

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 Sanitary Food Preparation Act is amended by
5 adding Section 10.2 as follows:

6 (410 ILCS 650/10.2 new)

7 Sec. 10.2. Meal kit or ready-to-eat meal distribution
8 facility; local health department.

9 (a) In this Section:

10 "Meal kit" means pre-portioned raw ingredients or cooked
11 ingredients packaged and provided to the consumer for
12 preparation.

13 "Ready-to-eat meal" means a fully cooked meal that is
14 packaged and ready for immediate consumption or short-term
15 reheating.

16 (b) If a meal kit or ready-to-eat meal distribution
17 facility is engaged in the collection, storage, packaging, or
18 distribution of meal kits direct to consumers, then that
19 facility is subject to all provisions of this Act and rules
20 adopted under this Act for food establishments.
21 Notwithstanding any other provision of this Act, the local
22 health department where a food distribution facility is
23 located shall have the power to enforce and observe the rules

1 and orders of the Department of Public Health or the local
2 health department and the provisions of this Section. A local
3 health department or certified local health department may
4 establish and assess a fee for any inspection it conducts at
5 meal kit and ready-to-eat meal distribution facilities if the
6 fee for the inspection is not included in the fee for the
7 operating license or permit. Meal kit and ready-to-eat meal
8 distribution facilities shall pay inspection fees within 30
9 days from the date of the inspection to the local health
10 department or certified local health department that conducted
11 the inspection. Meal kit and ready-to-eat meal distribution
12 facilities that do not pay inspection fees on a timely basis
13 shall be considered not in compliance with this Act. Late fees
14 may be applied to inspection fees not paid on a timely basis in
15 accordance with local ordinances or policy.

16 (c) Meal kit and ready-to-eat meal distribution facilities
17 must follow the following requirements for temperature
18 control, food safety inspections, food labeling requirements,
19 delivery, and transparency:

20 (1) Foods that require time and temperature control
21 for safety shall be maintained and transported at holding
22 temperatures according to the Department's administrative
23 rules to ensure the food's safety and limit microorganism
24 formation.

25 (2) Meal kit and ready-to-eat meal providers must use
26 temperature-controlled packaging to maintain food safety

1 during transit. All providers must maintain temperature
2 logs for meal kits or ready-to-eat meals in transit while
3 the product is directly in the providers' care and
4 custody. Temperature logs shall be provided to the local
5 health department or the Department of Public Health upon
6 request.

7 (3) Facilities that prepare and distribute meal kits
8 and ready-to-eat meals are subject to health inspections
9 in accordance with standards for food establishments.
10 Facilities that prepare and distribute meal kits and
11 ready-to-eat meals are subject to health inspections in
12 accordance with the inspection frequency prescribed for
13 the relative risks of causing foodborne illness in the
14 Department's administrative rules.

15 (4) All meal kits and ready-to-eat meals must be
16 labeled in accordance with the requirements for packaged
17 foods in the Department's standards for food
18 establishments.

19 (5) Meal kits and ready-to-eat meals shall be
20 delivered within 72 hours from the date of shipping and
21 must be packaged with temperature-controlled materials,
22 including ice packs or insulated containers, to maintain
23 safe food temperatures.

24 (6) Meal kit and ready-to-eat meal providers shall
25 publish on their websites or consumer-facing platforms a
26 link to the publicly available license and inspection

1 findings issued by the registering local health
2 department.

3 (d) The Department of Public Health may adopt any rules it
4 deems necessary for the implementation, administration, and
5 enforcement of this Section.