



County of San Diego

Department of Environmental Health

Food and Housing Division



California Retail Food Code Changes: Effective January 1, 2020

Below is a summary of the California Retail Food Code (CRFC) legislative changes and associated sections, effective January 1, 2020. January through June of 2020, DEH staff will be educating food facility operators on these changes. After July 1, 2020, violation of these CRFC sections observed during inspections will result in a deduction of points and may result in the issuance of a notice of violation.

Reusable Food Containers and Temporary Event Food Ware

Most single-use food and beverage containers and utensils provided at community events end up in landfills where they leach toxic chemicals, do not decompose, and can require costly clean up after littering an event site. Few single-use containers or utensils are fully recyclable or compostable; and as a result, they can contaminate recycling and composting operations. Assembly Bill 619 aimed to decrease single-use items that are disposed in California landfills by allowing for reusable food ware.

Assembly Bill 619 revises the requirements that allows food facilities to use consumer-owned containers and allows temporary food facilities to use multi-use utensils under certain conditions. The bill amends CRFC sections 114121 and 114353 to allow:

- 1) Clean consumer-owned containers, provided or returned to the food facility for filling, may be filled by either the employee or the owner of the container.
- 2) A food facility must isolate consumer-owned containers from the serving surface or sanitize the serving surface after each consumer-owned container filling.
- 3) Consumer-owned containers must be designed and constructed for reuse.
- 4) The food facility must prepare, maintain, and adhere to written procedures to prevent cross-contamination, and to make the written procedures available to the enforcement agency.
- 5) Authorization by a local enforcement agency to allow a temporary food facility to use multiuse utensils that are cleaned, rinsed, and sanitized at either a temporary food facility or an approved food facility.

A violation of these sections will result in a minor (2-point deduction) or major violation (4-point deduction) for contamination of a food contact surface.

Latex Gloves

Up to 6 percent of people in the United States are estimated to have latex allergies, including up to 17 percent of health care and food service workers, 11 percent of the elderly, up to 73 percent of children with spina bifida, and up to 34 percent of children who have had more than three surgical procedures.

Senate Bill 677, amends CRFC sections 113961 and 113973 to require that when gloves are used in a food facility, they must be nonlatex. A violation of these sections will result in a 1-point deduction for the use of unapproved equipment.

Allergies: Knowledge of Food Handlers

According to the Centers for Disease Control and Prevention, food allergies result in more than 200,000 ambulatory care visits a year involving children under 18 years of age. The number of food allergy reactions requiring emergency treatment has increased over the last decade, with a 377 percent rise in individuals receiving medical treatment for anaphylaxis - a serious, life-threatening allergic reaction. Reactions typically occur when an individual unknowingly eats a food containing an ingredient to which the individual is allergic.

Assembly Bill 1532 requires that all food handlers, including those who work at Schools and Organized Camps, have food handler cards and that by January 2021, food handler courses include instruction relating to major food allergens and symptoms of allergic reactions.

There is no change to San Diego County's current food handler program, which already requires food service workers at Schools and Organized Camps to obtain food handler cards. A violation of the food handler training section is a 2-point deduction.

Microenterprise Home Kitchen Operations – Not Authorized in San Diego

Assembly Bill 377 introduced amendments to Microenterprise Home Kitchen Operations (MEHKO) (Assembly Bill 626, 2018). The bill changed the authorizing agency for MEHKOs from an individual jurisdiction to be the governing body of the local enforcement agency. In the San Diego region, the Department of Environmental Health is the local enforcement agency and the governing body is the County Board of Supervisors. To date, MEHKOs have not been authorized in the San Diego region.

AB 377 also added some food safety provisions for MEHKOs including: requirements for cleaning and sanitizing of utensils and equipment, oversight by the facility operator to ensure no cross contamination occurs by individual in the food preparation areas that are not part of the MEHKO operation, restrictions to prevent outdoor food storage, and requirements that any advertising specify that food was made in a home kitchen. However, the newly enacted law did not address other potential health and foodborne illness risks, as well as community impacts that could result from the authorization of a MEHKO program.