

5968

2011-2012 Regular Sessions

I N A S S E M B L Y

March 3, 2011

Introduced by M. of A. ROSENTHAL -- read once and referred to the
Committee on Consumer Affairs and Protection

AN ACT to amend the public health law, in relation to the creation and
posting of food allergy posters in retail establishments

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The public health law is amended by adding a new section
2 1352-d to read as follows:
3 S 1352-D. FOOD ALLERGIES POSTERS. 1. FOR PURPOSES OF THIS SECTION,
4 "FOOD SERVICE ESTABLISHMENT" SHALL HAVE THE MEANING AS SUCH TERM IS
5 DEFINED IN THE STATE SANITARY CODE, EXCEPT THAT IT SHALL NOT INCLUDE ANY
6 PUSHCARTS.
7 2. THE DEPARTMENT SHALL CREATE A POSTER CONTAINING INFORMATION ON FOOD
8 ALLERGIES FOR USE IN FOOD SERVICE ESTABLISHMENTS IN BOTH ENGLISH AND
9 SPANISH.
10 3. EVERY FOOD SERVICE ESTABLISHMENT SHALL POST, IN ACCORDANCE WITH THE
11 RULES AND REGULATIONS OF THE DEPARTMENT, IN AN AREA VISIBLE TO ANYONE
12 PREPARING OR SERVING FOOD, POSTERS CONTAINING INFORMATION ON FOOD ALLER-
13 GIES PROVIDED BY THE DEPARTMENT.
14 4. THE DEPARTMENT SHALL MAKE SUCH POSTERS AVAILABLE AND MAY CHARGE A
15 FEE TO COVER PRINTING, POSTAGE AND HANDLING EXPENSES.
16 S 2. This act shall take effect on the one hundred eightieth day after
17 it shall have become a law. Effective immediately, the addition, amend-
18 ment and/or repeal of any rule or regulation necessary for the implemen-
19 tation of this act on its effective date are authorized and directed to
20 be made and completed on or before such effective date.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD09947-01-1