



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4020

Introduced 1/8/2020, by Rep. Mike Murphy

SYNOPSIS AS INTRODUCED:

410 ILCS 625/3

from Ch. 56 1/2, par. 333

410 ILCS 625/3.07 rep.

Amends the Food Handling Regulation Enforcement Act. Incorporates food allergen awareness training in the requirements to receive food service sanitation manager certification rather than requiring a separate certification.

LRB101 15862 CPF 65219 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 Food Handling Regulation Enforcement Act is
5 amended by changing Section 3 as follows:

6 (410 ILCS 625/3) (from Ch. 56 1/2, par. 333)

7 Sec. 3. Food service sanitation manager certification.

8 (a) 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 "Primarily engaged" means having sales of ready-to-eat
13 food for immediate consumption comprising at least 51 percent
14 of the total sales, excluding the sale of liquor.

15 "Restaurant" means any business that is primarily engaged
16 in the sale of ready-to-eat food for immediate consumption.

17 (b) Each food service establishment shall be under the
18 operational supervision of a certified food service sanitation
19 manager in accordance with rules promulgated under this Act.

20 (c) By July 1, 1990, the Director of the Department of
21 Public Health in accordance with this Act, shall promulgate
22 rules for the education, examination, and certification of food
23 service establishment managers and instructors of the food

1 service sanitation manager certification education programs.
2 Beginning January 1, 2018, any individual who has completed a
3 minimum of 8 hours of Department-approved training for food
4 service sanitation manager certification, inclusive of the
5 examination, and received a passing score on the examination
6 set by the certification exam provider accredited under
7 standards developed and adopted by the Conference for Food
8 Protection or its successor organization, shall be considered
9 to be a certified food service sanitation manager. Beginning
10 January 1, 2018, any individual who has completed a minimum of
11 8 hours of Department-approved training for food service
12 sanitation manager instructor certification, inclusive of the
13 examination, and received a passing score on the examination
14 set by the certification exam provider accredited under
15 standards developed and adopted by the Conference for Food
16 Protection or its successor organization, shall be considered
17 to be a certified food service sanitation manager instructor. A
18 food service sanitation manager certificate and a food service
19 sanitation manager instructor certificate issued by the exam
20 provider shall be valid for 5 years and shall not be
21 transferable from the individual to whom it was issued. A food
22 service sanitation manager certificate issued by the
23 Department under this Section before January 1, 2018 is valid
24 until the expiration date stated on the certificate.

25 For purposes of food service sanitation manager
26 certification, the Department shall accept only training

1 approved by the Department and certification exams accredited
2 under standards developed and adopted by the Conference for
3 Food Protection or its successor.

4 Food service sanitation management training shall include
5 allergen awareness.

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

15 (e) Allergen awareness training must cover and assess
16 knowledge of the following topics:

17 (1) the definition of a food allergy;

18 (2) the symptoms of an allergic reaction;

19 (3) the major food allergens;

20 (4) the dangers of allergens and how to prevent
21 cross-contact;

22 (5) the proper cleaning methods to prevent allergen
23 contamination;

24 (6) how and when to communicate to guests and staff
25 about allergens;

26 (7) the special considerations related to allergens

- 1 from workstations and self-serve areas;
2 (8) how to handle special dietary requests;
3 (9) dealing with emergencies, including allergic
4 reactions;
5 (10) the importance of food labels;
6 (11) how to handle food deliveries in relation to
7 allergens;
8 (12) proper food preparation for guests with food
9 allergies; and
10 (13) cleaning and personal hygiene considerations to
11 prevent contaminating food with allergens.

12 (Source: P.A. 99-62, eff. 7-16-15; 100-194, eff. 1-1-18;
13 100-954, eff. 8-19-18.)

14 (410 ILCS 625/3.07 rep.)

15 Section 10. The Food Handling Regulation Enforcement Act is
16 amended by repealing Section 3.07.