



Rep. Sara Feigenholtz

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10000HB2510ham001

LRB100 06003 MJP 21529 a

1 AMENDMENT TO HOUSE BILL 2510

2 AMENDMENT NO. _____. Amend House Bill 2510 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Food Handling Regulation Enforcement Act is
5 amended by adding Section 3.07 as follows:

6 (410 ILCS 625/3.07 new)

7 Sec. 3.07. Allergen awareness training.

8 (a) As used in this Section:

9 "Major food allergen" includes milk, eggs, fish,
10 crustaceans, tree nuts, wheat, peanuts, soybeans, and food
11 ingredients that contain protein derived from these foods.

12 "Person in charge" means the individual present at a
13 restaurant who is responsible for the operation while
14 ready-to-eat food for immediate consumption is being prepared
15 or sold to the public.

16 "Restaurant" means a business in which at least 51% of

1 total sales consists of sales of ready-to-eat food for
2 immediate consumption, excluding the sale of liquor.

3 (b) Unless otherwise provided, all persons in charge
4 employed by a restaurant must receive or obtain training in
5 basic allergen awareness principles within 30 days after
6 employment and every 3 years thereafter. Training programs must
7 be accredited by the American National Standards Institute or
8 another reputable accreditation agency under the ASTM
9 International E2659-09 (Standard Practice for Certificate
10 Programs), or otherwise approved by the Department pursuant to
11 this Section. There is no limit to how many times an employee
12 may take the training.

13 (c) Allergen awareness training must cover and assess
14 knowledge of the following topics:

15 (1) the definition of a food allergy;

16 (2) the symptoms of an allergic reaction;

17 (3) the major food allergens;

18 (4) the dangers of allergens and how to prevent
19 cross-contact;

20 (5) the proper cleaning methods to prevent allergen
21 contamination;

22 (6) how and when to communicate to guests and staff
23 about allergens;

24 (7) the special considerations related to allergens
25 for workstations and self-serve areas;

26 (8) how to handle special dietary requests;

1 (9) dealing with emergencies, including allergic
2 reactions;

3 (10) the importance of food labels;

4 (11) how to handle food deliveries in relation to
5 allergens;

6 (12) proper food preparation for guests with food
7 allergies; and

8 (13) cleaning and personal hygiene considerations to
9 prevent contaminating food with allergens.

10 (d) If an entity uses an allergen awareness training
11 program accredited by the American National Standards
12 Institute or another reputable accreditation agency under the
13 ASTM International E2659-09 (Standard Practice for Certificate
14 Programs), that training program shall be automatically
15 approved by the Department. The training indicated in this
16 subsection (d) is transferable between employers, but not
17 individuals.

18 (e) If a business with an internal training program follows
19 the guidelines in subsection (c), and is approved in another
20 state prior to the effective date of this amendatory Act of the
21 100th General Assembly, then the business's training program
22 and assessment shall be automatically approved by the
23 Department upon the business providing proof that the program
24 is approved in another state. The training indicated in this
25 subsection (e) is not transferable between individuals or
26 employers.

1 (f) The Department shall approve the training program of
2 any multi-state business with a plan that follows the
3 guidelines of subsection (c) and is on file with the Department
4 by July 1, 2017. The training indicated in this subsection (f)
5 is not transferable between individuals or employers.

6 (g) Any programs submitted under subsections (e) and (f) of
7 this Section and not approved within 180 days after the
8 Department's receipt of the business application shall
9 automatically be considered approved.

10 (h) Any and all documents, materials, or information
11 related to a restaurant or business allergen awareness training
12 module submitted to the Department is confidential and shall
13 not be open to public inspection or dissemination and is exempt
14 from disclosure under Section 7 of the Freedom of Information
15 Act. Training may be conducted by any means available,
16 including, but not limited to, online, computer, classroom,
17 live trainers, remote trainers, and persons in charge who have
18 successfully completed an approved allergen training. Nothing
19 in this subsection (h) shall be construed to require a proctor.
20 Proof that a person in charge has been trained must be
21 available upon reasonable request by a State or local health
22 department inspector and may be provided electronically.

23 (i) The regulation of allergen awareness training is
24 considered to be an exclusive function of the State, and local
25 regulation is prohibited. This subsection (i) is a denial and
26 limitation of home rule powers and functions under subsection

1 (h) of Section 6 of Article VII of the Illinois Constitution.

2 (j) The provisions of this Section apply beginning January
3 1, 2018. From January 1, 2018 through July 1, 2018, enforcement
4 of the provisions of this Section shall be limited to education
5 and notification of requirements to encourage compliance.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.".