



Rep. Robyn Gabel

Filed: 4/16/2015

09900HB3495ham001

LRB099 10568 JLK 34184 a

1 AMENDMENT TO HOUSE BILL 3495

2 AMENDMENT NO. _____. Amend House Bill 3495 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. The General Assembly recognizes that:

5 (1) the 2013 Food Code published by the U.S. Food and Drug
6 Administration recognizes that food allergies are a food safety
7 issue;

8 (2) 8.5% of children aged 14 to 18 have a food allergy;

9 (3) the National Restaurant Association estimates that the
10 restaurant industry receives 47% of the consumer's food dollar;

11 (4) the free movement of safe and wholesome food is an
12 essential aspect of the market and contributes significantly to
13 the health and well-being of citizens and to their social and
14 economic interests;

15 (5) to achieve a level of health protection for consumers
16 and to guarantee their right to information, it should be
17 ensured that consumers are appropriately informed as regards

1 the food they consume;

2 (6) that there has been a massive recall over the spice
3 cumin that has been cross-contacted with peanut, one of the 8
4 major allergens listed in the Food Allergen Labeling and
5 Consumer Protection Act of 2004; and

6 (7) the U.S. Food and Drug Administration estimated that it
7 affected 350,000 pounds of beef, pork, and poultry, in addition
8 to hundreds of other products containing cumin.

9 Section 5. The Food Handling Regulation Enforcement Act is
10 amended by adding Section 5 as follows:

11 (410 ILCS 625/5 new)

12 Sec. 5. Food allergen information in Category I facilities
13 and Category II facilities. Category I facilities and Category
14 II facilities, as defined in 77 Ill. Adm. Code 750.10, must be
15 aware of food allergy recalls. Each person who owns or operates
16 a Category I facility or Category II facility must have a
17 designated employee of the facility sign up for the federal
18 Food and Drug Administration food safety recalls for
19 notification in an electronic format, such as by text message
20 or electronic mail, to determine if any of the major food
21 allergens, as defined in the Food Allergy Labeling and Consumer
22 Protection Act of 2004, are involved in a recall. The
23 designated employee is responsible for receiving the recalls
24 and taking any necessary precautions to inform staff of any

1 food or food products containing affected ingredients.".