



Rep. Maura Hirschauer

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10400SB1950ham001

LRB104 10803 BDA 26256 a

1 AMENDMENT TO SENATE BILL 1950

2 AMENDMENT NO. _____. Amend Senate Bill 1950 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Sanitary Food Preparation Act is amended
5 by adding Section 10.2 as follows:

6 (410 ILCS 650/10.2 new)

7 Sec. 10.2. Meal kit or ready-to-eat meal distribution
8 facility; local health department.

9 (a) In this Section:

10 "Meal kit" means pre-portioned raw ingredients or cooked
11 ingredients packaged and provided to the consumer for
12 preparation. "Meal kit" does not include food collected,
13 prepared, stored, packaged, or distributed by (i) a nonprofit
14 organization that is an establishment inspected by the
15 Department of Agriculture's Bureau of Meat and Poultry
16 Inspection or (ii) a distribution agency working at the

1 direction of the nonprofit organization to provide food to
2 low-income individuals at no cost.

3 "Ready-to-eat meal" means a fully cooked meal that is
4 packaged and ready for immediate consumption or short-term
5 reheating. "Ready-to-eat meal" does not include food
6 collected, prepared, stored, packaged, or distributed by (i) a
7 nonprofit organization that is an establishment inspected by
8 the Department of Agriculture's Bureau of Meat and Poultry
9 Inspection or (ii) a distribution agency working at the
10 direction of the nonprofit organization to provide food to
11 low-income individuals at no cost.

12 (b) If a meal kit or ready-to-eat meal distribution
13 facility is engaged in the collection, storage, packaging, or
14 distribution of meal kits direct to consumers, then that
15 facility is subject to all provisions of this Act and rules
16 adopted under this Act for food establishments.
17 Notwithstanding any other provision of this Act, the local
18 health department where a food distribution facility is
19 located shall have the power to enforce and observe the rules
20 and orders of the Department of Public Health or the local
21 health department and the provisions of this Section. A local
22 health department or certified local health department may
23 establish and assess a fee for any inspection it conducts at
24 meal kit and ready-to-eat meal distribution facilities if the
25 fee for the inspection is not included in the fee for the
26 operating license or permit. Meal kit and ready-to-eat meal

1 distribution facilities shall pay inspection fees within 30
2 days from the date of the inspection to the local health
3 department or certified local health department that conducted
4 the inspection. Meal kit and ready-to-eat meal distribution
5 facilities that do not pay inspection fees on a timely basis
6 shall be considered not in compliance with this Act. Late fees
7 may be applied to inspection fees not paid on a timely basis in
8 accordance with local ordinances or policy.

9 (c) Meal kit and ready-to-eat meal distribution facilities
10 must follow the following requirements for temperature
11 control, food safety inspections, food labeling requirements,
12 delivery, and transparency:

13 (1) Foods that require time and temperature control
14 for safety shall be maintained and transported at holding
15 temperatures according to the Department's administrative
16 rules to ensure the food's safety and limit microorganism
17 formation.

18 (2) Meal kit and ready-to-eat meal providers must use
19 temperature-controlled packaging to maintain food safety
20 during transit. All providers must maintain temperature
21 logs for meal kits or ready-to-eat meals in transit.
22 Temperature logs shall be provided to the local health
23 department or the Department of Public Health upon
24 request.

25 (3) Facilities that prepare and distribute meal kits
26 and ready-to-eat meals are subject to health inspections

1 in accordance with standards for food establishments.
2 Facilities that prepare and distribute meal kits and
3 ready-to-eat meals are subject to health inspections in
4 accordance with the inspection frequency prescribed for
5 the relative risks of causing foodborne illness in the
6 Department's administrative rules.

7 (4) All meal kits and ready-to-eat meals must be
8 labeled in accordance with the requirements for packaged
9 foods in the Department's standards for food
10 establishments.

11 (5) Meal kits and ready-to-eat meals shall be
12 delivered within 48 hours of preparation and must be
13 packaged with temperature-controlled materials, including
14 ice packs or insulated containers, to maintain safe food
15 temperatures.

16 (6) Meal kits and ready-to-eat meal providers must
17 publish on their websites the registering local health
18 department, inspection findings, certifications, and
19 compliance with local, State, and federal food safety
20 regulation on their website or consumer-facing platforms.

21 (d) The Department of Public Health may adopt any rules it
22 deems necessary for the implementation, administration, and
23 enforcement of this Section."