

# HOUSE BILL 181

J1, C2

6lr1442

(PRE-FILED)

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By: **Delegate Woods**

Requested: October 29, 2025

Introduced and read first time: January 14, 2026

Assigned to: Health

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Restaurants – Disclosure of Main Food Allergens**

3 FOR the purpose of requiring restaurants to make available to each customer a certain  
4 written disclosure of each main food allergen, if any, that the restaurant knows or  
5 reasonably should know is an ingredient in each menu item; and generally relating  
6 to restaurants and the disclosure of main food allergens.

7 BY renumbering

8 Article – Health – General

9 Section 21–330.3 and 21–330.4

10 to be Section 21–330.4 and 21–330.5, respectively

11 Annotated Code of Maryland

12 (2023 Replacement Volume and 2025 Supplement)

13 BY repealing and reenacting, without amendments,

14 Article – Education

15 Section 13–517(a)(1)

16 Annotated Code of Maryland

17 (2022 Replacement Volume and 2025 Supplement)

18 BY repealing and reenacting, with amendments,

19 Article – Education

20 Section 13–517(a)(4)

21 Annotated Code of Maryland

22 (2022 Replacement Volume and 2025 Supplement)

23 BY adding to

24 Article – Health – General

25 Section 21–330.3

26 Annotated Code of Maryland

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2023 Replacement Volume and 2025 Supplement)

2 BY repealing and reenacting, without amendments,  
3 Article – Health – General  
4 Section 21–1214  
5 Annotated Code of Maryland  
6 (2023 Replacement Volume and 2025 Supplement)

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
8 That Section(s) 21–330.3 and 21–330.4 of Article – Health – General of the Annotated Code  
9 of Maryland be renumbered to be Section(s) 21–330.4 and 21–330.5, respectively.

10 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
11 as follows:

12 **Article – Education**

13 13–517.

14 (a) (1) In this section the following words have the meanings indicated.

15 (4) (i) “Facility” means an agency, an association, a corporation, a firm,  
16 a partnership, or any other entity.

17 (ii) “Facility” does not include a grocery store or restaurant that is  
18 subject to **§ 21–330.3** **§ 21–330.4** of the Health – General Article.

19 **Article – Health – General**

20 **21–330.3.**

21 (A) IN THIS SECTION, “MAIN FOOD ALLERGEN” HAS THE MEANING STATED  
22 IN **21 U.S.C. § 321.**

23 (B) THIS SECTION DOES NOT APPLY TO PREPACKAGED FOODS THAT ARE  
24 SUBJECT TO FEDERAL LABELING REQUIREMENTS FOR MAIN FOOD ALLERGENS  
25 UNDER **21 U.S.C. § 343.**

26 (C) (1) A RESTAURANT SHALL MAKE AVAILABLE TO EACH CUSTOMER A  
27 WRITTEN DISCLOSURE OF EACH MAIN FOOD ALLERGEN, IF ANY, THAT THE  
28 RESTAURANT KNOWS OR REASONABLY SHOULD KNOW IS CONTAINED AS AN  
29 INGREDIENT IN EACH MENU ITEM.

30 (2) THE WRITTEN DISCLOSURE SHALL USE THE COMMON NAMES OF  
31 THE MAIN FOOD ALLERGEN OR STANDARDIZED PICTOGRAMS TO COMMUNICATE THE  
32 PRESENCE OF A MAIN FOOD ALLERGEN.

1           **(D) A RESTAURANT MAY SATISFY THE DISCLOSURE REQUIREMENT**  
2 **ESTABLISHED UNDER SUBSECTION (C) OF THIS SECTION BY:**

3           **(1) INCLUDING A WRITTEN DISCLOSURE ON THE RESTAURANT'S**  
4 **MENU;**

5           **(2) MAKING THE WRITTEN DISCLOSURE AVAILABLE IN A DIGITAL**  
6 **FORMAT, INCLUDING THROUGH THE USE OF A QUICK RESPONSE (QR) CODE THAT**  
7 **LINKS TO THE RESTAURANT'S DIGITAL MENU; OR**

8           **(3) MAKING THE WRITTEN DISCLOSURE AVAILABLE THROUGH:**

9           **(I) A SEPARATE ALLERGEN-SPECIFIC MENU;**

10          **(II) AN ALLERGEN CHART;**

11          **(III) AN ALLERGEN GRID;**

12          **(IV) AN ALLERGEN BOOKLET; OR**

13          **(V) ANY OTHER WRITTEN MATERIAL.**

14 21–1214.

15          (a) (1) Except as provided in paragraph (2) of this subsection, any person who  
16 violates any provision of Subtitle 3 of this title or any rule or regulation adopted under  
17 Subtitle 3 of this title is guilty of a misdemeanor and on conviction is subject to:

18           (i) For a first offense, a fine not exceeding \$1,000 or imprisonment  
19 not exceeding 90 days, or both; and

20           (ii) For a second offense, a fine not exceeding \$2,500 or imprisonment  
21 not exceeding 1 year, or both.

22          (2) A person who violates § 21–330.1 of this title is not subject to paragraph  
23 (1) of this subsection.

24          (b) In addition to any criminal penalties imposed under this section, a person who  
25 violates any provision of Subtitle 3 of this title or any rule or regulation adopted under  
26 Subtitle 3 of this title or any term, condition, or limitation of any license or registration  
27 issued under Subtitle 3 of this title:

28           (1) Is liable for a civil penalty not exceeding \$5,000, to be collected in a civil  
29 action in the District Court for any county; and

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- 1                   (2)     May be enjoined from continuing the violation.  
2                   (c)     Each day on which a violation occurs is a separate violation under this section.

3                 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4     October 1, 2026.