



Asthma and Allergy  
Foundation of America

Chair Glenn Davis, Jr.  
Education Committee  
Virginia House of Delegates  
900 E. Main St,  
Richmond, Virginia 23219

February 8, 2022

Dear Chair Davis,

On behalf of the Asthma and Allergy Foundation of America (AAFA) and the more than 32 million Americans living with life-threatening food allergies, I am writing to express AAFA's strong support for HB 1328, Elijah's Law.

This bill is named in honor of Elijah Silvera who passed away at age 3 while enrolled in a day care program in Harlem in November 2017. Despite having a well-documented severe dairy allergy, Elijah was given a grilled cheese sandwich by an employee. Elijah went into severe anaphylactic shock and died.

AAFA is the leading patient organization for people with asthma and allergies, and the oldest asthma and allergy patient organization in the world. Kids with Food Allergies, a division of AAFA, offers tools, education, and community to families and children coping with food allergies across the country.

Food allergies are affecting a growing number of American children and adults. Over 7 percent of all children in the U.S. have food allergies, with infants and toddlers ages 0-4 having a higher rate than any other age group. Exposure to the allergen can cause severe reactions, including anaphylaxis and, in rare cases, death. Because there is no cure for food allergies, awareness and preparedness are key for protecting health and saving lives.

In Virginia, Elijah's law would apply important allergy requirements to all child care providers. Providers would have to take concrete steps to manage food allergies for the children in their care, including developing emergency protocols, plans for preventing exposure, and plans for appropriate treatment should anaphylaxis occur. Epinephrine is the only treatment for anaphylaxis. Young children in Virginia who have severe food allergies always need access to epinephrine to promptly treat anaphylaxis and a trained adult who can administer it.

One preventable death of a young child is one too many. These requirements are evidence-based and will reduce reactions and risk for young children across the Commonwealth. What's more, they will provide peace of mind to all of the families managing food allergies in the Commonwealth.

Thank you very much for your time and consideration. We are grateful for your concern for the safety of Virginia children and families managing food allergies.

Sincerely,

Kenneth Mendez  
President and Chief Executive Officer  
Asthma and Allergy Foundation of America