

LEGISLATIVE SUMMARY

ASSEMBLY BILL 1252

RETAIL FOOD SAFETY

This bill amends California Retail Food Code and reestablishes uniform health and sanitation standards for retail food facilities, including mobile food facilities and temporary food facilities in the State of California. The provisions in this bill take effect **January 1, 2014** and are enforceable at that time. The provisions in the bill are summarized as follows:

1. Cottage Food Act amendments
 - a. Redefines "direct sale" as a sale that happens in the State of California between a cottage food operation operator and a consumer.
 - b. Requires "Class A" cottage food operators to renew their registration annually.
 - c. Requires a cottage food operator to retain a registration or permit or a copy onsite at the time of either direct or indirect cottage food sale.
 - d. Requires cottage food operators to complete a food processor course approved by the Department of Public Health (DPH).
2. Glove use and handwashing
 - a. Requires that all employees of food facilities thoroughly wash their hands before engaging in food preparation and before donning gloves for working with food. Clarifies handwashing is not necessary between glove changes if no contamination has occurred.
 - b. Requires that employees wear gloves when contacting food and food-contact surfaces under certain conditions, including when they have cuts, sores, or rashes.
 - c. Requires owners of food facilities and others, as specified, to require food employees to report to the person in charge if a food employee has a lesion or wound that is open or draining.
 - d. Prohibits food employees from contacting exposed, ready-to-eat food with bare hands.
 - i. Exception: The permit holder may obtain permission from the Local Enforcement Agency and maintain written procedures and documentation.
3. Temporary food facilities
 - a. Requires that a mobile food facility have a water heater with a minimum capacity of 3 gallons, with some exceptions.
 - b. Requires that hand washing and utensil washing facilities approved by the enforcement officer be provided within nonprofit charitable temporary food facilities, except where food and beverage is prepackaged.
 - c. Allows up to 8 temporary food facilities to share a warewashing sink under specified circumstances, with the approval of the Local Enforcement Agency.
 - i. Allows a temporary food facility to provide an adequate supply of utensils and spare utensils when they have been properly washed and sanitized at an approved facility, when approved by the Local Enforcement Agency.
4. Service animals
 - a. Revises the definition of a "service animal" for purposes of the code to mean a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability. The definition would specifically exclude other species of animals, as specified.

