



Legislation Text

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Int. No. 1030

By Council Members Dromm, Yeger and Holden

A Local Law to amend the administrative code of the city of New York, in relation to gluten and food service establishments

Be it enacted by the Council as follows:

Section 1. Chapter 15 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-1506 to read as follows:

§ 17-1506 Gluten. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Menu. The term “menu” means a printed list or pictorial display of a food item or items, and their prices, that are available for sale from a food service establishment, and includes menus distributed or provided outside of such establishment.

Menu board. The term “menu board” means any list or pictorial display of a food item or items, and their prices, posted in and visible within a covered food service establishment or outside of a covered food service establishment for the purpose of ordering from a drive-through window.

Menu item. The term “menu item” means any individual food item, or combination of food items, listed or displayed on a menu board or menu.

Gluten-free standards. The term “gluten-free standards” means standards that meet the requirements of paragraph (a)(3) of section 101.91 of title 21 of the code of federal regulations.

b. Inspections. Inspections of food service establishments conducted by the department pursuant to subdivision a of section 81.51 of the health code of the city of New York shall include an assessment of whether

menu items labeled gluten-free, or otherwise labeled to indicate the absence of gluten, consist solely of ingredients that:

1) comply with gluten-free standards; and

2) are handled, prepared, and served to prevent contamination with gluten.

c. Instruction and testing on gluten. The department shall require instruction and testing on gluten as part of any food protection course provided pursuant to Article 81 of the health code of the city of New York.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner may take such actions as are necessary to implement this local law, including the promulgation of rules, before such date.

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