



Sen. Sally J. Turner

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10400SB1288sam001

LRB104 08358 BDA 22970 a

1 AMENDMENT TO SENATE BILL 1288

2 AMENDMENT NO. _____. Amend Senate Bill 1288 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Food Handling Regulation Enforcement Act
5 is amended by changing Section 3.07 as follows:

6 (410 ILCS 625/3.07)

7 Sec. 3.07. Allergen awareness training.

8 (a) As used in this Section:

9 "Certified food service sanitation manager" means a food
10 service sanitation manager certified under Section 3 of this
11 Act.

12 "Major food allergen" includes milk, eggs, fish,
13 crustaceans, tree nuts, wheat, peanuts, soybeans, gluten, and
14 food ingredients that contain protein derived from these
15 foods.

16 "Primarily engaged" means having sales of ready-to-eat

1 food for immediate consumption comprising at least 51% of the
2 total sales, excluding the sale of liquor.

3 "Restaurant" means any business that is primarily engaged
4 in the sale of ready-to-eat food for immediate consumption.

5 (b) Unless otherwise provided, all certified food service
6 sanitation managers employed by a restaurant must receive or
7 obtain training in basic allergen awareness principles within
8 30 days after employment and every 3 years thereafter.
9 Training programs must be accredited by the American National
10 Standards Institute or another reputable accreditation agency
11 under the ASTM International E2659-09 (Standard Practice for
12 Certificate Programs). There is no limit to how many times an
13 employee may take the training.

14 (c) Allergen awareness training must cover and assess
15 knowledge of the following topics:

16 (1) the definition of a food allergy;

17 (2) the symptoms of an allergic reaction;

18 (3) the major food allergens;

19 (4) the dangers of allergens and how to prevent
20 cross-contact;

21 (5) the proper cleaning methods to prevent allergen
22 contamination;

23 (6) how and when to communicate to guests and staff
24 about allergens;

25 (7) the special considerations related to allergens
26 from workstations and self-serve areas;

- 1 (8) how to handle special dietary requests;
- 2 (9) dealing with emergencies, including allergic
3 reactions;
- 4 (10) the importance of food labels;
- 5 (11) how to handle food deliveries in relation to
6 allergens;
- 7 (12) proper food preparation for guests with food
8 allergies; ~~and~~
- 9 (13) cleaning and personal hygiene considerations to
10 prevent contaminating food with allergens; and ~~—~~
- 11 (14) understanding gluten, including sources of
12 gluten, symptoms of gluten intolerance and celiac disease,
13 the importance of gluten-free food preparation and
14 handling, and proper cleaning methods to prevent gluten
15 contamination.
- 16 (d) If an entity uses an allergen awareness training
17 program accredited by the American National Standards
18 Institute or another reputable accreditation agency under the
19 ASTM International E2659-09 (Standard Practice for Certificate
20 Programs), then that training program meets the requirements
21 of this Section. The training indicated in this subsection (d)
22 is transferable between employers, but not individuals.
- 23 (e) If a business with an internal training program
24 follows the guidelines in subsection (c), and is approved in
25 another state prior to the effective date of this amendatory
26 Act of the 100th General Assembly, then the business's

1 training program and assessment meets the requirements of the
2 Section. The training indicated in this subsection (e) is not
3 transferable between individuals or employers.

4 (f) The training program of any multi-state business with
5 a plan that follows the guidelines of subsection (c) meets the
6 requirements of this Section. The training indicated in this
7 subsection (f) is not transferable between individuals or
8 employers.

9 (g) This Section does not apply to a multi-state business
10 or a franchisee, as defined in the Franchise Disclosure Act of
11 1987, that has a food handler training program that follows
12 the guidelines in subsection (d) of Section 3.06 of this Act;
13 an individual that receives food handler training in
14 accordance with the rules adopted under this Act; or a
15 Category II facility or Category III facility as defined under
16 77 Ill. Adm. Code 750.10.

17 (h) Any and all documents, materials, or information
18 related to a restaurant or business allergen awareness
19 training module is confidential and shall not be open to
20 public inspection or dissemination and is exempt from
21 disclosure under Section 7 of the Freedom of Information Act.
22 Training may be conducted by any means available, including,
23 but not limited to, online, computer, classroom, live
24 trainers, remote trainers, and food service sanitation
25 managers who have successfully completed an approved allergen
26 training. Nothing in this subsection (h) shall be construed to

1 require a proctor. Proof that a food service sanitation
2 manager has been trained must be available upon reasonable
3 request by a State or local health department inspector and
4 may be provided electronically.

5 (i) The regulation of allergen awareness training is
6 considered to be an exclusive function of the State, and local
7 regulation is prohibited. This subsection (i) is a denial and
8 limitation of home rule powers and functions under subsection
9 (h) of Section 6 of Article VII of the Illinois Constitution.

10 (j) The provisions of this Section apply beginning January
11 1, 2018. From January 1, 2018 through July 1, 2018,
12 enforcement of the provisions of this Section shall be limited
13 to education and notification of requirements to encourage
14 compliance.

15 (Source: P.A. 100-367, eff. 8-25-17.)".