

## CHAPTER 270

AN ACT concerning food allergy signs in restaurants and amending P.L.2005, c.26.

**BE IT ENACTED** by the Senate and General Assembly of the State of New Jersey:

1. Section 1 of P.L.2005, c.26 (C.26:3E-14) is amended to read as follows:

C.26:3E-14 Fact sheet distributed to restaurants relative to food allergens; definitions.

1. The Commissioner of Health, in consultation with the New Jersey Restaurant Association, shall prepare a fact sheet, to be directed to restaurant managers and staff, which is designed to explain nut allergies and the health-related consequences to persons with nut allergies who are exposed to food items that contain or are prepared with nut products, and includes a recommendation that restaurants identify such food items on their menus. The commissioner shall make this fact sheet available to local boards of health by electronic or other means of distribution, and local health officers shall furnish this information to restaurants at the time of inspection.

In addition the commissioner, in consultation with the New Jersey Restaurant Association and in consideration of food allergy information published by the federal Food and Drug Administration, shall prepare an informational sign promoting food allergen awareness, which shall include information about the most common food allergens, the health-related consequences of allergic reactions to food, best practices for food storage and preparation to prevent cross-contamination with food allergens, the symptoms of and appropriate responses to an allergic reaction to food, and such other information as the commissioner deems appropriate. The commissioner shall make the food allergen awareness sign available to restaurants and local boards of health, and each restaurant in the State shall acquire a food allergen awareness sign and prominently display the sign in the restaurant kitchen or another area of the restaurant that is frequently used by, and is generally accessible to, restaurant staff. In the case of restaurants in operation on the date the sign is first made available, the restaurant shall acquire and display the sign no later than one month after it is made available; in the case of restaurants that commence operations after the sign is made available, the restaurant shall acquire and display the sign as a condition of commencing restaurant operations.

As used in this section:

"Nut" means peanuts and tree nuts, including, but not limited to, almonds, brazil nuts, cashews, hazelnuts, filberts, macadamia nuts, pecans, pistachios, and walnuts; and

"Restaurant" means an establishment in which the principal business is the sale of food for consumption on the premises.

2. This act shall take effect on the first day of the fourth month next following the date of enactment, except that the Commissioner of health may take any administrative action in advance thereof as may be necessary to implement the provisions of this act.

Approved January 8, 2018.