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SENATE BILL NO. 1350

Senate Amendments in [] - February 3, 2025

A BILL to amend the Code of Virginia by adding a section numbered 35.1-14.01, relating to restaurants; food allergy awareness notice required [~~civil penalty~~].

Patron Prior to Engrossment—Senator Srinivasan

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 35.1-14.01 as follows:

§ 35.1-14.01. Food allergy awareness notice required [~~civil penalty~~].

A. The Commissioner shall make available on the Department's website, in English and in the top six languages other than English spoken in the Commonwealth according to the latest available data from the United States Census Bureau, a notice containing information for staff of restaurants regarding food allergies. Such notice shall include:

1. The procedures to be followed if a customer informs the staff of a restaurant that such customer has a food allergy;

2. Any procedures to be followed to prevent cross-contact; and

3. The procedures to be followed if a customer has an allergic reaction, including a recommendation regarding the circumstances in which to call emergency medical services.

B. Every restaurant shall post a copy of the notice prepared pursuant to subsection A in a conspicuous location accessible to all employees involved in the preparation or service of food, in at least one of the languages spoken by each employee to the extent such languages are among those in which the Commissioner makes the notice available.

C. The Commissioner shall make available on the Department's website, in the top six languages other than English spoken in the Commonwealth according to the latest available data from the United States Census Bureau, a translation of the following: "If you have a food allergy, please notify us."

D. Every restaurant operating in the Commonwealth that provides a menu to its customers shall include in a conspicuous manner on each menu the following: "If you have a food allergy, please notify us." If such menu is available in a language other than English for which the Commissioner makes a translation available pursuant to subsection C, such restaurant shall also include such translation in a conspicuous manner. Every restaurant that provides a menu on its website or otherwise provides a menu on the Internet shall also include on such menu a food allergy notification to customers and provide a method by which a customer may indicate any food allergy.

[~~E. A restaurant that violates the provisions of this section shall be subject to a civil penalty not to exceed \$125 for each violation.~~]

ENGROSSED

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