



On January 7, 2025, the [U.S. Food and Drug Administration released its Guidance for Industry: Questions and Answers Regarding Food Allergens \(Edition 5\)](#). The requirements include the Food Allergen Labeling and Consumer Protection Act of 2004 (FALCPA) and the FASTER Act of 2021. The regulator’s final guidance clarifies several aspects of allergen labeling and has expanded its definition of milk and eggs as major allergens as well as revising the list of tree nuts classified as major food allergens. The FDA also addresses the use of voluntary “free-from” claims on products indicating that they do not include major allergens.

The FDA’s final guidance to industry broadens milk to include domesticated cows, goats, sheep, and other ruminants and that the label must specify the milk source in the ingredient and contains statement. Sources of eggs has also been expanded to include domesticated chickens, ducks, geese, quail and other fowl under the definition of “egg” for allergen labeling. Likewise, the species should be included in the ingredient and contains statement.

The FDA revised its list of tree nuts classified as major food allergens. The tree nuts that must meet allergen labeling requirements are now:

- Almond
- Brazil nut
- Cashew
- Filbert/Hazelnut
- Macadamia nut/Bush nut
- Pecan
- Pine nut
- Pistachio
- Walnut (Black, California, Heartnut/Japanese, English, Persian)

Notably, coconut has been excluded for inclusion of major allergen labeling as well as beech nut, butternut, cola/kola nut, chestnut, chinquapin, ginkgo nut, hickory nut, palm nut, pili nut and shea nut.

Voluntary free-from claims on products indicating that they do not include certain major allergens should only be used if the product truly does not include any of the named food allergen, including unintended residue from cross-contact. The FDA also notes that a product claiming “free-from” should not have an advisory statement about the same allergen, i.e. a precautionary allergen or may contains type statement.