

Lisa Subeck

STATE REPRESENTATIVE

To: Assembly Committee on Consumer Protection
From: Representative Lisa Subeck
Date: January 16, 2020
Subject: Testimony in support of Assembly Bills 240 and 241

Chairman Pronschinske and members of the Committee on Consumer Protection:

Thank you for the opportunity to testify on Assembly Bills 240 and 241. AB 240 would require food allergy posters to be displayed in certain retail establishments, and AB 241 would require a food allergy statement on menus.

As someone with severe allergies to nuts, sesame, and avocados, I know firsthand how important it is that the food service industry takes these allergies seriously, and that employees in this industry fully understand how to deal with such allergies. I carry an Epi-Pen everywhere I go, and I have had to use this life-saving medication on more than one occasion.

The very first time I ever had to use my Epi-Pen was during a catered luncheon meeting I attended several years ago on campus. When the server came to our table, I let him know about my allergies and then double-checked when the food came that the chicken salad wrap he served me did not contain nuts. Despite my best efforts, I knew immediately when I bit into it that it did, indeed, contain nuts. My lips immediately began swelling; my throat was scratchy, and I began wheezing. Without my Epi-Pen, my throat would have likely closed, and I may not be here.

Similarly, not long ago I ordered a meal at a restaurant that came with a salad. When the salad arrived, it had nuts on it. When I reminded the server of my nut allergy, I was asked if I could just take them off the salad. I know that I cannot do so, as cross-contamination is dangerous. My mother, who is also has anaphylactic reactions to nuts, found this out the hard way when she sent back a meal that had nuts on the plate only to have the kitchen staff remove the nuts and bring back the very same dish. She ended up in the emergency room as a result of this dangerous cross-contamination.

I am not alone, and the number of people with serious food allergies continues to grow. According to FARE, Food Allergy Research and Education, an estimated 32 million people in the United States have food allergies, including 5.6 million children. Each year in the United States, 200,000 people require emergency treatment for food-related allergic reactions.

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While I believe that most restaurant staff work hard to ensure high standards of food safety in relation to customers with food allergies, too often they do not have the information they need to do so. AB 240 ensures that restaurant staff know what to do if a customer informs them of a food allergy and what steps to take if a customer does experience an anaphylactic reaction. AB 241 not only provides guidance to customers but also serves as a reminder to servers about the necessity of communicating food allergy information.

While food allergies may not be cured, we can mitigate their impact by preventing unnecessary exposure to allergens. Together, these two bills help do just that, reducing the impact of food allergies on our state's residents and potentially saving lives.

Thank you again for your time and your consideration of Assembly Bills 240 and 241. I would be happy to answer any questions.

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