STATE OF NEW YORK

7494

2023-2024 Regular Sessions

IN ASSEMBLY

May 25, 2023

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

AN ACT to amend the public health law, in relation to requiring allergen labeling for prepackaged foods

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The public health law is amended by adding a new section 1357 to read as follows:

§ 1357. Allergen labeling for prepackaged foods. 1. As used in this section, the following terms shall have the following meanings:

(a) "Prepackaged food" means food that is prepared, prepacked and offered or sold to customers on the same premises. Prepackaged food does not include food that is not in packaging or is packaged after a customer has ordered.

(b) "Food establishment" means all grocery stores, delis, bakeries, sandwich shops, ice cream parlors, cafeterias and food trucks operating within the state.

(c) "Major food allergen" shall have the same meaning as such term is defined in 21 U.S.C. 321.

2. Every food establishment shall label all prepackaged food with a written notification on the package or on a label attached to the package identifying all ingredients and labeling for major food allergens in such form and manner as required pursuant to the federal Food Allergen Labeling and Consumer Protection Act of 2004, as amended.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

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