

HOUSE BILL NO. 4775

August 20, 2025, Introduced by Rep. Arbit and referred to Committee on Regulatory Reform.

A bill to amend 2000 PA 92, entitled
"Food law,"
by amending sections 2129, 6149, and 6152 (MCL 289.2129, 289.6149,
and 289.6152), section 2129 as amended by 2016 PA 188, section 6149
as amended by 2007 PA 114, and section 6152 as added by 2014 PA
516.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2129. (1) Subject to subsection (2), all of the following
2 food establishments shall employ ~~a minimum of~~ **at least** 1 managerial
3 employee as a food safety manager, who must be an individual who is

currently certified under a personnel certification program accredited by the American National Standards Institute, utilizing the Conference for Food Protection standards:

(a) A food service establishment, unless it is a ~~licensed~~ temporary food service establishment.

(b) An extended retail food establishment.

(c) A food service establishment operated within a retail grocery.

(2) Beginning ~~January 14, 2017~~ **December 31, 2025**, and every ~~5~~ 2 years thereafter, **and except as otherwise provided in this subsection**, a certified food safety manager who supervises the operations of a food service establishment shall have completed a food safety training program ~~containing an~~ **that contains a food** allergen awareness component that ~~has been~~ **is** approved by the department. The **food** allergen awareness component may be an online program or a video. ~~However, a~~ **A** certified food safety manager at a food service establishment with more than 20 locations ~~within in~~ this state may satisfy this requirement by completing any nationally recognized food safety training program ~~containing an~~ **that contains a food** allergen awareness component. A food service establishment shall retain records on the site of the food service establishment ~~documenting that documents~~ compliance ~~of its~~ **certified food safety managers** with this subsection. The department shall enforce this subsection in the same manner that ~~it the~~ **department** enforces other provisions related to certified food safety managers. ~~This subsection applies until December 31, 2020.~~

(3) An individual certified as ~~provided in a food safety~~ **manager under** subsection ~~(1)~~ **(2)** shall be recognized with full faith and credit by this state and all local units of government

1 throughout this state.

2 (4) The department may promulgate rules to do all of the
3 following:

4 (a) Develop requirements for retail food establishments to
5 follow when employing certified food safety managers or personnel.

6 (b) Set a reasonable date for compliance with the requirements
7 under subdivision (a) taking into consideration existing local
8 personnel certification requirements.

9 (c) Establish certification fees necessary to implement,
10 maintain, and track certified ~~individuals~~ **food safety managers**
11 directly or by contract. The department may annually adjust the
12 schedule of fees to provide that the fee charged is sufficient to
13 cover the cost of the certification tracking program.

14 (d) Implement and enforce the requirements developed under
15 subdivision (a).

16 (5) The certification program developed by the American
17 National Standards Institute, as it exists on April 1, 2008, is
18 incorporated by reference. The department may adopt updates to the
19 certification program accreditation standards in subsection (1) by
20 rule.

21 (6) This section does not prohibit a local legislative body
22 from implementing a food handler program, an employee health
23 certification program, or a manager certification program, if ~~it~~
24 **the program** is not in conflict with this section.

25 Sec. 6149. (1) As used in this section:

26 (a) "Publicly available" means accessible to consumers,
27 without their having to request it, before their placing food
28 orders or making their selections.

29 (b) "Selection information" means whatever consumers read to

1 make their order selections, such as menu, table tent, placard,
2 chalkboard, or other written means.

3 (2) To satisfy section 3-603.11 of the food code, ~~the~~**a** food
4 establishment may provide the following statement on selection
5 information so that it is publicly available: "Ask your server
6 about menu items that are cooked to order or served raw. Consuming
7 raw or undercooked meats, poultry, seafood, shellfish, or eggs may
8 increase your risk of foodborne illness."

9 (3) A statement used under subsection (2) may be tailored to
10 be product specific if a food establishment either has a limited
11 menu or offers only specific animal-derived foods in raw or
12 undercooked, ready-to-eat form.

13 **(4) Beginning October 1, 2025, a food establishment shall**
14 **provide a statement on selection information that is publicly**
15 **available that requests customers to notify the food establishment**
16 **of any food allergies before placing an order.**

17 (5) ~~(4)~~The language for the menu items ~~shall~~**must** match the
18 language used for the disclosure and the reminder. The disclosure
19 and reminder may also be in additional languages.

20 (6) ~~(5)~~The text for disclosures and reminders ~~shall~~**must** meet
21 the following requirements:

22 (a) The text size for statements on handheld menus or table
23 tents ~~shall~~**must** be visually equivalent to at least 11-point font
24 size or may be visually equivalent to the font size of menu item
25 descriptions.

26 (b) Text color provides a clear contrast to background.

27 **(7) ~~(6)~~**Table tents, placards, or chalkboards that are used
28 exclusively to list food items that are offered as daily, weekly,
29 or temporary specials are exempt from the requirements of this

1 section when those food items also appear in the primary selection
2 information that contains the disclosures and reminders meeting the
3 requirements of this section.

4 Sec. 6152. (1) ~~Until December 31, 2020, each~~ **A** food service
5 establishment in this state shall prominently display in the staff
6 area a **food allergy awareness** poster **that is** developed and approved
7 by the department. ~~relative to food allergy awareness that~~
8 ~~includes, but is not limited to, information regarding the risk of~~
9 ~~an allergic reaction, or post the information from the poster in a~~
10 ~~different, readable notice in the staff area.~~ **The food allergy**
11 **awareness poster must contain all of the following information:**

12 (a) **A list of the most common food allergies.**

13 (b) **Actions that the food establishment should take if a**
14 **customer notifies the food establishment that the customer has a**
15 **food allergy.**

16 (c) **Methods to prevent cross-contamination.**

17 (d) **A statement that 9-1-1 emergency services should be**
18 **contacted if a customer has an allergic reaction while present on**
19 **the food establishment's premises.**

20 (2) The department may promulgate rules to carry out this
21 section.

22 (3) This section does not establish or change any private
23 cause of action. This section does not change any duty under any
24 other statute or the common law, except as this section expressly
25 provides.