

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2013**

No. 91

Introduced by Council Members Koo, Arroyo, Gentile, Gonzalez, Greenfield, Koslowitz, Palma, Rose, Vacca, Vallone, Rodriguez, Eugene, Van Bramer, Brewer, Lappin, Vann, Jackson, Gennaro, Lander, Levin, Williams and Halloran.

A LOCAL LAW

In relation to the creation of a Food Service Establishment Advisory Board.

Be it enacted by the Council as follows:

Section 1. Chapter 15 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-1503 to read as follows:

§17-1503 Food Service Establishment Advisory Board. a. There shall be an advisory board to advise the commissioner concerning matters related to the food service establishment sanitary inspection program and its effect on the restaurant industry, food safety and public health.

b. Such advisory board shall consist of twenty members as follows:

i. Ten members shall be appointed by the mayor, provided that two such members shall represent food service industry associations, two such members shall have advanced specialized training in food safety, two such members shall have advanced specialized training in nutrition, and four such members shall operate food service establishments;

ii. Nine members shall be appointed by the speaker of the council, provided that two such members shall represent food service industry associations, two such members shall have advanced specialized training in food safety, two such members shall have advanced specialized

training in nutrition, and three such members shall operate a food service establishment;

iii. The commissioner of the department of health and mental hygiene shall serve ex officio.

c. At the invitation of the department, other individuals may participate in the discussions of the board.

d. Each member, other than the member serving in an ex officio capacity, shall serve for a term of two years, to commence upon the first meeting of the advisory board. Any vacancies in the membership of the advisory board shall be filled in the same manner as the original appointment. A person filling such vacancy shall serve for the unexpired portion of the term of the succeeded member.

e. No member of the advisory board shall be removed except for cause and upon notice and hearing by the appropriate appointing official.

f. Members of the advisory board shall serve without compensation and shall meet no less often than every three months.

g. The agendas for the first four meetings of the advisory board shall include, but not be limited to:

1. a review of current health code violations for which points are assigned, including those violations that do not bear directly on food safety and public health;

2. a review of the current food safety inspector training curriculum;

3. a review of the effect of letter grading on public health and food safety, including information on the top ten most commonly cited violations in the previous year and any change in the incidences of illness from food borne pathogens; and

4. a review of the relationship between the food service industry and the department.

h. On January 1, 2015, and every year thereafter on January first, the advisory board shall submit a report to the mayor, the commissioner, and the speaker of the council. Such report shall include, but not be limited to:

1. an assessment of the restaurant inspection program and its effect on the restaurant industry, public health and food safety, including information on the top ten most commonly cited violations in the previous year and any change in the incidences of illness from food borne pathogens; and

2. specific recommendations for changes and/or improvements to the restaurant inspection program and actions, if any, taken by the department in response to such recommendations.

§2. This local law shall take effect immediately, provided that section 1 of this local law shall expire, be deemed repealed, and cease to be of force and effect after January 1, 2024.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on October 9, 2013 and returned unsigned by the Mayor on November 8, 2013.

MICHAEL M. McSWEENEY, City Clerk Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 91 of 2013, Council Int No. 1134-A of 2013) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.