



# The Commonwealth of Massachusetts

Executive Office of Health and Human Services - Department of Public Health  
Bureau of Climate and Environmental Health - Food Protection Program  
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**TO:** Local Boards of Health, Retail Food Establishments

**CC:** MA Restaurant Association, Asthma and Allergy Foundation of America, New England Chapter, Food Allergy Research & Education (FARE)

**FROM:** Michael Moore, Director  
MDPH/BCEH Food Protection Program

**DATE:** October 2, 2024

**RE: Updates to Allergen Awareness**

In 2009, Massachusetts became the first state to set requirements for Food Allergen Awareness under MGL Ch 140, S. 6B. As you know, retail food establishments that cook, prepare, or serve food intended for immediate consumption either on or off the premises must meet the allergen awareness requirements of [105 CMR 590.000](#): *State sanitary code chapter X: Minimum sanitation standards for food establishments*.

Effective January 1, 2023, the US Food & Drug Administration (FDA) [updated the list of major food allergens to include sesame](#). Previous DPH-approved training and posters do not include sesame and do not reflect new information about preventing cross-contact. In order to better protect people with food allergies, the Bureau of Climate and Environmental Health's Food Protection Program (FPP) has approved new training courses and a new employee poster. More information and links to the training and to the poster are available online at [Food Allergen Awareness Guidance | mass.gov](#). Additionally, FPP is clarifying the role of the Person in Charge and their responsibilities to train employees regarding allergen awareness and to be on-site at all times during operation.

## New Training Availability and Requirements

**Effective October 7, 2024**, DPH will deem training to be approved if a course meets one (or more) of the following:

1. the course is accredited by [American National Standards Institute \(ANSI\)](#) [National Accreditation Board Standards \(ANAB\)](#) and includes allergen awareness content specified by FPP (listed below);
2. the course is approved by the organization [Food Allergy Research & Education \(FARE\)](#) as part of their [FAREcheck program](#);

3. If not otherwise accredited or approved, includes a training video that is interactive, an exam to assess knowledge, and food allergen awareness content areas on the [Food Allergen Awareness Guidance | mass.gov](https://www.mass.gov/info-details/food-allergen-awareness-guidance) website.

FPP will not independently review training courses prior to them being deemed approved. However, we will respond to complaints and reserve the right to review a video and remove approval if it fails to meet the criteria listed on [the website](#).

For the purposes of compliance with 105 CMR 590.011(C), certificates of completion will be valid for five years from the date of issuance regardless of the expiration date the training provider may print on the certificate (e.g., a certificate from an organization may indicate that it is valid for one year; however, local boards of health should still accept that certificate for five years for the purposes of complying with the current regulations).

## Person In Charge Requirements

Each food service establishment must have a Person in Charge on staff who is also a certified food protection manager and who has completed allergen awareness training. A person in charge must always be on-site during operating hours and demonstrate knowledge of food allergens and the symptoms they can cause in people with food allergies. Additionally, they must ensure that all employees are trained in food safety and allergen awareness, relevant to their roles. This person in charge is responsible for designating and training an alternate **person in charge** to be on site when they are not present. For a full list of requirements regarding the person in charge, please visit the [Food Allergen Awareness Guidance | mass.gov](https://www.mass.gov/info-details/food-allergen-awareness-guidance) webpage.

## New Poster Availability and Requirements

Food establishments are required to display an approved poster in the employee work area that highlights major food allergens; the poster must be at least 8.5 by 11 inches in size. Effective October 7, 2024, establishments must replace outdated posters with a new version approved by DPH, which includes sesame as a major allergen. DPH provides an approved poster on its [website](#). Establishments may also create their own posters, but they must meet DPH's content requirements, including clear visual and text representations of major allergens, health risks associated with allergies, procedures for handling customers with allergies, and emergency steps in case of allergic reactions. For a full list of poster requirements, please visit the [Food Allergen Awareness Guidance | mass.gov](https://www.mass.gov/info-details/food-allergen-awareness-guidance) webpage.

## Training and Education Opportunities

The Bureau of Climate and Environmental Health's (BCEH) Food Protection Program (FPP) will conduct virtual training and outreach on implementing these guidance updates. Information on these policy changes and food allergen awareness is available on our [Food Allergen Awareness Guidance | mass.gov](https://www.mass.gov/info-details/food-allergen-awareness-guidance) website.

You may make copies of this letter and share it with food establishments in your jurisdiction. If you have any questions, please contact the Food Protection Program at [fpp.dph@mass.gov](mailto:fpp.dph@mass.gov) or (617) 983-6765.