



**County
Health Officials
of New York**
Leading the way to healthier communities

SUPPORTS

With Recommendations

A77 (Rosenthal)

AN ACT to amend the public health law, in relation to the creation and posting of food allergy posters in retail establishments

The New York State Association of County Health Officials (NYSACHO), which represents 58 local health departments, *supports (with recommendations)* proposed legislation that would require the creation and posting of food allergy posters in retail establishments.

Preventing severe or minor allergic reactions is an increasingly important factor in retail food preparation. The prevalence of food allergies has increased over the past few decades, and children are more likely to have these allergies. Food allergy reactions are mainly caused by eight common foods, including milk, eggs, wheat, peanuts, tree nuts, fish, and shellfish. It is therefore critical that employees involved in food preparation and service are aware of the risk of cross-contamination in food preparation, and of foods that contain allergens that patrons might request not be used in their meals.

While recognizing the importance of raising industry awareness of food allergen risks, we are also mindful of the need to ensure that any new statutes related to state mandated postings be in line with existing requirements. NYSACHO recommends that the proposal be amended to remove the provision that would allow the Health Department to charge a fee to cover costs. This provision is not in line with other mandated postings of this type for regulated entities, and we believe it is unfair to impose the cost to business of a mandated posting they must comply with by law.

NYSACHO therefore supports this legislation, with the above-stated recommendations.

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