

SB2072



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2072

Introduced 2/6/2025, by Sen. Steve Stadelman

SYNOPSIS AS INTRODUCED:

410 ILCS 620/11.5

Amends the Illinois Food, Drug and Cosmetic Act. Provides that the Department of Agriculture, in consultation with the Department of Public Health, shall, on or before July 1, 2027, adopt rules requiring food product labels to contain information regarding the quality date of a product and the safety date of a product. Provides for exceptions for eggs, beer and other malt beverages, and as limited by federal law. Provides for a civil penalty of \$100.

LRB104 07459 BDA 17500 b

A BILL FOR

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Food, Drug and Cosmetic Act is
5 amended by changing Section 11.5 as follows:

6 (410 ILCS 620/11.5)

7 Sec. 11.5. Standardization of food labeling.

8 (a) As used in this Section:

9 "Quality date" means a date on a label affixed to the
10 packaging or a container of food that communicates to
11 consumers the date after which the food quality may begin to
12 deteriorate but the food may still be acceptable for
13 consumption.

14 "Safety date" means a date on a label affixed to the
15 packaging or container of food that communicates to consumers
16 that the food should be consumed or frozen, if appropriate, by
17 the date listed on the package that applies to perishable
18 products with potential safety implications over time.

19 "Sell by date" means a date on a label affixed to the
20 packaging or container of food that is intended to communicate
21 primarily to a distributor or retailer for purposes of stock
22 rotation and is not a quality date or a safety date.

23 (b) The Department of Agriculture, in consultation with

1 the Department of Public Health, shall, on or before July 1,
2 2024, publish information to encourage food manufacturers,
3 processors, and retailers responsible for the labeling of food
4 products to voluntarily use the following uniform terms on
5 food product labels to communicate quality dates and safety
6 dates:

7 (1) "BEST if Used by" or "BEST if Used or Frozen by" to
8 indicate the quality date of a product; and

9 (2) "USE by" or "USE by or Freeze by" to indicate the
10 safety date of a product.

11 The Department of Agriculture, in consultation with the
12 Department of Public Health, shall, on or before July 1, 2027,
13 adopt rules requiring food product labels to contain the
14 information detailed in paragraphs (1) and (2) of this
15 subsection (b). The Department of Agriculture shall provide
16 exceptions for eggs, beer and other malt beverages, and as
17 limited by federal law. A violation of any rule adopted under
18 this subsection shall be punishable by a civil penalty of \$100
19 per violation.

20 (c) The Department of Agriculture shall promote the
21 consistent use of the terms specified pursuant to subsection
22 (b) in the course of its existing interactions with food
23 manufacturers, processors, and retailers.

24 (d) In the process of implementing subsection (b), the
25 Department shall encourage food distributors and retailers to
26 develop alternatives to consumer-facing "sell by" dates.

1 (e) The Department may accept nonstate funds from public
2 and private sources to educate consumers about the meaning of
3 the quality dates and safety dates specified in this Section.
4 Funds accepted by the Department pursuant to this subsection
5 shall be deposited into the Food and Drug Safety Fund.

6 (Source: P.A. 103-208, eff. 1-1-24.)