



General Assembly

January Session, 2009

Amendment

LCO No. 7135

SB0108007135SRO

Offered by:
SEN. DEBICELLA, 21st Dist.

To: Subst. Senate Bill No. 1080 File No. 606 Cal. No. 425

"AN ACT CONCERNING ACCESS TO HEALTH AND NUTRITIONAL INFORMATION IN RESTAURANTS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2009*) (a) As used in this section
4 and section 2 of this act:

5 (1) "Restaurant" means any entity, other than a grocery store, that is
6 licensed, permitted, registered or inspected as a food service
7 establishment by a local health department or district health
8 department pursuant to section 19-13-B42 of the regulations of
9 Connecticut state agencies.

10 (2) "Chain restaurant" means a restaurant that is part of a group of
11 fifteen or more restaurant locations nationally, doing business under
12 the same trade name, offering predominantly the same types of meals,
13 foods or menus, regardless of the type of ownership of the individual
14 restaurant locations.

15 (3) "Grocery store" means any store commonly known as a
16 supermarket or food store, primarily engaged in the retail sale of all
17 sorts of prepackaged, canned and dry goods such as tea, coffee, spices,
18 sugar and flour, either packaged or in bulk, with or without fresh
19 fruits and vegetables, and with or without fresh, smoked and prepared
20 meats, fish and poultry.

21 (4) "Authorized agent" means any individual certified by the
22 Commissioner of Public Health to inspect food service establishments
23 and enforce the provisions of section 19-13-B42 of the regulations of
24 Connecticut state agencies under the supervision or authority of the
25 director of health.

26 (5) "Director of health" means the director of a local health
27 department or district health department approved by the
28 Commissioner of Public Health, as specified in sections 19a-200 and
29 19a-242 of the general statutes, respectively.

30 (b) On or before July 1, 2010, each chain restaurant shall provide a
31 written declaration of nutrition information for each standard menu
32 item at the point of purchase. Such written declaration of nutrition
33 information shall include content that conforms to the requirements
34 prescribed in 21 CFR 101.9(c) concerning labels for packaged foods.

35 (c) This section shall not apply to (1) daily specials and other food or
36 beverage items offered for sale by a chain restaurant for thirty days or
37 less, or (2) condiments and other food items placed on tables or
38 counters for general use without charge, such as bread.

39 Sec. 2. (NEW) (*Effective July 1, 2009*) For the purpose of enforcing the
40 provisions of section 1 of this act, each authorized agent shall, as part
41 of the regularly scheduled inspection of a chain restaurant, evaluate
42 the chain restaurant's compliance with such provisions. As part of such
43 evaluation, an authorized agent may request that franchisors or
44 corporate owners of chain restaurants provide documentation of the
45 accuracy of any nutrition information, but the authorized agent shall
46 not be responsible for verifying the accuracy of the nutrition

47 information.

48 Sec. 3. Section 19a-36a of the general statutes is repealed and the
49 following is substituted in lieu thereof (*Effective July 1, 2009*):

50 (a) The Commissioner of Public Health shall adopt regulations, in
51 accordance with the provisions of chapter 54, to assure that food
52 service establishments employ as food operators persons who have a
53 knowledge of safe food handling techniques and to set requirements
54 for the employment of food operators by such establishments. Such
55 regulations shall include, but not be limited to, responsibilities of food
56 service establishments and their employees, exemptions for certain
57 classes of food establishments and responsibilities of local health
58 departments in monitoring compliance of food establishments.

59 (b) On or before July 1, 2010, the Commissioner of Public Health
60 shall adopt regulations, in accordance with the provisions of chapter
61 54, incorporating inspection and enforcement procedures for the
62 requirements established in sections 1 and 2 of this act into regularly
63 scheduled food service establishment inspections."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	New section
Sec. 2	<i>July 1, 2009</i>	New section
Sec. 3	<i>July 1, 2009</i>	19a-36a