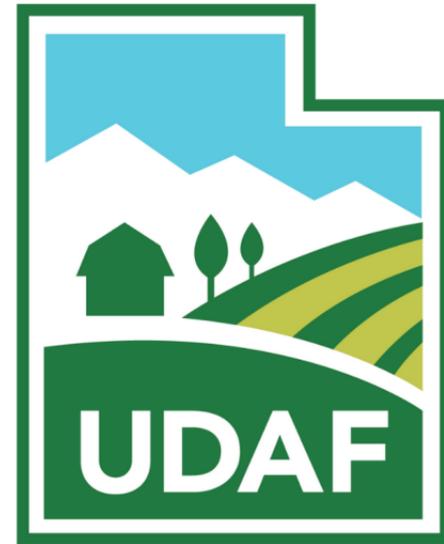


SOUTHWEST
UTAH PUBLIC
HEALTH
DEPARTMENT



PREVENT • PROMOTE • PROTECT



Utah Business License Association Conference: Food Safety Legislation/Rules

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PREVENT | PROMOTE | PROTECT

A Little Humor



MISSION & VISION

PREVENT • PROMOTE • PROTECT

Our Mission is to protect community's health through the promotion of wellness and the prevention of disease.

Counties We Serve: Beaver, Garfield, Iron, Kane and Washington.



UDAF VISION

Lead Utah towards self-reliance by promoting, preserving, and protecting all forms of agricultural production and processing to ensure a safe and abundant supply of locally produced foods for all Utahns.

UDAF MISSION

Support the development of Utah's agriculture and food industries, serve as a steward of our natural resources, safeguard public health, protect consumers, and ensure a quality food supply.

What is the Utah Department of Agriculture and Food?

- One of the oldest departments in the State (101 years old).
- In 2020 over 7 billion dollars of processed foods purchased, only 45% of that was made in Utah



Divisions:

- Office of the Commissioner
- Animal Industry
- Conservation
- Industrial Hemp
- Laboratory Services
- Marketing and Economic Development
- Plant Industry
- Regulatory Services

WHAT WE PERMIT

- On-Site Wastewater
 - Schools
 - Public Pools
 - Tanning
 - Body Art
 - Liquid Waste Haulers
- Food Permits/Registered:
- Cottage Food (UDAF)
 - Home Consumption (UDAF)
 - Agritourism (UDAF)
 - Temp Food
 - MEHK
 - Mobile Food
 - Food Establishments
 - Manufactured Food (UDAF)
 - Grocery Stores (UDAF)
 - Farmers Markets (UDAF)
 - Nutritional Supplements (UDAF)

WHAT ELSE DO WE DO?

SWUPHD:

- Food Handler Permits
- Complaints
- Bed Bugs
- Water Lab
- Institutions
- In-Home Day Care

UDAF:

- Retail CBD
- Industrial Hemp
- Pesticide applicator
- Weights and Measures
- Meat and Poultry
- Nursery, seed, feed
- USDA Organic
- Kratom

Food Safety 101

5 Most Common Causes of FB Illnesses

1. Practicing poor personal hygiene.
2. Failing to cook food correctly.
3. Holding food at incorrect temperatures.
4. Using contaminated equipment.
5. Purchasing food from unsafe sources.

Food Safety 101

What is a foodborne illness?



When different disease-causing microbes, pathogens, or poisonous chemicals contaminate foods that then make someone sick.

A foodborne illness outbreak is when two or more people experience the same illness from the same food.

WHY DO WE CARE ABOUT FOOD?

The CDC estimates that each year...

- 48 Million People Get Sick
- 128,000 Are Hospitalized
- 3,000 Die of FB Diseases



FOOD ESTABLISHMENT PERMITS

Requirements (R392-100):

- Plan Review
- Pre-Opening Inspection
- Regular Inspection
- Permit Renewed Yearly

Requirements:

- PIC
- Food From Approved Source
- Proper Facilities

Food Freedom Laws in Utah

- 2007 - Cottage Foods Act (UCA 4-5-501)
- 2018 - Home Consumption and Homemade Food Act (UCA 4-5a)
- 2020 - Agritourism Food Establishment Act (UCA 26-15b)
- 2021 - Microenterprise Home Kitchen Act (UCA 26-15c)

Agritourism Food Establishment

- *HB 232 Food Revisions was introduced in the 2020 general session*
 - *Creates the Agritourism Food Establishment Act (Chapter 26-15b)*
 - *Creates permitting requirements for agritourism food establishments*
 - *Orders UDOH to develop a rule*
 - *Considerable regulatory constraints written into the bill*
- *Bill was extremely well received in committee, House, and Senate*

AFE - Definitions

- "*Agritourism food establishment*" means a non-commercial kitchen facility where food is handled, stored, or prepared to be offered for sale on a farm in connection with an agricultural tourism activity.
- "*Agricultural tourism activity*" means an educational or recreational activity that:
 - (i) takes place on a farm or ranch or other commercial agricultural, aquacultural, horticultural, or forestry operation; and
 - (ii) allows an individual to tour, explore, observe, learn about, participate in, or be entertained by an aspect of agricultural operations.

AFE - Limitations

“(5) When making the rules..., the department may not make rules regarding:”

- Hand washing facilities
- Kitchen sinks
- Ventilation
- Non-food contact surfaces
- Water, plumbing, drainage, and waste
- Toilet facilities
- Laundry facilities
- Lighting
- The presence and handling of animals
- Plan reviews
- Approved food sources
- Food safety certification
- The number and type of TCS foods offered for sale
- ...and much more

Agritourism Food Establishment

- Businesses are permitted and inspected annually by the LHDs;
- Food sales are limited to the farm location;
- No limits on type or amount of foods served or sold;
- Requires a FH permit, but no FSM certification;
- Must be connected to an event, limited to 14 consecutive days per event (but permit is good for one year)



Microenterprise Home Kitchen

- *HB 94 Microenterprise Home Kitchen Amendments was introduced in the 2021 general session*
 - *Creates the Microenterprise Home Kitchen Act (Chapter 26-15c)*
 - *Creates permitting requirements for microenterprise home kitchen*
 - *Orders UDOH to develop a rule*
 - *Considerable regulatory constraints written into the bill*

MEHK - Definitions

- *"Microenterprise home kitchen"* means a non-commercial kitchen facility located in a private home and operated by a resident of the home where ready-to-eat food is handled, stored, prepared, or offered for sale.
- **Popular:** Bill was extremely well received in committee, House, and Senate (Passed unanimously)

MEHK - Limitations

“(5) When making the rules..., the department may not make rules regarding:”

- ~~Hand washing facilities~~
 - Kitchen sinks
 - Ventilation
 - Non-food contact surfaces
- ~~Water, plumbing, drainage, and waste~~
 - Toilet facilities
 - Laundry facilities
 - Lighting
- ~~The presence and handling of animals~~
 - Plan reviews
- ~~Approved food sources~~
- ~~Food safety certification~~
- ~~The number and type of TCS foods offered for sale~~

Agritourism Food Establishment

- MEHKs are permitted and inspected annually by the LHDs;
- Almost any food can be served, except certain high risk foods;
- Food must be prepared and served on the same day;
- Food must be picked up or delivered, not consumed on the premises;
- Requires a FH permit, and FSM certification



Other Food Safety Rules in Utah

- R392-100 - Food Service Sanitation (Restaurants)
- R392-101 - Food Safety Manager Certification
- R392-102 - Food Truck Sanitation
- R392-103 - Food Handler Training and Certificate
- R392-110 - Food Service Sanitation in Residential Care Facilities

Food Trucks

- Started Permitting About 10 Years ago in SWUPHD
- SWUPHD – Approximately 70 Food Trucks
- Frustrating Trends:
 1. Out of District
 2. Becoming Less Mobile
 3. Commissary
 4. Waste Water Disposal
 5. Water Use
 6. Less Restrict Regs
 7. Homes Used
 8. Hand Washing Properly
 9. Washing Wares Properly
 10. Cooling Properly



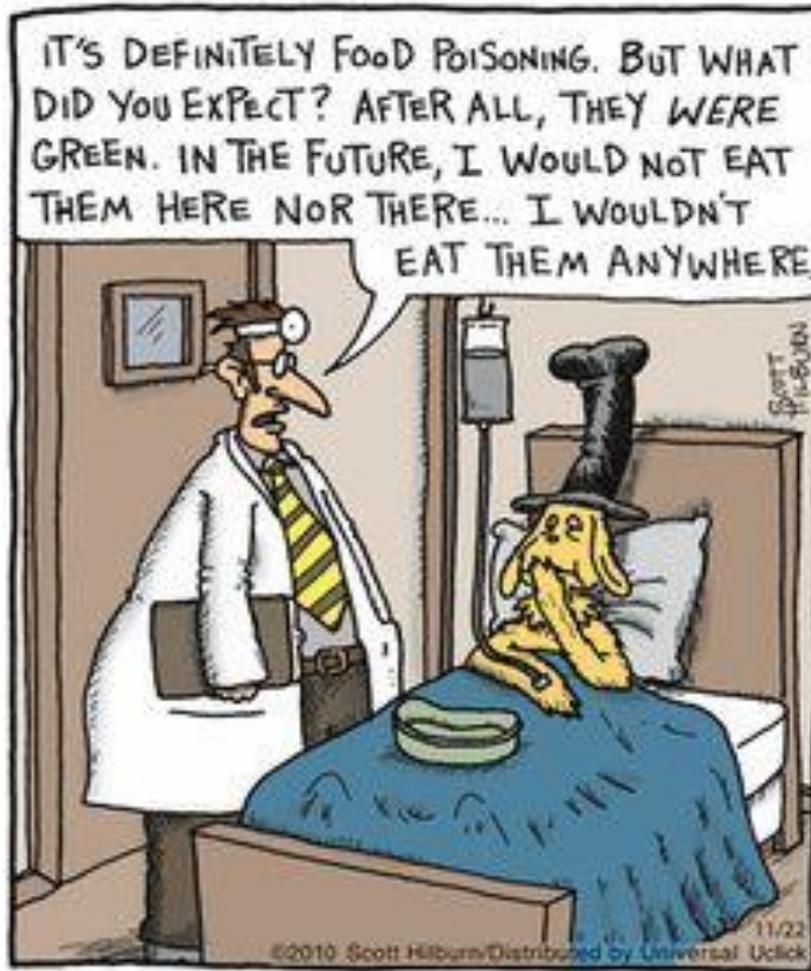
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Food Trucks

- Plan Review Required
- Pre-Opening Inspection Required
- Vehicle Fully Enclosed
- Business Name on Both Sides of Truck
- Commercial Equipment
- Smooth, Cleanable, Non Absorbent Surfaces
- Food Held at Proper Temps at All Times
- Hand Washing Sink
- Three Compartment Sink
- 30 Gallon Fresh Water Tank
- Waste Water 15% Larger
- Adequate Hot Water
- Food Grade Hose
- Adequate Lighting
- Proper Ventilation
- Commissary
- Bathroom Agreement
- CFSM/PIC

A Little More Humor



THANK YOU!

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