



Memorandum

TO: Senate Regulatory Reform Committee Members
FROM: Justin Winslow, V.P. Government Affairs
RE: Senate Bill 730 (S-2)
DATE: June 5, 2014

While the Michigan Restaurant Association acknowledges the good intentions of the bill sponsor, we oppose Senate Bill 730 because it does not expand upon the substantial efforts already being led by the industry and associated regulatory bodies.

It will, however, increase the cost of doing business to thousands of small business owners across the state, while increasing the scope of state government to a degree seen in only two other states – Massachusetts and Rhode Island.

The restaurant industry places the utmost importance on food safety, including but not limited to food allergens. To put this in perspective, consider the pro-active measures already underway:

- [ServSafe®](#), the industry leading food safety training program used by thousands of certified food safety managers in Michigan, already incorporates food allergen training into its curriculum. The rigorous ServSafe standards for certification are all developed by the Conference for Food Protection (CFP), a national food safety deliberative body, and endorsed by the U.S. Food and Drug Administration (FDA). Exams are administered by CFP-accredited providers meeting CFP standards.
- Michigan has had a requirement for a certified food manager since October 2, 2009. Section 289.2129 of the Michigan Food Law and Regulation 570 address this requirement.
- Since 2000 there has been a requirement for a competent person in charge (PIC) at all times in every food establishment in Michigan. The PIC has been responsible since April 1, 2008, for "Describing FOODS identified as MAJOR FOOD ALLERGENS and the symptoms that a MAJOR FOOD ALLERGEN could cause in a sensitive individual who has an allergic reaction".
- The MRA already has an effective and collaborative relationship with the Michigan Department of Agriculture and Rural Development (MDARD) and local public health agencies to disseminate education and training materials to food service professionals. Grant dollars earned through a competitive bidding process via the "Food and Safety Education Fund" in the MDARD budget have been used for the following purposes:
 - Create and maintain <http://www.michiganfoodsafety.com> The site has become the go-to resource for industry professionals as well as regulators as a "one-stop shop" for all food safety information. It even has an entire section dedicated to [Allergies](#).
 - Create and distribute [Food Allergy Awareness Posters](#). Two years ago grant resources were used to create and distribute (via local health inspectors) 25,000 Food Allergy Awareness posters.
 - Distribute FREE access to the National Restaurant Association's brand new and industry leading [ServSafe Allergen](#) training course. We were able to use a portion of our grant dollars last year and more again this year to provide free access to this new comprehensive training course. Approximately 1,500 total trainings will be made available.

Given the strong regulations related to food allergens already in place at the federal level and in wide use here in Michigan, coupled with an effective relationship between industry and regulatory bodies, we ask members to oppose Senate Bill 730 as a well-intended but inadequate bill that will increase the scope of state government as well as fees and red tape for small business with no tangible improvement of food allergen education or awareness.