

2025 Regular Session

SENATE BILL NO. 177

BY SENATOR BOUDREAUX

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PUBLIC HEALTH. Provides relative to food allergen awareness. (8/1/25)

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AN ACT

To amend and reenact R.S. 40:5.5(C) and to enact R.S. 40:5.5(F), relative to food allergen awareness; to require food allergen training for food service establishments; to provide for duties of the Louisiana Department of Health; to require food service establishments to display certain food allergen information; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:5.5(C) is hereby amended and reenacted and R.S. 40:5.5(F) is hereby enacted to read as follows:

§5.5. Sanitary inspections of certain food service establishments; food safety certificates; **food allergen awareness**

\* \* \*

C. The state health officer and the office of public health of the Louisiana Department of Health shall require, at a minimum, the owner or a designated employee of a food service establishment to hold a food safety certificate; however, the state health officer and the office of public health of the Louisiana Department of Health shall not require more than one owner or employee per establishment to

1 hold a food safety certificate. Provisions for the issuance and renewal of ~~such the~~  
2 certificate shall be made part of the state's Sanitary Code in accordance with the  
3 provisions of R.S. 40:4 and the following requirements, conditions, and  
4 authorizations:

5 (1) The office of public health shall approve training programs for applicants  
6 which impart and test knowledge of the **following:**

7 **(a) The nature, prevention, and control of foodborne illness transmission, and**  
8 **of methods**

9 **(b) Methods** for identifying and monitoring critical control points for  
10 safeguarding the production, processing, preparation, and serving of food.

11 **(c) Food allergen awareness including:**

12 **(i) The risk of an allergic reaction to a food allergen.**

13 **(ii) Symptoms of an allergic reaction.**

14 **(iii) The major food allergens as determined by federal law and**  
15 **regulations of the United States Food and Drug Administration.**

16 **(iv) The procedures for preventing an allergic reaction.**

17 **(v) Appropriate responses for assisting an individual who is having an**  
18 **allergic reaction.**

19 ~~Such~~ **(2) The** training programs shall include but not be limited to  
20 instructions in the standards set forth in the Applied Food Service Sanitation  
21 Program established by the Educational Foundation of the National Restaurant  
22 Association or other programs recognized in the food service industry. The office of  
23 public health shall approve training programs administered or approved by another  
24 state, a political subdivision, or other jurisdiction with standards that meet or exceed  
25 those established by this Subsection.

26 ~~(2)(3)~~ A food safety certificate shall be issued to any person who files an  
27 application upon a form and in ~~such a~~ **the** manner as prescribed by the Sanitary Code  
28 if ~~such the~~ person furnishes satisfactory evidence that he has completed an approved  
29 training program or has passed a written examination provided by the individual or

1           group providing approved training programs.

2                 ~~(3)~~**(4)** A fee, not to exceed twenty-five dollars, may be imposed on and  
3 collected from an individual or a food service establishment for a food safety  
4 certificate to defer expenses in the administration of this Subsection.

5                 ~~(4)~~**(5)** Renewal of the food safety certificate shall be required every five  
6 years.

7                 ~~(5)~~**(6)** Display of a current, duly issued food safety certificate in the food  
8 service establishment shall be required.

9                 ~~(6) Any food service establishment whose food sales are less than one~~  
10 ~~hundred twenty-five thousand dollars annually shall not be required to comply with~~  
11 ~~this Subsection until July 1, 2002. However, any such establishment may apply for~~  
12 ~~such certificate prior to such date.~~

13   \*        \*        \*

14                         **F. The Louisiana Department of Health shall develop a food allergen**  
15 **awareness poster that contains the food allergen information provided for in**  
16 **Subsection C of this Section. All food service establishments shall display the**  
17 **poster in a location that is clearly visible to employees.**

18           Section 2. Beginning January 1, 2026, the food allergen training shall be completed  
19 by the owner or designated employee of a food service establishment upon food safety  
20 certificate renewal. The food allergen awareness poster shall be displayed by all food service  
21 establishments after notification is received from the Louisiana Department of Health that  
22 the poster is available.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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SB 177 Original                                 DIGEST                                 Boudreaux  
2025 Regular Session

Present law requires the owner or a designated employee of a food service establishment to hold a food safety certificate issued by the La. Dept. of Health.

Present law requires the owner or designated employee to complete certain food safety training prior to receiving the certificate.

Proposed law adds certain food allergen awareness training to the required food safety training.

Present law requires renewal of the food safety certificate every five years.

Proposed law requires completion of the food allergen training upon certificate renewals beginning Jan. 1, 2026.

Proposed law requires the La. Dept. of Health to develop a food allergen awareness poster and requires food service establishments to display the poster in a location that is clearly visible to employees.

Effective August 1, 2025.

(Amends R.S. 40:5.5(C); adds R.S. 40:5.5(F))