



# Proposed 2023 Food Regulations

PUBLIC HEALTH ADVISORY BOARD

PRESENTATION OCTOBER 3, 2022

# Purpose of the Food Regulations

- ▶ Provide sanitation guidelines for food establishments
- ▶ Reduce foodborne illness outbreaks
- ▶ Help protect the community and tourists

# Regulated Food Establishments:

## Establishment Type

- ▶ Restaurants and Snack Bars
- ▶ Food Processing
- ▶ Grocery and Warehouses
- ▶ Open-Air Vendors
- ▶ Mobile Vendors
- ▶ Commissaries
- ▶ Annual Itinerants and Farmer's Markets
- ▶ Special Events
- ▶ School and Childcare Kitchens

# Why do the Food Regulations need to be updated?

- ▶ The last update to the regulations was in 2010.
- ▶ To Align regulations with the 2017 Model Food Code to reflect advances in food safety science
- ▶ To address frequently waived regulations and concerns from industry

# Ways Comments Were Collected

- ▶ Business Impact Statement Surveys
- ▶ Three Listening Sessions
- ▶ Emails
- ▶ Phone Calls
- ▶ Meetings with interested members of industry

Comments were accepted from August 12, 2022, through 4:30 p.m. on September 16, 2022.



# Business Impact Survey Results

Question	Yes Responses	No Responses
Will the proposed EH Fee Schedule adjustments impose a direct and significant economic burden upon your business?	8	14
Will the proposed EH Fee Schedule adjustments directly restrict the formation, operation, or expansion of your business?	6	16
Will the proposed EH Fee Schedule adjustments have an estimated beneficial economic effect on your business?	2	20
Do you anticipate any indirect economic effects to your business as a result of the proposed EH Fee Schedule adjustments?	8	14

The Business Impact Survey Notification was emailed to 12,269 recipients and posted on the SNHD website. Twenty-two surveys were returned.

# Summary of Major Changes

Requirement Proposed	Compromise/Concession
Certified Food Protection Manager	Does not include low-risk or temporary food establishments
Food in cold holding must be held at 41 °F	Added allowance to keep food at 45 °F for up to 24 hours
Food Vendors limited to 100 sq ft	Updated to allow up to 200 sq ft Temporary booths 200-400 sq ft
HACCP Plan and waiver required for food with vinegar added to render non-TCS	Updated to allow an exemption for certain items such as salsa, sushi rice, and kimchi
Temperature logs required for food vendors and mobile units	Removed requirement for temperature logs
Priority and Priority Foundation designations added throughout	Removed all Priority and Priority Foundation designations
Procedure required for clean-up of vomiting and diarrhea	SNHD will provide a guidance document
Corrections required to be submitted within 3 days, 10 calendar days, or 90 calendar days based on risk	Violations must be corrected, but do not require submission to SNHD

# Changes Cont.



Repeat violations on unannounced inspections will not receive an automatic downgrade if they are priority foundation



Annual Itinerant regulations incorporated



Whole muscle meat steaks will not require consumer advisory



All Open-Air vendors may serve low-risk food



Administrative and Appeal processes

Added : Temporary food and food handler safety training card exemptions  
Commissary manager responsibilities



# Changes Cont.



Satellite areas within 600 sq. ft not required to install three-compartment sink



Handwashing sign required at each hand sink



Hoods, grease interceptors, sump pumps, lift stations, and number of restrooms will be regulated by the agency of jurisdiction to reduce overlap



Increased number of demerits allowed to pass change of permit holder permitting inspection



Dogs allowed on outdoor patio with signed agreement

# Benefits to Industry

- ▶ Consistency
- ▶ Consolidation
- ▶ Reduced Waivers
- ▶ Gives businesses a better chance to thrive
- ▶ Fewer automatic downgrades for repeat violations
- ▶ SNHD has considered all industry feedback which has resulted in additional benefits to industry.

# Staff Recommendations for PHAB:

- ▶ Accept the Business Impact Statement
- ▶ Allow staff to request Board of Health approval for the proposed 2023 Food Regulations at the November 17, 2022, Board of Health meeting



Questions