

ASSEMBLY, No. 875

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman THOMAS P. GIBLIN

District 34 (Essex and Passaic)

SYNOPSIS

Requires restaurants to post notice about food allergy and anaphylaxis and provide food allergy information to customers.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning food allergies and supplementing Title 26 of
2 the Revised Statutes.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. a. Notwithstanding any provision of law to the contrary, a
8 restaurant opening on or after the effective date of this act shall
9 prominently display in food preparation, service, and other areas
10 accessible to restaurant staff, posters or signs prepared by the
11 Department of Health and Senior Services, containing information
12 regarding food allergies and anaphylaxis.

13 b. A proprietor of a restaurant opening on or after the effective
14 date of this act shall make available to each customer, through the
15 use and placement of a menu insert, a written notice explaining
16 food allergies and the health-related consequences to persons with
17 food allergies, including anaphylaxis, and the customer's obligation
18 to inform the restaurant's staff if the customer suffers from food
19 allergies.

20 c. A proprietor, manager, assistant manager, or any food
21 preparation staff employed by a restaurant opening on or after the
22 effective date of this act shall, as part of a certification program or
23 training course, receive instruction on relevant issues concerning
24 food allergies as they relate to food preparation and view a video,
25 approved by the Department of Health and Senior Services,
26 concerning food allergies and anaphylaxis.

27 d. The Commissioner of Health and Senior Services, in
28 consultation with the New Jersey Restaurant Association and the
29 Food Allergy and Anaphylaxis Network, shall:

30 (1) prepare posters and signs containing information regarding
31 food allergies and anaphylaxis pursuant to subsection a. of this
32 section and make the posters and signs available to local boards of
33 health for distribution to restaurants; and

34 (2) develop and disseminate the instructional materials and
35 video used in a certification program or training course pursuant to
36 subsection c. of this section and update the materials and video at
37 regular intervals to ensure that they incorporate the most current
38 information available on food allergies and anaphylaxis.

39 As used in this act, "restaurant" means an establishment in which
40 the principal business is the sale of food for consumption on the
41 premises.

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43 2. This act shall take effect immediately.

STATEMENT

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This bill requires a restaurant opening on or after the effective date of this bill to prominently display in food preparation, service, and other areas accessible to restaurant staff, posters or signs prepared by the Department of Health and Senior Services (DHSS), containing information on food allergies and anaphylaxis. A proprietor of the restaurant would be required to make available to each customer a menu insert explaining food allergies and their health-related consequences, including anaphylaxis, and the customer's obligation to inform the restaurant's staff of any food allergies.

Under the provisions of the bill, as part of a certification program or training course, a proprietor, manager, assistant manager, or any food preparation staff employed by a restaurant opening on, or after, the effective date of the bill would receive instruction on food allergies and food preparation and view a video, approved by DHSS, concerning food allergies and anaphylaxis. As defined in the bill, a restaurant means an establishment in which the principal business is the sale of food for consumption on the premises.

Finally, the bill stipulates that the Commissioner of Health and Senior Services, in consultation with the New Jersey Restaurant Association and the Food Allergy and Anaphylaxis Network, prepare the posters and signs on food allergies and anaphylaxis required under the provisions of the bill and make them available to local boards of health for distribution and develop, disseminate, and update the instructional materials and video on food allergies and anaphylaxis used in certification programs or training courses pursuant to the provisions of the bill.