

Senate Bill 422

By: Senator Hill of the 6th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 13 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated,  
2 relating to food service establishments, so as to define certain terms; to provide that the  
3 commissioner of public health shall devise an on-line food allergy awareness training course;  
4 to provide for the issuance of certificates; to provide that each restaurant shall have a  
5 manager trained in food allergy awareness; to provide that at least one certified person shall  
6 be on site during operation hours; to provide a penalty; to repeal conflicting laws; and for  
7 other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 13 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated, relating to  
11 food service establishments, is amended by adding a new Code section to read as follows:  
12 "26-2-378.

13 (a) As used in this Code section, the term:

14 (1) 'Major food allergen' means milk, eggs, fish, crustaceans, shellfish, tree nuts, peanuts,  
15 soybeans, wheat, and any food ingredient which contains protein derived from any such  
16 food product.

17 (2) 'Restaurant' means an eating establishment, including, but not limited to, coffee  
18 shops, cafeterias, sandwich stands, and private and public school cafeterias, which gives  
19 or offers for sale food to the public, guests, or employees, as well as kitchens and catering  
20 facilities in which food is prepared on the premises for serving elsewhere.

21 (b) Not later than July 1, 2015, the commissioner of public health shall develop an on-line  
22 course of food allergy awareness training lasting not less than 30 minutes and which shall  
23 include, at a minimum, potential reactions to major food allergens, early warning signs of  
24 such reactions, and the proper response to a reaction, including appropriate first aid and  
25 knowing when to summons emergency personnel. Such course shall be made available on

line and offered for viewing at no charge. The Department of Public Health shall issue a certificate to each person who completes the on-line course.

28 (c)(1) On and after August 31, 2015, each restaurant shall have on staff a certified food  
29 protection manager who has been issued a Georgia Food Allergy Awareness Training  
30 Certificate by the Department of Public Health.

31 (2) The certified food protection manager shall:

(A) Demonstrate knowledge of major food allergens by posting his or her Georgia Food Allergy Awareness Training Certificate:

34       (B) Ensure that employees are properly trained in food allergy awareness as it relates  
35       to their assigned duties; and

36       (C) Ensure that at least one employee who has received a Georgia Food Allergy  
37       Awareness Training Certificate is on site during all hours of operation.

38       (d) The penalty for failure to comply with provisions of this Code section shall be a fine  
39       of \$500.00 for each day of operation while not in compliance."

## SECTION 2.

41 All laws and parts of laws in conflict with this Act are repealed.