



2019 SENATE BILL 227

May 23, 2019 - Introduced by Senators PETROWSKI and CARPENTER, cosponsored by Representatives SNYDER, SUBECK, CONSIDINE, EMERSON, KULP, NEYLON, SPREITZER, C. TAYLOR, THIESFELDT, 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 food allergy
2 posters to be displayed in certain retail food establishments.

Analysis by the Legislative Reference Bureau

This bill requires restaurants and certain other retail food establishments to display, in a place frequented by employees, an educational poster relating to food allergies. The poster must be in a language the employees understand and must identify or describe: the eight most common food allergens; sources of cross contamination; what to do if a customer notifies an employee that someone in their party has a food allergy; and what to do if a person is having an allergic reaction.

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

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 educational posters.** (1) Except as provided under sub.
5 (2), a retail food establishment, as defined under s. 97.30 (1) (c), shall conspicuously
6 display, in a location within the establishment that is frequented by employees, an

SENATE BILL 227**SECTION 1**

1 educational poster that provides information about food allergies. The poster shall
2 be in a language or languages understandable to all employees at the establishment
3 and shall include all of the following:

4 (a) A list of the most common food allergens, which shall include peanuts, tree
5 nuts, fish, shellfish, eggs, milk, wheat, and soy.

6 (b) A list of common sources of cross contamination, and a description of what
7 to do if certain tools, utensils, or appliances come into contact with food allergens.

8 (c) A description of what an employee should do if notified that a customer or
9 a person in a customer's party has a food allergy, including referring the information
10 to the chef or manager; reviewing the food allergy with the customer and checking
11 ingredient labels; remembering to check the preparation procedure for potential
12 cross contamination; and responding to the customer to keep them informed of what
13 actions the employee is taking.

14 (d) A description of what to do if a customer has an allergic reaction, including
15 dialing the telephone number "911" and notifying a manager.

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

17 (a) A micro market.

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

20 **SECTION 2. Effective date.**

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

23 (END)