

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 26, 1985

REFERRED TO COMMITTEE ON CONSERVATION, MARCH 26, 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 certain powers and duties
11 to 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 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 and
21 sent either to all public eating places or to the appropriate

1 local agents or inspectors who will distribute the notices to
2 public eating places in their area. Enforcement of this section
3 will be carried out by regular inspection of the premises.
4 Failure to display the notice may result in license revocation
5 or fine as imposed by this act.

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

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

employees 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.