

# HOUSE BILL REPORT

## HB 1329

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**As Reported By House Committee On:**  
Health Care

**Title:** An act relating to food sanitation and safety.

**Brief Description:** Regulating food industry safety.

**Sponsors:** Representatives Dyer, Dellwo, Cody and Conway; by request of Department of Health.

**Brief History:**

**Committee Activity:**

Health Care: 2/7/95, 2/23/95 [DPS].

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### HOUSE COMMITTEE ON HEALTH CARE

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Dyer, Chairman; Backlund, Vice Chairman; Hymes, Vice Chairman; Dellwo, Ranking Minority Member; Cody, Assistant Ranking Minority Member; Campbell; Casada; Conway; Crouse; Kessler; Morris; Sherstad and Skinner.

**Staff:** Antonio Sanchez (786-7383).

**Background:** The Washington State Department of Agriculture and Department of Health and local health departments are responsible for establishing food safety standards as well as monitoring the safety of food in Washington State.

Washington State currently requires each food and beverage worker to obtain a permit ("health card") if he or she will be handling unwrapped or unpackaged food in a restaurant or other food service establishment. The purpose of this requirement is to motivate workers to learn basic principles of safe food handling and to provide some reasonable assurance that food safety standards are maintained. These permits are issued by any local public health agency and are valid statewide. In order to obtain a permit, a food worker pays a nominal fee, is given a manual to read, is required to attend a short class in some jurisdictions, and must pass a multiple choice test. Most local health agencies use a standardized test for permits. The initial permit is valid for two years. Renewals are valid for five years. Approximately 125,000 food workers permits are issued each year in Washington State.

Although permits are valid statewide, local health agencies are not required to provide a uniform or consistent amount or level of training before a worker takes the test. Health agencies have raised concerns about the need to provide alternative testing and training methods for non-English speaking, functionally illiterate, and developmentally disabled food workers.

Public demand for food safety services has increased significantly in the past two years, due in part to concerns raised by the E. coli incidents. It is estimated that approximately 250,000 cases of foodborne illness occur in Washington State each year.

**Summary of Substitute Bill:**

**FOOD AND BEVERAGE WORKER PERMITS**

The renewal period for food and beverage worker permits is reduced from **five** years to **three** years. A limited duty food and beverage worker permit is created for a person with a cognitive or learning disability.

**FOOD SAFETY MANAGER TRAINING AND CERTIFICATION PROGRAM**

Food services establishments can voluntarily elect to have a certified food safety manager. The Department of Health, in consultation with local health departments, the retail food industry, and other interested parties, is required to develop a food safety managers' training and certification program. The Department of Health will approve the curriculum, hours of classes, and instructors; issue certificates; approve recertification and establish a process for revoking certificates. The program must be self supported by certification fees.

**Substitute Bill Compared to Original Bill:** In the substitute bill, the mandatory certification of the food safety manager is made voluntary. The substitute also makes housekeeping and technical changes.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill will decrease the likelihood of increased foodborne illness. Increased knowledge of correct food handling principles is essential for adequate food protection. Food service workers will receive training on a more frequent basis so that they can update their knowledge.

**Testimony Against:** Mandatory food safety manager certificates will add increased costs and regulations to an industry that can self-regulate through market forces.

**Testified:** Karen VanDusen, Department of Health (pro); Gene Vosberg, Restaurant Association of Washington (pro); Darrell Cochran, Environmental Health Director's Group (pro); Lisa Thatcher, Washington Food Dealers (concerns); Jan Gee, Washington Retail Association (con); Cherie Tessier, People First of Washington (pro); Donna Patrick, Developmental Disabilities Council (pro); Betty Marcelynas, Office of the Superintendent of Public Instruction (pro); and Fritz Fuchs, Food & Drug Administration (pro).