

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON HEALTH

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February 24, 2009
Start: 1:09pm
Recess: 1:14pm

HELD AT: Council Chambers
City Hall

B E F O R E:
Joel Rivera
Chairperson

COUNCIL MEMBERS:
Maria del Carmen Arroyo
Inez E. Dickens
Helen D. Foster
John C. Liu
Helen Sears
Kendall Stewart
Albert Vann

CHAIRPERSON RIVERA: Good

afternoon, ladies and gentlemen. My name is Joel Rivera, Chair of the Health Committee here in the City Council. We are here today to vote on Intro 818-A, sponsored by Council Member Jessica Lappin. Intro 818-A is a local law that would require food service establishments to put up posters with information for workers on food allergies. The committee previously conducted a hearing on this legislation on January 29, 2009.

Throughout the United States it is estimated that approximately 12 million people suffer from food allergies, accounting for about 1 out of every 25 Americans. A person's reaction to a food allergy can vary greatly from mild irritation to a potentially fatal reaction. Every year food allergies result in 30,000 hospital visits, 2,000 hospitalizations and 150 deaths. Food allergies are a serious public health concern for which there is no cure.

Individuals who suffer from food allergies are particularly vulnerable when visiting restaurants. They no longer have direct control over the food they eat and are relying on

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2 the staff paying specific attention to their
3 needs. Severe allergic reactions made be triggered
4 by the mere cross contact between one's food and
5 an allergen. More than 130 million people are
6 served each day in restaurants across our country.
7 In New York City there are more than 25,000 food
8 service establishments.

9 To avoid severe reactions to food
10 allergies, communication is imperative between the
11 customer and the restaurant staff. Additionally,
12 education can go a long way toward preventing an
13 incident before it occurs. Council Member
14 Lappin's legislation would require food allergy
15 posters to be displayed in food service
16 establishments. To ensure that staff is aware of
17 this critical safety issue the poster would need
18 to be visible to staff members who are involved in
19 both the preparation and the service of food.

20 Education along with the active
21 communication between the patron and the
22 restaurant staff are the primary methods to ensure
23 that when individuals eat out they have both an
24 enjoyable and safe experience.

25 I would like to thank the

1
2 administration for their advocacy and partnership
3 on this issue. I wood also like to thank the
4 staff of the Committee for their hard work.

5 Before we have the clerk call the roll, I would
6 like to recognize the members of the Health
7 Committee that are here with us today. WE have
8 Council Member John Liu, Council Member Inez
9 Dickens, Council Member Helen Sears, Council
10 Member Kendall Stewart, Council Member Maria del
11 Carmen Arroyo and Council Member Al Vann. Since
12 Jessica is not here with us, we'll just go ahead
13 and call the roll for the vote.

14 CLERK: William Martin, Committee
15 Clerk. Roll call on Committee on Health,
16 Introduction 818-A. Council Member Rivera.

17 CHAIRPERSON RIVERA: I vote aye.

18 CLERK: Lui.

19 COUNCIL MEMBER LUI: Yes.

20 CLERK: Sears.

21 COUNCIL MEMBER SEARS: May I have
22 permission to explain my vote Mr. Chairman. I
23 remember when we had the hearing on this. I had
24 reservations about the bill and I expressed some
25 of that concern. Just to be noted, I'll vote yes

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2 for it because I'm supporting the Committee and my
3 colleague, but I really feel we're beginning to
4 legislate everything.

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6 I'll have to say again that I think
7 the responsibilities for people who go to
8 restaurants and eat should be responsible for
9 their own allergies and what they can and what
10 they can't eat. I think that we need to be very
11 careful about that. I vote aye but I really think
12 we have to look at just how much we're going to
13 legislate. Thank you.

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CLERK: Stewart.

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COUNCIL MEMBER STEWART: Aye.

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CLERK: Vann.

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COUNCIL MEMBER VANN: Aye.

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CLERK: Arroyo.

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COUNCIL MEMBER ARROYO: Aye.

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CLERK: Dickens.

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COUNCIL MEMBER DICKENS: Aye.

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22 CLERK: By a vote of seven in the
23 affirmative, zero in the negative and no
24 abstentions, the item is adopted. Members please
25 sign the Committee report. Thank you.

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CHAIRPERSON RIVERA: We're going to

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2 hold the vote open for just a few minutes and then
3 we're going to proceed next door for the second
4 part of the hearing today on bed bug legislation.
5 The Health Committee is also having another
6 hearing next door in reference to the bed bug
7 situation in the City of New York. We're not
8 taking a vote on it today but we are having a
9 hearing today.

10 CLERK: Council Member Foster.

11 COUNCIL MEMBER FOSTER: Yes.

12 CLERK: Final vote on the Committee
13 on Health now stands at eight in the affirmative,
14 zero in the negative and no abstentions. Thank
15 you.

16 CHAIRPERSON RIVERA: So meeting is
17 adjourned.

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C E R T I F I C A T E

I, Amber Gibson, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature Amber Gibson

Date March 5, 2009