugar, raisins, rice, wheat bran, whole grain oats, brown sugar syrup, glycerin, corn syrup, contains 2% or less of salt, malt flavor, modified corn starch, molasses, palm oil, cinnamon, honey, natural and artificial flavor, BHT for freshness.

Vitamins and Minerals: niacinamide, reduced iron, vitamin C (ascorbic acid and sodium ascorbate), zinc oxide, vitamin B6 (pyridoxine hydrochloride), vitamin A palmitate, vitamin B2 (riboflavin), vitamin B1 (thiamin hydrochloride), folic acid, vitamin D, vitamin B12.

CONTAINS WHEAT INGREDIENTS.



Our Family Recipe

CULTURED PASTEURIZED ORGANIC NONFAT MILK, ORGANIC SUGAR, ORGANIC RASPBERRY PUREE, ORGANIC POMEGRANATE JUICE FROM CONCENTRATE, ORGANIC ACAI PUREE, PECTIN, ORGANIC BLACK CURRANT JUICE CONCENTRATE (FOR COLOR), ORGANIC CAROB BEAN GUM, NATURAL FLAVOR, VITAMIN D₂.

Live Active Cultures

S. THERMOPHILUS, L. BULGARICUS, L. ACIDOPHILUS, BIFIDUS, L. CASEI, AND L. RHAMNOSUS



Kellogg's®
Special K®

Multigrain Oats & Honey

Ingredients: Whole grain wheat, rice, sugar, whole grain oats, wheat bran, milled corn, contains 2% or less of honey, soluble wheat fiber, salt, malt flavoring, natural and artificial flavor, BHT for freshness.

Vitamins and Minerals: Vitamin C (ascorbic acid), reduced iron, niacinamide, vitamin B6 (pyridoxine hydrochloride), vitamin B2 (riboflavin), vitamin B1 (thiamin hydrochloride), vitamin A palmitate, folic acid, vitamin D, vitamin B12.

CONTAINS WHEAT INGREDIENTS. CORN USED IN THIS PRODUCT MAY CONTAIN TRACES OF SOYBEANS.

The prevalence of nondisclosure among food-makers we contacted suggests a pervasive and dangerous lack of information about a life-threatening risk for consumers. Indeed, of the dozens of food makers contacted, only three – Kraft, General Mills, and Mondelez – include sesame currently in allergen labeling for products. Some companies, like Frito-Lay, do not warn of sesame content on product packaging but will disclose sesame content if a consumer calls to request information. But many companies – including major food manufacturers that make dozens of products – do not disclose the presence of sesame on labels and will not tell a consumer if they ask for that information. The task of conducting meticulous research to determine whether foods are safe to eat is a risky system that should not be imposed upon the public.

Undeclared Sesame Is a Serious Public Health Issue and Current Rules Fail to Protect Consumers

The FDA has concluded that “the undeclared presence of allergens in foods is a serious public health issue.”⁸ Currently there is no medical treatment available to prevent allergic reactions to food, and, as such, the only way for consumers to avoid them is by taking strict precautions to identify allergens in products before they are consumed.

To protect allergic consumers, the Food Allergen Labeling and Consumer Protection Act (FALCPA) was enacted in 2004. At the time FALCPA was passed in 2004, the law focused on what were then widely considered the eight major allergens – milk, egg, fish, shellfish, tree nuts, wheat, peanuts, and soybeans.⁹ Commonly known as the “Big 8,” these allergens were at that time thought to account for 90 percent of allergic reactions to food. Since 2004, sesame allergy has become more and more prevalent, perhaps overtaking some of the Big 8 allergens.¹⁰ The law allows FDA to add new allergens to those required to be disclosed, as pictured below, but the FDA has not done so for sesame.



Overseas, labeling of sesame is common. Numerous countries have enacted measures to warn consumers about the presence of sesame in foods. Canada,¹¹ the European Union,¹² and Australia and New Zealand¹³ require allergen labeling for sesame, and as of December 2014 Europe also requires restaurants to inform customers of the presence of 14 common allergens in their food, including sesame.¹⁴ In the United States, allergen labeling under FALCPA only applies to packaged foods,¹⁵ which does not include most foods sold in restaurants, and the allergen training for restaurant employees that FDA recommends in the Food Code only targets the eight major food allergens and does not include sesame.¹⁶

In the United States, some allergists have noticed that the occurrence of sesame allergies has become far more common, even outpacing other common allergic reactions. As Dr. Wood notes, “[i]t’s remarkably common to see sesame allergy and to see severe reactions to it.” Dr. Wood estimated in 2010 that sesame was the fourth or fifth most common allergy in his patient population of 4,000 kids with severe food allergies. He indicated that while food allergies are on the increase generally, sesame allergy “appears to have increased somewhat more than the others.”¹⁷ In certain other countries, studies show that sesame is as prevalent or more prevalent than the eight allergens addressed in FALCPA – in Israel, for example, sesame is one of the top two or three allergens,¹⁸ and the Australasian Society of Clinical Immunology and Allergy lists nine major allergens, including sesame along with the same eight recognized in the United States.¹⁹

Despite the large and growing number of Americans who are allergic to sesame, current U.S. law does not require disclosure of sesame on allergen labels. While the top allergens recognized under FALCPA must always be listed with ingredients and in a separate allergen warning, sesame can be present in foods as part of “natural flavoring” or “spices,” which contain a variety of components that are not listed individually.

FALCPA also helpfully requires allergens to be listed by their common name, as consumers might not recognize other terms. A label for a pasta listing semolina, for instance, must disclose that it contains wheat, as consumers may not recognize semolina as a wheat product. This type of requirement is essential for those allergic to sesame, which is sometimes listed under unfamiliar names such as “tahini,” “gingelly oil,” or “til oil.”

These uncommon names for sesame pose an unacceptable risk to consumers. A South African woman died last year from an anaphylactic reaction after eating at a restaurant while on vacation in Israel. She was unaware that “tahini” is sesame paste.²⁰ The same problem could occur in the United States. While sesame allergy is among the most dangerous type of food allergy, producing a potentially fatal anaphylactic reaction like that of a peanut, tree nut, or shellfish allergy,²¹ unlike these allergy-inducing foods, sesame need not be labeled by its common name.

Sesame-allergic consumers are thus deprived of critical information when they buy groceries or eat outside of the home. While some sources of sesame are obvious, sesame-based ingredients can turn up in surprising places. Brach’s candy corn, for instance, contains sesame oil,²² and the tortilla in Kashi’s chicken enchilada is made with sesame flour.²³

Sesame in Candy Corn and Chicken Enchiladas?



Sesame and sesame-based products – particularly sesame oil – are also used in a number of products besides food, like adhesive bandages, which can trigger a reaction when placed in contact with skin.²⁴ Other typical non-food sources of sesame are cosmetics, hair-care products, perfumes, soaps, and sunscreens.²⁵ Without disclosure of sesame in allergen labeling, these products are hard for consumers to identify and avoid. FDA could require labeling of these products at the same time that it addresses this labeling need in foods, as it has with previous allergens such as cochineal/carmine.²⁶

In the Absence of a Requirement, Many Companies Decline to Provide Allergen Information for Sesame Even Upon Consumer Request

The omission of sesame from required disclosure makes eating riskier and more frustrating for consumers with sesame allergy than it is for people with other common allergens, despite similar prevalence and risks.

When CSPI contacted food manufacturers, companies generally indicated indifference to these risks for consumers, making clear that they will label only the ingredients required by FALCPA. In response to our request, ConAgra (producer of Fleischmann’s Spread), for instance, wrote “If you have any allergen concerns outside of the Major Food Allergens, we recommend you do not consume [our products].” Similarly, Heinz wrote in reply that “we suggest that you do not use this product if you are allergic to an ingredient other than those specifically declared on the label.”

Representatives of some brands also refused to disclose whether a product contains sesame on the spurious grounds that the information constituted a trade secret. Heinz wrote “because recipes are not patentable, we are unable to share specific ingredient information with you such as sesame.” Land O’Lakes gave a similar response, writing that “[b]ecause the flavors that we use are proprietary information, we are unable to disclose more specific information than what can be found on our labels.” But disclosing the presence of a dangerous allergen should trump a company’s desire to keep its ingredients secret. Moreover, the presence or absence of a particular single ingredient is exactly the type of information that food makers are required to provide under FALCPA, which has never been challenged on a trade secret basis. For all of

these reasons, whether or not a food contains sesame should definitely not be considered a trade secret.

Another barrier to disclosure is that it is common practice for food makers to purchase flavorings from outside sources that may refuse to disclose the sub-components of their products. In response to a request for sesame information, Unilever (maker of Shedd's Country Crock spread) wrote "[m]any of our unique flavors are created for us by flavor suppliers, and we purchase the flavors as a single component. Since the formula of the flavor is proprietary to the flavor supplier, we do not have a list of the flavoring ingredients." If sesame were added to the list of major allergens by FDA, as our Petition requests, such company-to-company disclosure would be required and managed, just as they have been for approved allergens.

Sesame's exclusion from the list of allergens included in FALCPA, then, prevents consumer access to information that is critical to the safety of those with sesame allergies. The makers of the following products refused disclosure even when asked:



Food Companies' Recalcitrance on Labeling Is Not Justified Under the Law

Under FALCPA, states and municipalities are likely preempted from requiring food manufacturers to add sesame to the list of major allergens, as a provision in the law requires a uniform national approach to the allergy labeling of foods.²⁷ But the issue of corporate responsibility to warn consumers is not exhausted by this single aspect of the law. Indeed, there are several other areas of the food label that are not regulated under FALCPA and that could be used to alert consumers to the presence of sesame.

First, where appropriate, in their ingredients lists, companies could disclose the presence of sesame in “flavorings” or “spices,” either by listing sesame as a sub-ingredient or by using a statement that the food “may contain” or “does contain” sesame in a parenthetical.

Second, separately from the ingredient list, many products currently include labeling statements that a product “may contain” an allergen. This is an area left completely untouched by FALCPA, as both the text of the bill and the legislative history demonstrate.²⁸ Companies should include these types of warning statements for sesame-containing products, as many products already have “may contain” statements that warn of possible cross-contamination with other allergens. For examples, see the following labels:



warning on almond butter package



warning on Simply Protein bars

Crafted by:
AmberLyn Chocolates
Salt Lake City, Utah 84116
www.AmberLynChocolates.com

Net Carbs 2g Total Carbs: 19g • Non-Impact Carbs: -17g
The - 17 non-impact carbs are derived from Maltitol (a sugar alcohol) and dietary fiber.

Made in USA

Nutrition Facts	Amount/Serving	%DV*	Amount/Serving	%DV*
	Total Fat 12g	18%	Total Carb 19g	6%
	Sat. Fat 8g	40%	Dietary Fiber 2g	8%
	Trans Fat 0g		Sugars 0g	
	Cholest. 0mg	0%	Maltitol 15g	
	Sodium 0mg	0%	Protein 2g	
	Vitamin A 0% • Vitamin C 0% • Calcium 1% • Iron 5%			

Ingredients: Unsweetened Chocolate, Maltitol (from wheat but gluten free), Cocoa Butter, Soy Lecithin, Vanilla. Contains soy and may contain traces of various tree nuts. May cause a laxative effect. See AmberLynChocolates.com for gluten free information.

warning on Amberlyn chocolate bar

FALCPA also did not address requirements with regard to restaurant foods or disclosure of major allergens on restaurant menus.²⁹ Some restaurant chains declare allergens on the Web as part of their nutrition information (including Burger King, Arby's, and Quiznos), while other restaurants have declared themselves free of certain allergens (e.g., Chipotle is peanut-free). Food manufacturers and restaurants should voluntarily warn consumers on menus at the point-of-sale of all allergens and of possible cross-contamination for both the major allergens and for additional significant allergens such as sesame to protect the safety of their customers.

To illustrate the need for menu labeling, consider this – when questioned as to the sesame content of their foods, California Pizza Kitchen indicated in response to our inquiry that its pizza dough may contain sesame. Even very cautious allergic consumers would not expect sesame in pizza dough. Yet restaurants generally fail to warn customers of this possibility despite knowing of the presence of sesame in the food.

Companies should close these gaps immediately and decisively. Consumers should take action to push companies to do voluntary disclosure. Affected consumers should call for sesame labeling by restaurants and food manufacturers by complaining to companies and joining email and letter-writing campaigns.

Products Made on Shared Equipment Present Danger of Sesame Contamination, Often Without Manufacturer Warnings to Consumers

Sesame also sometimes appears unintentionally in products, especially when facilities are used to produce both sesame and non-sesame products. Following the production of an item containing sesame ingredients, seeds and other remnants of sesame material can be left on equipment and taint the next items produced. Many food makers have control measures in place to reduce the likelihood of cross contamination, even though FALCPA does not require that equipment be cleaned after products containing allergens are made. However, many food-makers only follow these procedures for the major food allergens, and their protocols do not dictate that equipment be cleaned after products with sesame ingredients are made.

It is rare for food makers to maintain allergen-free facilities, and even rarer for sesame to be among the allergens that a manufacturer excludes or includes in a “may contain” notice on the label. In fact, of the approximately three dozen brands CSPI queried about cross-contamination risks, not one indicated that they had a dedicated sesame-free facility. With such risks present in the manufacturing process, consumer awareness of the potential for contamination is critical. Many food makers include a “may contain” warning on products that may be contaminated with allergens, though they are not required to do so by the FDA. However, a majority of brands contacted by CSPI who had such policies in place only extended them to the major food allergens – and not to sesame.

Conclusion: FDA Should Add Sesame to the List of Allergens. If FDA Fails to Act Expeditiously, Congress Should Require FDA to Mandate Allergen Labeling for Sesame.

FDA should act expeditiously and decisively to grant the pending citizen petition filed by leading food-allergy experts and the Center for Science in the Public Interest.³⁰

In the meantime, in the face of agency inaction and to ensure that consumers are provided with sufficient information to avoid food products that contain sesame, Congress should require FDA, by a date certain, to issue a final rule that mandates the following two common-sense measures along the lines of FALCPA:³¹

- 1) Sesame should be added to FDA's list of allergens in Sec. 555.250 of its Compliance Policy Guides Manual, "Statement of Policy for Labeling and Preventing Cross-contact of Common Food Allergens," to address both labeling and cross-contact issues related to food manufacturing practices; and
- 2) Once added to FDA's list of allergens, sesame-based ingredients should, just like the major allergens identified in FALCPA, be listed by common name ("sesame") in the ingredients lists of all foods and/or in an allergen statement immediately following such lists.

In addition, Congress should also require FDA to publish educational materials directed at restaurants and food providers to raise awareness about the potential for sesame and sesame-based ingredients to cause severe allergic reactions.

Last, FDA should request that the Model Food Code be modified to reflect the allergenic risks of sesame so that restaurant workers will be made aware of the risks and be able to advise sesame-allergic consumers concerning safe foods. The Code is a model and reference document for state, city, and county agencies that regulate restaurants, retail stores, and other food vendors. It already contains provisions for restaurants to train workers to recognize major food allergens and their symptoms and to avoid cross-contamination, but this training only extends to the eight allergens listed in FALCPA.³² Revising the Code to address sesame allergies would promote safer sale and handling of foods, reducing the risk of accidental ingestion for individuals allergic to sesame.

Appendix A

Common Food Brands that Do or Do Not Disclose Unlabeled Sesame

AVOID	CALL TO CONFIRM
Brands that do not list sesame with allergens and do not provide information upon request.	Brands that do not list sesame with allergens but provide information upon request.
<p>Heinz – including:</p> <p style="padding-left: 40px;">Classico Pasta Sauces, Heinz Tomato Ketchup, Lea & Perrins, Bagel Bites, Delimex, TGI Friday’s Home Foods, Wattie’s</p> <p>Kellogg’s – including:</p> <p style="padding-left: 40px;">All-Bran, Apple Jacks, Bear Naked, Inc., Cinnabon, Corn Pops, Cracklin’ Oat Bran, Crispix, Crunchmania, Crunchy Nut, Eggo, Famous Amos, Froot Loops, Frosted Mini-Wheats, Fruit Flavored Snacks, Fruit Winders, Fruity Snacks, Honey Smacks, JIF, Kashi, Keebler, Kellogg’s Corn Flakes, Kellogg’s Fiber Plus, Kellogg’s Frosted Flakes, Krave, Low Fat Granola, Kellogg’s Nutri-Grain, Kellogg’s Origins, Kellogg’s Raisin Bran, Kellogg’s To Go, Mueslix, Morningstar Farms, Mother’s Cookies, Murray Cookies, Pop-Tarts, Pringles, Product 19, Rice Krispies, Smart Start, Special K, Sunshine Biscuits.</p> <p>Land O’Lakes – including:</p> <p style="padding-left: 40px;">Land O’Lakes Butter, Saute Express Cooking Products, Land O’Lakes Deli Cheeses, Cappuccino Classics, Cocoa Classics.</p> <p>(Continued on next page)</p>	<p>Frito-Lay – including:</p> <p style="padding-left: 40px;">Cheetos, Cracker Jack, Doritos, Fritos, Funyuns, Grandma’s, Lay’s, Matador Beef Jerky, Miss Vickie’s, Munchies, Munchos, Rold Gold, Ruffles, Smart Food, Stacy’s, Sun Chips, Tostitos, TrueNorth.</p> <p>Amoroso’s Bakery.</p> <p>Utz – including:</p> <p style="padding-left: 40px;">Utz Pretzels, Utz Chips, Utz Cheese Curls, Utz Popcorn, Utz Sourdough.</p> <p>Stonefire Naan Products.</p> <p>Berlin Natural Bakery.</p> <p>King Arthur Flours.</p> <p>Trader Joes.</p>

Appendix A: Brands that Do Not Disclose “Hidden” Sesame, Continued

AVOID	CALL TO CONFIRM
Brands that do not list sesame with allergens and do not provide information upon request.	Brands that do not list sesame with allergens but provide information upon request.
<p>Shedd’s Country Crock – including:</p> <p style="padding-left: 40px;">Buttery Spreads, Flavored Spreads, Spreadable Butter.</p> <p>Stonyfield Farm¹ - including:</p> <p style="padding-left: 40px;">Stonyfield Greek Yogurt, Stonyfield Greek and Chia, Oh My Yog!, Fruit on the Bottom, Smooth and Creamy, OP, Stonyfield Smoothies, O’Soy, YoKids, Stonyfield Greek Frozen Yogurt, Frozen Yogurt Pearls, Petit Crème.</p> <p>Con Agra – including:</p> <p style="padding-left: 40px;">Act II Popcorn, Andy Capp’s, Banquet Frozen Meals, Bertolli, Blue Bonnet, Chef Boyardee, Crunch n’ Munch, David Seeds, Dennison’s Chili, Egg Beaters, Fiddle Faddle, Fleischmann’s Spread, Gulden’s Mustard, HK Anderson Snacks, Healthy Choice, Hebrew National, Hunt’s, Jiffy Pop, Kid Cuisine, Lamb Weston, Libby’s, Lofthouse Cookies, Manwich, Marie Callender’s, Odom’s Tennessee Pride, Orville Redenbacher’s, P. F. Chang’s Home Menu, Parkay, Penrose, Reddi-Wip, Rosarita, Slim Jim, Snack Pack, Spicetec, Swiss Miss, Van Camp’s, Wolf Brand Chili.</p> <p>(continued on next page)</p>	

¹ Stonyfield has asked their flavor suppliers to disclose sesame but as of July 2015 has gotten no response. Per a phone conversation with Stonyfield Customer Representative, July 22, 2015.

Appendix A: Brands that Do Not Disclose “Hidden” Sesame, Continued

<p style="text-align: center;">AVOID</p> <p style="text-align: center;">Brands that do not list sesame with allergens and do not provide information upon request.</p>	<p style="text-align: center;">CALL TO CONFIRM</p> <p style="text-align: center;">Brands that do not list sesame with allergens but provide information upon request.</p>
<p>Pepperidge Farm – including:</p> <p>Milano Cookies, Sausalito Cookies, Geneva Cookies, Tahiti Cookies, Pirouettes, Sweet & Simple Cookies, Goldfish, Cracker Trio, Golden Butter Crackers, Pretzel Thins, Swirl Breads, Pepperidge Farm English Muffins, Brightside, Pepperidge Farm Breads, Stone Baked Dinner Rolls, Texas Toast, Puff Pastry.</p> <p>Nestle – including:</p> <p>Aero, Boost, Buitoni, Butterfinger, Cini Minis, Coffee-Mate, Cookie Crisp, Crunch, DiGiorno, Dreyer’s, Extreme Ice Cream, Fitness Flakes, Haagen-Dazs, Hot Pockets, Jack’s Pizza, KitKat, Lean Cuisine, Milo, Nesquik, Optifast, Orion, Stouffer’s, Toll House, Wonka.</p> <p>Campbell’s² – including:</p> <p>Condensed Soups, Chunky, Homestyle, Slow Kettle, Healthy Request.</p>	

² Per a conversation with a Campbell’s representative on 7/24/2015, Campbell’s is in the process of rolling out a ‘contains’ disclosure statement for sesame. Until then, they cannot disclose the sesame content of their flavorings.

Appendix B

Unfamiliar Names for Sesame in Ingredients Lists

- Ajonjoli, anjonolies
- Alegría
- Benne, bene seed or benniseed
- Gingelly or gingilly (or gingelly or gingilly oil)
- Gomasio, gomashio (sesame salt)
- Halvah (powdered sesame plus sweetener) or Halavah
- Kura Goma (Japanese black sesame seeds)
- Milakai Podi (ground powder made of sesame and dry chili)
- Pasteli
- Sésamo
- Sesamol
- Sesarmol
- Sesamolina
- Sesamum
- Sesamum indicum
- *S. indicum*
- *S. radiatum*
- *S. schum*
- *S. thoron*
- *S. albumin*
- Seeds
- Sim sim
- Tahini (sesame paste or sesame butter)
- Tahina
- Tehina
- Til or til oil

Could be within / referred to generically as:

- Baba ghanoush (eggplant dip, typically made with tahini)
- Breadcrumbs
- Falafel
- Flavor/s, flavoring/s
- Tocopherols or foods fortified with Vitamin E (this may be derived from sesame seeds, though most often it is from soy; we note that if it is derived from sesame, it may no longer be allergenic because the vitamin is isolated from the protein)
- Herbs
- Hummus (typically contains tahini, which is sesame paste)
- Natural Flavoring/s
- Seasoning/s

- Seed/s
- Spice/s
- Tempeh (fermented soy product that sometimes contains sesame)
- Vegetable oil (which may contain sesame oil but still be labeled merely as “vegetable oil”)

Appendix C

Brands With Identified Cross-Contamination Risks

Brand	Dedicated Sesame-Free Facilities	Disclosure of Possible Sesame Cross-Contamination	Allergen Sanitation Procedures for Sesame
Arnold	No	No	No
Beefsteak	No	No	No
Bimbo	No	No	No
Boboli	No	No	No
Brownberry	No	No	No
D'Italiano	No	No	No
Entenmann's	No	No	No
Eureka	No	No	No
Freihofer's	No	No	No
Goodbye Gluten	No	No	No
Grandma Sycamore's Homemaide Bread	No	No	No
Heiner's	No	No	No
J.J. Nissen	No	No	No
Maier's	No	No	No
Marinela	No	No	No
Mrs. Baird's	No	No	No
Nature's Harvest	No	No	No
Oroweat	No	No	No
Sara lee	No	No	No
Stroehmann	No	No	No
Thomas'	No	No	No
Tia Rosa	No	No	No

Appendix D

Brands with A Somewhat Lower Risk of Cross-Contamination

Brand	Dedicated Sesame-Free Facilities	Disclosure of Possible Sesame Cross-Contamination	Allergen Sanitation Procedures for Sesame
Ben & Jerry's	No	No	Yes ³
Cadbury	No	Yes	Yes
General Mills	No	Yes	Yes
Kraft	No	Yes ⁴	— ³³
Mondelez	No	Yes	Yes
Nabisco	No	Yes	Yes
Newtons	No	Yes	Yes
Nilla	No	Yes	Yes
Nutter Butter	No	Yes	Yes
Oreo	No	Yes	Yes
Premium	No	Yes	Yes
Ritz	No	Yes	Yes
Trident	No	Yes	Yes
Triscuit	No	Yes	Yes
Wheat Thins	No	Yes	Yes

³ Ben & Jerry's cleans manufacturing equipment after production of each flavor.

⁴ Cross-contamination is disclosed if sesame is present at a level exceeding 10 parts per million.

Endnotes

¹ See Sicherer, S. H. (2011). Epidemiology of food allergy. *Journal of Allergy and Clinical Immunology*, Vol. 127(3). P. 596-97; Ben-Shoshan, M. et al (2010). A population-based study on peanut, tree nut, fish, shellfish, and sesame allergy prevalence in Canada. *The Journal of Allergy and Clinical Immunology*, Vol. 125(6), p. 1327-35; Food Allergy & Anaphylaxis Connection Team's Basics on Sesame Allergy. Available on-line at http://www.foodallergyawareness.org/foodallergy/food_allergens-11/sesame-33/.

² Morisset, M. et al (2003). Thresholds of clinical reactivity to milk, egg, peanut and sesame in immunoglobulin E-dependent allergies: evaluation by double-blind or single-blind placebo-controlled oral challenges. *Clinical and Experimental Allergy*, Vol. 33(8), p. 1049.

³ Laino, C. (2009, March 16). Sesame Allergies on the Rise in U.S. *WebMD Allergies Health Center*. Retrieved at <http://www.webmd.com/allergies/news/20090316/sesame-allergies-on-the-rise-in-us>; See also, Gangur, V., C. Kelly, and L. Navuluri (2005). Sesame allergy: a growing food allergy of global proportions? *Annals of Allergy, Asthma and Immunology*, Vol. 95(1), p. 4-11.

⁴ <http://www.scarymommy.com/the-day-i-stopped-judging-parents-of-children-with-food-allergies/>

⁵ FDA-2014-P-2035-0001, Nov. 25, 2014. Available on-line at: <http://cspinet.org/new/pdf/11-18-sesame-petition.pdf>.

⁶ Letter from Senators Murphy, Blumenthal, and Markey to Commissioner Ostroff, June 24, 2015. View the press release and full letter here: <http://www.murphy.senate.gov/newsroom/press-releases/murphy-blumenthal-call-on-fda-to-label-and-regulate-all-sesame-products>.

⁷ See the Change.org petition here: <https://www.change.org/p/fda-add-sesame-seeds-as-an-allergen-to-us-product-labeling-laws-require-them-to-be-disclosed-on-us-food-labels>.

⁸ 66 Fed. Reg. 38591-92 (July 25, 2001). The United States Department of Agriculture (USDA) Food Safety and Inspection Service (FSIS) also concluded that the failure to clearly disclose the presence of a major food allergen is a major public health concern. "Allergens – Voluntary Labeling Statements" <http://www.fsis.usda.gov/OPPDE/larc/Ingredients/Allergens.htm> (visited June 30, 2015). Per the FSIS, "there are many foods and food ingredients to which some individuals may have some degree of intolerance or possible allergic reaction. That is why complete labeling is so critically important." *Id.*

⁹ Defined in 21 U.S.C. § 321(qq)(1).

¹⁰ Laino, Charlene. "Sesame Allergies on the Rise in U.S.: Sesame Seed Allergy Now Among Most Common Food Allergies." *WebMD Health News* March 16, 2009. <http://www.webmd.com/allergies/news/20090316/sesame-allergies-on-the-rise-in-us>.

¹¹ Health Canada. Food and Drug Regulations (C.R.C., c. 870) B.01.010.1 (1). <http://gazette.gc.ca/rp-pr/p2/2011/2011-02-16/html/sor-dors28-eng.html>.

¹² European Food Safety Authority. Directive 2003/89/EC, OJ L 308/15, p.1-4 of 25.11.2003. http://ec.europa.eu/food/food/labellingnutrition/foodlabelling/fl_com2003-89_en.pdf.

¹³ Australia New Zealand Food Standards Code - Standard 1.2.3 - Mandatory Warning and Advisory Statements and Declarations- F2010C00337. <http://www.comlaw.gov.au/Details/F2010C00337>.

¹⁴ The Food Information Regulations 2014, SI 2014/1855.

¹⁵ Food and Drug Administration. "Food Allergen Labeling And Consumer Protection Act of 2004 Questions and Answers." Available on-line at: <http://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/Allergens/ucm106890.htm#q26>.

¹⁶ U.S. Department of Health and Human Services. "2013 Food Code." Page 401.

¹⁷ Becker, E. (2010). Parent Alert: Sesame Seed Allergy. *Gluten Free & More*, June/July 2010 issue. Retrieved at http://www.glutenfreeandmore.com/issues/4_8/sesame_seed_allergy-2025-1.html.

¹⁸ Aaronov, D. et al (2008). Natural history of food allergy in infants and children in Israel. *Annals of Allergy and Asthma Immunology*, Vol. 101(6), p. 637-40.

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- ¹⁹ Australasian Society of Clinical Immunology and Allergy (2015). Information for Patients, Consumers and Carers: Food Allergy. Available on-line at: http://www.allergy.org.au/images/pcc/ASCIA_PCC_Food_Allergy_2015.pdf.
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- ²¹ Wood, R. A., and J. Kraynak (2007). Food Additives for Dummies. *Wiley Publishing, Inc.* p. 49.
- ²² “Ingredients.” Brach’s. <http://www.brachs.com/products/candy-corn/>. Page accessed June 3, 2015.
- ²³ “Kashi® Frozen Entrees Chicken Enchilada.” Kashi. <https://www.kashi.com/our-foods/entrees/kashi-frozen-entrees-chicken-enchilada>. Page accessed June 3, 2015.
- ²⁴ “Sesame - One of the Ten Priority Food Allergens.” Health Canada. http://www.hc-sc.gc.ca/fn-an/pubs/securit/2012-allergen_sesame/index-eng.php. Page accessed June 3, 2015.
- ²⁵ *Id.*
- ²⁶ 74 F.R. 207; 21 C.F.R. 73, 101; *See* FDA’s April 2009 Guidance on Cochineal and Carmine <http://www.fda.gov/ForIndustry/ColorAdditives/GuidanceComplianceRegulatoryInformation/ucm153038.htm>.
- ²⁷ Until the FDA recognizes sesame as one of the top allergens and adds it to the laws amended by FALCPA (21 U.S.C. § 343(w)), companies will not be able to label sesame as part of the allergen label. Thus, timely action on CSPI’s Citizen Petition is paramount.
- ²⁸ *See* Roses, J. B. (2011). Food Allergen Law and the Food Allergen Labeling and Consumer Protection Act of 2004: Falling Short of True Protection for Allergy Sufferers. *Food and Drug Law Journal*, Vol. 66(2), p. 226, 238-40.
- ²⁹ *Id.* at 226, 240-41.
- ³⁰ FDA-2014-P-2035-0001, Nov. 25, 2014. Available on-line at: <http://cspinet.org/new/pdf/11-18-sesame-petition.pdf>.
- ³¹ *See* 21 U.S.C. § 343(x).
- ³² U.S. Public Health Service (2013). Food Code. *Food and Drug Administration, U.S. Department of Health and Human Services*, p. 12, 27, 345. Retrieved at <http://www.fda.gov/downloads/Food/GuidanceRegulation/RetailFoodProtection/FoodCode/UCM374510.pdf>.
- ³³ A Kraft representative could not provide this information during a phone call on August 7, 2015. It also was not provided in an email from Kraft dated August 7, 2015, sent in response to an inquiry from CSPI.