

1-1 By: Lucio S.B. No. 1683
 1-2 (In the Senate - Filed March 9, 2017; March 22, 2017, read
 1-3 first time and referred to Committee on Health & Human Services;
 1-4 May 4, 2017, reported favorably by the following vote: Yeas 5,
 1-5 Nays 4; May 4, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11		X		
1-12		X		
1-13	X			
1-14		X		
1-15		X		
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to food allergen awareness in food service establishments.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Chapter 437, Health and Safety Code, is amended
 1-22 by adding Section 437.024 to read as follows:

1-23 Sec. 437.024. FOOD ALLERGEN AWARENESS. (a) A food service
 1-24 establishment shall display a poster relating to food allergen
 1-25 awareness in an area of the establishment accessible primarily to
 1-26 employees of the establishment. The department shall determine the
 1-27 form and content of the poster and post a sample poster on the
 1-28 department's Internet website.

1-29 (b) A food service establishment may display the
 1-30 information from the sample poster in lieu of the poster, provided
 1-31 that the information is presented and posted in a manner that is
 1-32 easily readable by the establishment's employees in the selected
 1-33 employee area.

1-34 (c) The poster or posted information must include
 1-35 information regarding:

- 1-36 (1) the risk of an allergic reaction;
- 1-37 (2) the eight major food allergens, including milk,
 1-38 wheat, eggs, soy, shellfish, peanuts, tree nuts, and fish; and
- 1-39 (3) methods for preventing cross-contamination in
 1-40 food preparation.

1-41 (d) The executive commissioner shall adopt rules necessary
 1-42 to implement this section.

1-43 (e) This section does not create a private cause of action
 1-44 or change any common law or statutory duty.

1-45 SECTION 2. Not later than December 1, 2017:

1-46 (1) the Department of State Health Services shall
 1-47 determine the form and content of the poster and post the sample
 1-48 poster on the department's Internet website as required by Section
 1-49 437.024, Health and Safety Code, as added by this Act; and

1-50 (2) the executive commissioner of the Health and Human
 1-51 Services Commission shall adopt any rules necessary to implement
 1-52 Section 437.024, Health and Safety Code, as added by this Act.

1-53 SECTION 3. Notwithstanding Section 437.024, Health and
 1-54 Safety Code, as added by this Act, a food service establishment is
 1-55 not required to comply with that section before January 1, 2018.

1-56 SECTION 4. This Act takes effect September 1, 2017.

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