



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3440

by Rep. Will Guzzardi

SYNOPSIS AS INTRODUCED:

410 ILCS 620/3.15

from Ch. 56 1/2, par. 503.15

Amends the Illinois Food, Drug and Cosmetic Act. Provides that provisions prohibiting the offer for sale of any bulk food in a manner other than to prevent direct handling of such items by the consumer shall not prohibit self-service by consumers provided that take-home containers, including bags, cups, and lids, provided for consumer use are stored and dispensed in a sanitary manner. Provides that a retailer may allow a consumer to fill or refill a personal container with bulk food if the dispensers used prevent the direct handling of the bulk food. Provides that county health departments and municipalities shall not prohibit the ability of a retailer to allow a consumer to fill or refill a personal container with bulk food if the dispensers used prevent the direct handling of the bulk food.

LRB101 09525 CPF 54623 b

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Food, Drug and Cosmetic Act is
5 amended by changing Section 3.15 as follows:

6 (410 ILCS 620/3.15) (from Ch. 56 1/2, par. 503.15)

7 Sec. 3.15. To offer for sale any bulk food in a manner
8 other than to prevent direct handling of such items by the
9 consumer. This Section shall not prohibit self-service by
10 consumers provided that the dispensers utilized prevent the
11 direct handling of such foods and that take-home containers,
12 including bags, cups, and lids, provided for consumer use are
13 stored and dispensed in a sanitary manner.

14 A retailer may allow a consumer to fill or refill a
15 personal container with bulk food if the dispensers used
16 prevent the direct handling of the bulk food.

17 County health departments and municipalities shall not
18 prohibit the ability of a retailer to allow a consumer to fill
19 or refill a personal container with bulk food if the dispensers
20 used prevent the direct handling of the bulk food.

21 (Source: P.A. 84-891.)