

STATE OF NEW YORK

6656

2019-2020 Regular Sessions

IN SENATE

August 19, 2019

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the public health law, in relation to the securing of grease traps and interceptors by food establishments

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-f to read as follows:

3 § 1352-f. Securing of grease traps and interceptors by food establish-
4 ments. 1. For the purposes of this section "food establishment" shall
5 mean any business or organization engaged in the preparation, sale or
6 service of food.

7 2. A food establishment with a grease trap or interceptor manhole that
8 is located outdoors or accessible to the general public shall ensure
9 that such manhole is designed to withstand expected loads and prevent
10 access by children. The manhole cover shall be secured by a bolt or
11 locking mechanism or be constructed of round cast iron or similar
12 construction rated for heavy road traffic with sufficient weight to
13 prevent unauthorized access. A public water or sewer authority may spec-
14 ify either manner of manhole access exclusively, provided it conforms to
15 this subdivision and prevents unauthorized access.

16 3. (a) A food establishment with a grease trap or interceptor manhole
17 that is located outdoors or accessible to the general public shall
18 ensure that such grease trap or interceptor manhole is secured or locked
19 at all times.

20 (b) Notwithstanding paragraph (a) of this subdivision, a food estab-
21 lishment may unsecure or unlock a grease trap or interceptor manhole for
22 the purpose of cleaning, maintenance or inspection, provided, however,
23 that no food establishment shall allow or cause such manhole to be or
24 remain unattended while unsecured or unlocked.

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

LBD13511-05-9

1 4. A food establishment with a grease trap or interceptor manhole
2 shall conspicuously display a warning sign at the location of such
3 manhole. The form and content of such sign shall be promulgated by the
4 commissioner.

5 5. (a) The commissioner, or his or her duly authorized agent or
6 employee, shall conduct an annual inspection of the compliance of each
7 food establishment with the provisions of this section.

8 (b) Every owner, operator, lessor, lessee or person in charge of any
9 food establishment shall permit the commissioner, or his or her duly
10 authorized agents or employees, to have access to all parts of any and
11 all of such food establishment for the purpose of ascertaining whether
12 the provisions of this section are being observed.

13 § 2. This act shall take effect on the thirtieth day after it shall
14 have become a law. Effective immediately, the addition, amendment
15 and/or repeal of any rule or regulation necessary for the implementation
16 of this act on its effective date are authorized to be made and
17 completed on or before such effective date.