

2024 -- H 7325

=====
LC003356
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

—————
A N A C T

RELATING TO HEALTH AND SAFETY -- FOOD ALLERGY AWARENESS IN FOOD-SERVICE ESTABLISHMENTS

Introduced By: Representative Lauren H. Carson

Date Introduced: January 26, 2024

Referred To: House Small Business

It is enacted by the General Assembly as follows:

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

3 **23-20.12-2. Department of Health — Establishment of Food Allergy Awareness**
4 **Program.**

5 (a) The director of health shall establish a food allergy awareness program which shall
6 require that every food-service establishment shall: (1) Have prominently displayed a poster
7 approved by the director relative to food allergy awareness in the staff area. The poster shall
8 provide, but not be limited to, information regarding the risk of an allergic reaction and shall be
9 developed by the department of health in consultation with the Rhode Island hospitality association,
10 the food allergy and anaphylaxis-network and at least one representative from a quick service
11 restaurant; (2) Include on all menus a notice to customers of the customer's obligation to inform
12 the server about any food allergies. The director shall develop and approve the language of the
13 notice in consultation with the Rhode Island hospitality association, the food allergy and
14 anaphylaxis-network and at least one representative from a quick service restaurant; and shall
15 include, at a minimum, the following language: Before placing your order, please inform your
16 server if any person in your party has a food allergy. Consumers especially vulnerable to foodborne
17 illnesses should eat seafood and other foods of animal origin only if cooked thoroughly. Food
18 allergens can cause serious illness, anaphylaxis shock and death; and (3) Designate a manager who

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

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

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

16 SECTION 2. This act shall take effect on January 1, 2025.

=====
LC003356
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO HEALTH AND SAFETY -- FOOD ALLERGY AWARENESS IN FOOD-
SERVICE ESTABLISHMENTS

1 This act would require food service establishments to add an additional warning to their
2 menus relative to food allergens and impose a civil penalty on those establishments that fail to
3 include the required warnings on its menus.

4 This act would take effect on January 1, 2025.

=====
LC003356
=====