

# STATE OF NEW YORK

8761

2017-2018 Regular Sessions

## IN ASSEMBLY

November 3, 2017

Introduced by M. of A. M. L. MILLER -- read once and referred to the  
Committee on Health

AN ACT to amend the public health law, in relation to requiring food  
allergy signage around parks, playgrounds, and recreation centers

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 2500-1 to read as follows:

3 § 2500-1. Food allergy awareness signage on playgrounds and in parks  
4 and/or recreation centers. 1. Definitions. For the purposes of this  
5 section:

6 a. "playground" shall have the same meaning as set forth in subdivi-  
7 sion one of section thirteen hundred ninety-nine-o-1 of the public  
8 health law. Playgrounds or playground equipment constructed upon one,  
9 two and three-family residential real property are exempt from the  
10 requirements of this section.

11 b. "park and/or recreation center" shall mean:

12 (i) any location within state or municipal parkland that has been  
13 designated in regulation by the commissioner as a place where food  
14 allergy incidents are likely to occur; or

15 (ii) any location outside of state or municipal parkland that has been  
16 designated in regulation by the commissioner as a place where food  
17 allergy incidents are likely to occur, provided that location is being  
18 utilized for activities overseen by the office of parks, recreation and  
19 historic preservation or a local parks and/or recreation department.

20 2. The commissioner shall promulgate rules and regulations requiring  
21 the person or entity that operates a playground or a park and/or recre-  
22 ation center to post food allergy awareness signage. At a minimum, such  
23 signage shall:

24 a. inform children and their caregivers of the dangers associated with  
25 food allergies; and

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

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1 b. include a list of actions that children and their caregivers can  
2 take in order to mitigate the risk of causing an allergy attack, includ-  
3 ing, but not limited to:

4 (i) eating at designated areas outside of the play or recreation area,  
5 in order to avoid food contamination of the playground of other recre-  
6 ation equipment;

7 (ii) not offering food to other children without their caregivers'  
8 permission; and

9 (iii) washing or otherwise cleaning their hands after eating.

10 § 2. This act shall take effect on the one hundred eightieth day after  
11 it shall have become a law; provided, however, that effective immediate-  
12 ly, the addition, amendment and/or repeal of any rule or regulation  
13 necessary for the implementation of this act on its effective date is  
14 authorized and directed to be made and completed on or before such  
15 effective date.