

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 722

Session of
1985

INTRODUCED BY FREEMAN, PRESTON, KUKOVICH, WILSON, JOSEPHS,
JACKSON, OLASZ, BELARDI, E. Z. TAYLOR, DeLUCA, JOHNSON,
TRELLO, ARTY, PISTELLA, BELFANTI, BALDWIN, DEAL, RYBAK,
WAMBACH, YANDRISEVITS, EVANS, McHALE, AFFLERBACH, BATTISTO,
LINTON, RICHARDSON, STEWART AND DeWEESE, MARCH 25, 1985

AS REPORTED FROM COMMITTEE ON CONSERVATION, HOUSE OF
REPRESENTATIVES, APRIL 9, 1985,

AN ACT

1 Amending the act of May 23, 1945 (P.L.926, No.369), entitled "An
2 act for the protection of the public health by regulating the
3 conduct and operation of public eating and drinking places
4 within this Commonwealth; requiring their licensing; imposing
5 certain duties on the Department of Health of this
6 Commonwealth and on the local health authorities; and
7 providing penalties," providing for notice to customers in
8 public eating places that foods served contain sulfiting
9 additives; requiring distributors to give certain notice of
10 sulfiting agents; and ~~transferring~~ IMPOSING certain powers <—
11 and duties ~~to~~ ON the Department of Environmental Resources. <—

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. The act of May 23, 1945 (P.L.926, No.369),
15 referred to as the Public Eating and Drinking Place Law, is
16 amended by adding ~~sections~~ A SECTION to read: <—

17 Section 12.1. (a) All public eating places that use <—
18 sulfiting agents as preservatives in the foods served must post
19 conspicuous notices to warn customers that sulfiting agents are
20 being used. The notice shall be prepared by the department <—

1 DEPARTMENT OF ENVIRONMENTAL RESOURCES and sent either to all <—
2 public eating places or to the appropriate local agents or
3 inspectors who will distribute the notices to public eating
4 places in their area. Enforcement of this section will be
5 carried out by regular inspection of the premises. Failure to
6 display the notice may result in license revocation or fine as
7 imposed by this act.

8 ~~(b) A wholesale distributor which uses sulfiting agents~~ <—
9 ~~shall specify on a purchase order or similar document that such~~
10 ~~food has been treated with sulfiting agents.~~

11 ~~Section 12.2. All the powers and duties imposed upon the~~
12 ~~Department of Health by this act, which powers and duties were~~
13 ~~transferred to the Department of Environmental Resources by~~
14 ~~virtue of the act of December 3, 1970 (P.L.834, No.275),~~
15 ~~entitled "An act amending the act of April 9, 1929 (P.L.177),~~
16 ~~entitled 'An act providing for and reorganizing the conduct of~~
17 ~~the executive and administrative work of the Commonwealth by the~~
18 ~~Executive Department thereof and the administrative departments,~~
19 ~~boards, commissions, and officers thereof, including the boards~~
20 ~~of trustees of State Normal Schools, or Teachers Colleges;~~
21 ~~abolishing, creating, reorganizing or authorizing the~~
22 ~~reorganization of certain administrative departments, boards,~~
23 ~~and commissions; defining the powers and duties of the Governor~~
24 ~~and other executive and administrative officers, and of the~~
25 ~~several administrative departments, boards, commissions, and~~
26 ~~officers; fixing the salaries of the Governor, Lieutenant~~
27 ~~Governor, and certain other executive and administrative~~
28 ~~officers; providing for the appointment of certain~~
29 ~~administrative officers, and of all deputies and other~~
30 ~~assistants and employes in certain departments, boards, and~~

~~commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined,' creating the Department of Environmental Resources and defining its functions, powers and duties, transferring certain boards and commissions to such department, abolishing the Sanitary Water Board, the Air Pollution Commission and certain other boards and commissions; placing the Navigation Commission for the Delaware River and its navigable tributaries in the Department of Transportation; transferring the functions of the Geographic Board to the Pennsylvania Historical and Museum Commission placing the Valley Forge Park Commission and the Washington Crossing Park Commission in the Pennsylvania Historical and Museum Commission and repealing inconsistent acts," are hereby transferred from the Department of Health to the Department of Environmental Resources so that this act is in conformity with section 1901 A of the act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929."~~

Section 2. This act shall take effect in 30 days.