

## EMD FOOD INDUSTRY GROUP MEETING AGENDA

**April 17, 2018 3pm - 4pm**  
Sacramento County EMD  
10590 Armstrong Avenue  
Mather, CA 95655  
(916) 875-8484

WELCOME

### **Sacramento County Botulism Outbreak**

Mark Barcellos

*See "Meeting Minutes" column for full presentation*

Legislative Update

Jason Boetzer

### **April 2018 Food Industry Leg Summary**

#### ■ **AB 2524 (Wood) Catering host permits (L/T/AuthorCom)**

*This bill would include a catering operation and a host facility within the definition of a food facility. The bill would define "catering operation" as a food service that is conducted by a permanent food facility approved for food preparation where food is served, or limited food preparation is conducted, at a location other than its permitted location, whether as part of a contracted offsite food service event or when operating in conjunction with a host facility with direct food sales. The bill would define "host facility" as a permitted facility located in a brewery, winery, or commercial office building, that meets applicable requirements and is approved by the local enforcement agency to support a catering operation, as specified.*

#### ■ **AB 2178 (Limon) Charitable Feeding (L/T/AuthorCom)**

*This bill would exempt a limited service charitable feeding operation from the definition of food facility. The bill would define that operation ~~to include~~ as a food service ~~operation,~~ operation whose purpose is to feed food-insecure ~~individuals,~~ individuals and that does one of specified actions, including food warming of commercially prepackaged food. The bill would require all categories of limited service charitable feeding operations to register with the local enforcement ~~agency and~~ agency. The bill would require those operations, and all food donated, served, or distributed from those operations, to adhere to specified general food safety requirements, where applicable, ~~and~~ to best management practices identified by the local enforcement agency, ~~as specified,~~ and to all applicable local*

land use and zoning ordinances or regulations. By creating a new crime and by imposing duties on local officials, this bill would impose a state-mandated local program.

■ **AB 626 (Ed Garcia) Microenterprise home kitchens (2-year bill) –**

*This bill would, among other things, include a microenterprise home kitchen operation within the definition of a food facility, and would define a microenterprise home kitchen operation to mean a food facility that is operated by a resident in a private home where food is stored, handled, and prepared ~~for a consumer~~ for, and may be served to, consumers, and that meets specified requirements, including, among others, that the operation has no more than one full-time equivalent food employee and has no more than \$50,000 in verifiable gross annual sales. The bill would specify that the governing body of a city or county, or city and county, shall have full discretion to authorize, by ordinance or resolution, the permitting of microenterprise home kitchen operations in accordance with the provisions of this ~~bill~~ bill, except as provided. The bill would require a microenterprise home kitchen operation to be considered a restricted food service facility for purposes of certain provisions of the code, except as otherwise ~~provided~~ provided, and would exempt a microenterprise home kitchen operation from various provisions applicable to food facilities, including, among others, provisions relating to handwashing, sinks, ventilation, and animals. The bill would require the applicant for a permit to operate a microenterprise home kitchen operation to submit to the local enforcement agency written standard operating procedures that include specified information, including all food types or products that will be handled and the days and times that the home kitchen will potentially be utilized as a microenterprise home kitchen operation.*

■ **AB 1884 (Calderon) Single use straws (T)**

*This bill would prohibit a food facility, as specified, where food may be consumed on the premises, from providing single-use plastic straws to consumers unless requested by the consumer. The bill would specify that the first and 2nd violations of these provisions would result in a warning and any subsequent violation would be an infraction punishable by a fine of \$25 for each day the food facility is in violation. By creating a new crime and imposing additional enforcement duties on local health agencies, this bill would impose a state-mandated local program.*

■ **AB 2212 (Ting) Meal deliveries (See attached notes) (AuthorCom)**

*This bill would add subscription-based meal delivery services, as specified, to the existing definition of "retail." By expanding the definition of "retail," the bill would expand the applicability of an existing crime. The bill would also make a technical change to the definition of "food facility" for purposes of the California Retail Food Code by including a specific crossreference to the existing definition of ~~"retail"~~ "retail."*

■ **AB 2909 (Wood) Poultry inspection (AuthorCom)**

*This bill, on or before January 1, 2020, would require the Department of Food and Agriculture to create a registration system for small-scale producers, as defined, that are eligible for a specified exemption from the federal Poultry Products Inspection Act. Under the bill, a registered small-scale producer would be considered subject to alternative regulatory provisions, as specified, in lieu of the above-described generally applicable poultry plant sanitation and poultry product inspection provisions. The bill would require a small-scale producer, as a part of registration, to submit an affidavit, under penalty of perjury, declaring the producer's eligibility for the federal exemption. By creating a new crime, this bill would impose a state-mandated local program. The bill would authorize the department to include in the registration system a registration fee, to be deposited into the*

*Small-Scale Poultry Producer Account within the Department of Food and Agriculture Fund, which account would be created by the bill. Moneys in the account would be continuously appropriated to the department to implement, administer, and enforce these new regulatory provisions. The bill would also require the department to post on its Internet Web site safety information for small-scale producers, as specified.*

■ **SB 946 (Lara) Sidewalk vending: See details below (AuthorCom)**

*This bill would prohibit a local authority from adopting rules or regulations, by ordinance or resolution, that regulate or prohibit sidewalk vendors, as defined, unless it first adopts a sidewalk vending licensing program that requires a sidewalk vendor to obtain a license from the local authority before selling food or merchandise. The authority, as defined, from regulating sidewalk vendors, except in accordance with the provisions of the bill. The bill would provide that a local authority is not required to adopt a new program to regulate sidewalk vendors if the local authority has established an existing program that substantially complies with the provisions of the bill. The bill would apply these provisions to a chartered or general law city, county, or city and county.*

Roundtable

Next Meeting: September 2018