



General Assembly

February Session, 2020

Raised Bill No. 371

LCO No. 1841



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

AN ACT ELIMINATING THE REQUIREMENT THAT FOOD ESTABLISHMENTS REGISTER WITH THE DEPARTMENT OF PUBLIC HEALTH.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-36i of the 2020 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2020*):

4 (a) No person, firm or corporation shall operate or maintain any food
5 establishment where food or beverages are served or sold to the public
6 in any town, city or borough without obtaining a valid permit or license
7 to operate from the director of health of such town, city or borough, in
8 a form and manner prescribed by the director of health. The director of
9 health shall issue a permit or license to operate a food establishment
10 upon receipt of an application if the food establishment meets the
11 requirements of this section. All food establishments shall comply with
12 the food code.

13 (b) All food establishments shall be inspected by a certified food
14 inspector in a form and manner prescribed by the commissioner. The

15 Commissioner of Public Health may, in consultation with the
16 Commissioner of Consumer Protection, grant a variance for the
17 requirements of the food code if the Commissioner of Public Health
18 determines that such variance would not result in a health hazard or
19 nuisance.

20 [(c) No permit to operate a food establishment shall be issued by a
21 director of health unless the applicant has provided the director of
22 health with proof of registration with the department and a written
23 application for a permit in a form and manner prescribed by the
24 department. Temporary food establishments and certified farmers'
25 markets, as defined in section 22-6r, shall be exempt from registering
26 with the Department of Public Health.]

27 [(d)] (c) Each class 2 food establishment, class 3 food establishment
28 and class 4 food establishment shall employ a certified food protection
29 manager. No person shall serve as a certified food protection manager
30 unless such person has satisfactorily passed a test as part of a food
31 protection manager certification program that is evaluated and
32 approved by an accrediting agency recognized by the Conference for
33 Food Protection as conforming to its standards for accreditation of food
34 protection manager certification programs. A certified food inspector
35 shall verify that the food protection manager is certified upon inspection
36 of the food establishment. The owner or manager of the food service
37 establishment shall designate an alternate person or persons to be in
38 charge at all times when the certified food protection manager cannot
39 be present. The alternate person or persons in charge shall be
40 responsible for ensuring the following: (1) All employees are in
41 compliance with the requirements of this section; (2) foods are safely
42 prepared in accordance with the requirements of the food code; (3)
43 emergencies are managed properly; (4) a food inspector is admitted into
44 the food establishment upon request; and (5) he or she receives and
45 signs inspection reports.

46 [(e)] (d) The commissioner shall collaborate with the directors of
47 health to develop a process that allows for the reciprocal licensing of an

48 itinerant food vending establishment that has obtained a valid permit or
49 license under subsection (a) of this section and seeks to operate as an
50 itinerant food vending establishment in another town, city or borough.
51 Not later than January 1, 2019, the commissioner shall submit a report,
52 in accordance with the provisions of section 11-4a, to the joint standing
53 committee of the General Assembly having cognizance of matters
54 relating to public health, of the process developed pursuant to this
55 subsection. Not later than February 1, 2019, the commissioner and each
56 director of health shall implement such process.

This act shall take effect as follows and shall amend the following sections:		
---	--	--

Section 1	<i>October 1, 2020</i>	19a-36i
-----------	------------------------	---------

Statement of Purpose:

To eliminate the requirement that food establishments register with the Department of Public Health.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]