

SENATE No. 1338

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia Stone Creem

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to improve food allergy awareness.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Cynthia Stone Creem</i>	<i>Norfolk and Middlesex</i>	
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>1/27/2023</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>1/27/2023</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/6/2023</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/7/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/7/2023</i>
<i>Cindy F. Friedman</i>	<i>Fourth Middlesex</i>	<i>3/3/2023</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>3/5/2023</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>3/7/2023</i>

SENATE No. 1338

By Ms. Creem, a petition (accompanied by bill, Senate, No. 1338) of Cynthia Stone Creem, Hannah Kane, Susannah M. Whipps, Sal N. DiDomenico and other members of the General Court for legislation to improve food allergy awareness. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1389 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to improve food allergy awareness.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 6B of chapter 140 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by striking subsection (c) and inserting in place thereof the
3 following:-

4 “(c) A person in charge and certified food protection manager, as those terms are used in
5 the state sanitary code for food establishments, in order to obtain certification, shall view, as part
6 of an otherwise approved food protection manager course, a video concerning food allergies. The
7 department shall approve the video in consultation with the Massachusetts Restaurant
8 Association, Food Allergy Research & Education, and the Asthma and Allergy Foundation of
9 America, New England Chapter, and the video shall: (1) be approved or accredited by one of the
10 following entities: (i) the American National Standards Institute; (ii) ASTM International; or (iii)

11 the ANSI National Accreditation Board; (2) be interactive; (3) include a knowledge check or
12 other means of verifying that the viewer has carefully reviewed and understood the video; and
13 (4) feature the most up-to-date information on food allergies, including information related to
14 additions to the list of allergens labeled under the Food Allergy Label Consumer Protection Act.
15 The department shall review its approval of the video at least every 5 years and approve a new
16 video if necessary to satisfy the requirements of this subsection. A person designated as an
17 alternate person-in charge, as that term is used in the state sanitary code for food establishments,
18 in addition to existing requirements, shall be knowledgeable with regard to the relevant issues
19 concerning food allergies as they relate to food preparation, plating, and service. At all times
20 when open and serving food, a person licensed as an innholder or common victualler shall have
21 at least one employee present who has viewed the approved video concerning food allergies as
22 part of an otherwise approved food protection manager course.”

23 SECTION 2. Said section 6B of said chapter 170 is hereby further amended by striking
24 out, each time they appear, the words “Massachusetts Restaurant Association and the Food
25 Allergy & Anaphylaxis Network” and inserting in place thereof, in each instance, the following:-

26 “Massachusetts Restaurant Association, Food Allergy Research & Education, and the
27 Asthma and Allergy Foundation of America, New England Chapter”