



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-3258/1  
MCP:cdc&ahe

## 2019 SENATE BILL 226

May 23, 2019 - Introduced by Senators PETROWSKI, CARPENTER and WIRCH, cosponsored by Representatives SNYDER, SUBECK, CROWLEY, EMERSON, KULP, C. TAYLOR, THIESFELDT, TITTL, TUSLER and SKOWRONSKI. Referred to Committee on Local Government, Small Business, Tourism and Workforce Development.

1     **AN ACT** *to create* 97.31 of the statutes; **relating to:** requiring a statement  
2           relating to food allergies on menus at retail food establishments.

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***Analysis by the Legislative Reference Bureau***

Under this bill, restaurants and other retail food establishments that provide a menu to customers, either by providing a physical menu or posting or displaying a menu in a visible area, must include on the menu a conspicuous statement that reads: "Before placing your order, please inform your server if a person in your party has a food allergy." The bill provides an exemption for micro markets, concession stands, and retail store deli counters that do not make made-to-order food items.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

3           **SECTION 1.** 97.31 of the statutes is created to read:  
4           **97.31 Food allergy menu disclosures.** (1) Except as provided under sub.  
5           (2), a retail food establishment, as defined under s. 97.30 (1) (c), shall conspicuously  
6           display on any menu provided to customers or on any menu board visible to

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**SECTION 1**

1 customers: “Before placing your order, please inform your server if a person in your  
2 party has a food allergy.”

3 (2) The requirement under sub. (1) does not apply to any of the following:

4 (a) A micro market.

5 (b) A concession stand at a locally sponsored sporting event, such as a little  
6 league game.

7 (c) A retail store deli counter, unless the retail store deli counter prepares meals  
8 for customers based on the customer’s order.

9 **SECTION 2. Effective date.**

10 (1) This act takes effect on the first day of the 13th month beginning after  
11 publication.

12 (END)