

5572--C

2011-2012 Regular Sessions

I N S E N A T E

June 2, 2011

Introduced by Sen. KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to requiring public food service establishment inspection results to be posted on the department of health's website and authorizing the establishment of a letter grading system to classify inspection results

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, 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. PUBLIC FOOD SERVICE ESTABLISHMENT INSPECTION RESULTS. 1.
4 (A) THE DEPARTMENT SHALL MAKE AVAILABLE ON ITS WEBSITE ALL PUBLIC FOOD
5 SERVICE ESTABLISHMENT INSPECTION RESULTS FOR THE MOST RECENT THREE
6 YEARS.
7 (B) IF A COUNTY DEPARTMENT OF HEALTH OR LOCAL BOARD OF HEALTH MAIN-
8 TAINS A WEBSITE, IT SHALL POST A LINK TO THE DEPARTMENT'S WEBSITE WHERE
9 THE FOOD SERVICE ESTABLISHMENT INSPECTION RESULTS ARE AVAILABLE.
10 2. (A) THE COMMISSIONER SHALL ESTABLISH A SYSTEM FOR GRADING
11 INSPECTION RESULTS FOR PUBLIC FOOD SERVICE ESTABLISHMENTS. SUCH SYSTEM
12 SHALL USE LETTERS A, B, C OR D TO IDENTIFY AND REPRESENT SUCH GRADING.
13 IN ESTABLISHING SUCH SYSTEM OF GRADING, THE COMMISSIONER SHALL TAKE INTO
14 ACCOUNT THE PROVISIONS OF THIS TITLE AND THE PROVISIONS OF THE SANITARY
15 CODE TO ESTABLISH A GRADING SYSTEM THAT REFLECTS THE SAFETY AND SANITA-
16 TION OF THE PREMISES AND FOOD HANDLING PRACTICES TO ENSURE COMPLIANCE
17 WITH STATE AND LOCAL HEALTH LAWS.

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

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1 (B) THE DEPARTMENT MAY MAKE AVAILABLE ON ITS WEBSITE THE CORRESPONDING
2 LETTER IDENTIFICATION FOR EACH PUBLIC FOOD SERVICE ESTABLISHMENT.

3 (C) A CITY WITH A POPULATION OVER ONE MILLION, WITH ITS OWN HEALTH
4 CODE OR SANITARY CODE, THAT ESTABLISHES, ENFORCES AND MAINTAINS ITS OWN
5 SYSTEM OF SCORING AND GRADING INSPECTIONS OF FOOD SERVICE ESTABLISHMENTS
6 WITHIN ITS JURISDICTION SHALL BE EXEMPTED FROM THE PROVISIONS OF THIS
7 SECTION.

8 S 2. This act shall take effect one year after it shall have become a
9 law. Provided, however, that effective immediately, any rules and regu-
10 lations necessary to implement the provisions of this act on its effec-
11 tive date are authorized and directed to be completed on or before such
12 date.