

ASSEMBLY BILL

No. 724

Introduced by Assembly Member Dodd

February 25, 2015

An act to amend Section 114335 of the Health and Safety Code, relating to food safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 724, as introduced, Dodd. Temporary food facilities.

Existing law, the California Retail Food Code, establishes uniform health and sanitation standards for retail food facilities, including temporary food facilities, by the State Department of Public Health. Existing law provides that local health agencies are primarily responsible for enforcing this code. A violation of any provision of the code is generally punishable as a misdemeanor. Existing law limits the service of temporary food facilities that operate at a swap meet to only prepackaged nonpotentially hazardous food and whole, uncut produce, and requires those temporary food facilities and temporary food facilities that operate at a community event to meet specified requirements.

This bill would make a technical, nonsubstantive change to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 114335 of the Health and Safety Code
- 2 is amended to read:

1 114335. (a) Temporary food facilities that operate at a swap
2 meet are limited to only prepackaged nonpotentially hazardous
3 food and ~~whole~~ whole, uncut produce, and shall meet the applicable
4 requirements in Chapter 1 (commencing with Section 113700) to
5 Chapter 8 (commencing with Section 114250), inclusive, Chapter
6 12.6 (commencing with Section 114377), and Chapter 13
7 (commencing with Section 114380), unless specifically exempted
8 from any of these provisions.

9 (b) Temporary food facilities that operate at a community event
10 shall meet the applicable requirements in Chapter 1 (commencing
11 with Section 113700) to Chapter 8 (commencing with Section
12 114250), inclusive, Chapter 12.6 (commencing with Section
13 114377), and Chapter 13 (commencing with Section 114380),
14 unless specifically exempted from any of these provisions.

15 (c) Food facility requirements shall be determined by the
16 enforcement agency based on the food service activity to be
17 conducted, the type of food that is to be prepared or served, the
18 length of the event, and the extent of food preparation that is to be
19 conducted at a community event within a temporary food facility.

20 (d) Notwithstanding subdivision (a), the enforcement agency
21 may allow temporary food facilities at a swap meet, depending on
22 the food service activity to be conducted, the type of food that is
23 to be prepared or served, the duration of the swap meet, and the
24 extent of food preparation that is to be conducted at the swap meet.