AN ACT
RELATING TO HEALTH AND SAFETY – FOOD ALLERGY AWARENESS IN FOOD SERVICE ESTABLISHMENTS

Introduced By: Representative Lauren H. Carson

Date Introduced: February 09, 2022

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

SECTION 1. Section 23-20.12-2 of the General Laws in Chapter 23-20.12 entitled "Food Allergy Awareness in Food-Service Establishments" is hereby amended to read as follows:


(a) The director of health shall establish a food allergy awareness program which shall require that every food-service establishment shall:

(1) Have prominently displayed a poster approved by the director relative to food allergy awareness in the staff area. The poster shall provide, but not be limited to, information regarding the risk of an allergic reaction and shall be developed by the department of health in consultation with the Rhode Island hospitality association, the food allergy and anaphylaxis-network and at least one representative from a quick service restaurant;

(2) Include on all menus a notice to customers of the customer's obligation to inform the server about any food allergies. The director shall develop and approve the language of the notice in consultation with the Rhode Island hospitality association, the food allergy and anaphylaxis-network and at least one representative from a quick service restaurant; and shall include, at a minimum, the following language in bold red print: Before placing your order, please inform your server if any person in your party has a food allergy. Consumers especially vulnerable to foodborne illnesses should only eat seafood and other foods of animal origin, cooked thoroughly. Food
allergens can cause serious illness, anaphylaxis shock and death; and

(3) Designate a manager who shall be knowledgeable with regard to the relevant issues concerning food allergies as they relate to food preparation. The director shall prepare and provide both written and video materials for mandatory review by persons designated as managers of any food-service establishment, or the persons designated as managers shall be certified by a food protection manager certification program that is evaluated and listed by a conference for food protection-recognized accrediting agency as conforming to the conference for food protection standards for accreditation of food protection manager certification programs. The department of health shall include knowledge of food allergy issues as part of the certification procedure for managers in food safety pursuant to chapter 27 of title 21.

(b) The department of health shall provide for a system to digitally inspect or conduct in person inspections of every menu at every restaurant licensed to operate in the State of Rhode Island to ensure that each establishment is in compliance with the provisions of this section.

(c) Any restaurant that fails to comply with the menu warning as provided in this section shall, for a first offense receive a written warning and for any subsequent offense, fined up to five hundred dollars ($500).

SECTION 2. This act shall take effect on January 1, 2023.
This act would require food service establishments to add an additional warning to their menus relative to food allergens and impose a penalty upon those establishments for failure to include the warnings on its menus. Those restaurants that fail to comply shall be fined a civil penalty.

This act would take effect on January 1, 2023.