

103^D CONGRESS
1ST SESSION

H. R. 262

To direct the Secretary of Commerce to approve and distribute to food service operations instructions for removing food which has become lodged in a person's throat.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. NEAL of North Carolina introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To direct the Secretary of Commerce to approve and distribute to food service operations instructions for removing food which has become lodged in a person's throat.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of Commerce, upon recommendation
4 of the Secretary of Health and Human Services, shall ap-
5 prove instructions specifying first aid techniques, espe-
6 cially the Heimlich Maneuver, designed for use by persons
7 without medical training, for removing food which has be-
8 come lodged in any person's throat.

1 SEC. 2. (a) The Secretary of Commerce shall publish
2 in the Federal Register the instructions approved under
3 the first section of this Act and shall distribute the in-
4 structions to each food service operation in the United
5 States. In distributing the instructions, the Secretary shall
6 utilize, to the maximum extent practicable, the resources
7 of the Department of Commerce.

8 (b) Any food service operation may post the instruc-
9 tions on the premises so that persons employed by the food
10 service operation may become familiar with the first aid
11 techniques and may consult the instructions to provide re-
12 lief to any person who is choking.

13 SEC. 3. No court of the United States shall have ju-
14 risdiction to enter any judgment against any person for
15 the acts or omissions of any individual in removing, at-
16 tempting to remove, or assisting the removal of food
17 lodged in any person's throat if such individual acted in
18 accordance with the instructions approved under this Act
19 by the Secretary of Commerce.

20 SEC. 4. For purposes of this Act, the term "food serv-
21 ice operation" means any restaurant, cafeteria, lunch-
22 room, lunch counter, soda fountain, or other facility which
23 is principally engaged in selling food or beverages for con-
24 sumption on the premises.

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