

**SENATE BILL REPORT**

**SB 6500**

**AS REPORTED BY COMMITTEE ON HEALTH & HUMAN SERVICES,  
FEBRUARY 3, 1994**

**Brief Description:** Strengthening retail food service establishment regulation.

**SPONSORS:** Senators McAuliffe, M. Rasmussen, Hochstatter, Moore, Wojahn, Vognild, Moyer, Fraser, Winsley, Prentice and Oke

**SENATE COMMITTEE ON HEALTH & HUMAN SERVICES**

**Majority Report:** That Substitute Senate Bill No. 6500 be substituted therefor, and the substitute bill do pass.

Signed by Senators Talmadge, Chairman; Wojahn, Vice Chairman; Deccio, Erwin, Franklin, Fraser, McAuliffe, McDonald, Moyer, Niemi, Prentice, Quigley and Winsley.

**Staff:** Don Sloma (786-7319)

**Hearing Dates:** February 1, 1994; February 3, 1994

**SENATE COMMITTEE ON WAYS & MEANS**

**Staff:** Linda Brownell (786-7913)

**Hearing Dates:** February 7, 1994; February 8, 1994

**BACKGROUND:**

Following the outbreak of E. coli 0157:H7 last year, several committees of the Washington State Senate, House of Representatives and executive agencies began investigating food safety regulations and their enforcement. These investigations revealed several deficiencies in existing programs including inadequate meat inspection during and after processing, inadequate training and education among food handlers and food preparers in both commercial and private settings, inadequate regulation and inspection programs in food services establishments and more.

**SUMMARY:**

The period for which renewed food and beverage service worker's permits are valid is reduced from five years to three years for those who remain continuously employed. A person whose employment lapses for one year or more must be retrained and reexamined as a new permittee under the terms of the act.

The state Board of Health must establish standards in rule for food service managers. At least one food service manager must be certified by the local health officer at each food service

establishment following successful completion of training and a test.

The state Board of Health must establish standards for voluntary certification regarding a food service quality assurance program. If an establishment chooses to meet the voluntary standards, the local health officer shall inspect the establishment, and may provide a certificate of voluntary compliance with the standards.

The Department of Health must implement a public education program regarding the safe handling and preparation of food whose goal is continuously to provide the public with the most accurate information on food handling and safety.

Every retail food service establishment shall place written information about the safe handling of foods in relevant areas of their establishment. The posters must be 11 inches by 18 inches and must contain the specific information required by the state Board of Health in rule. If a local health officer finds that failure to display these posters constitutes an immediate threat to public health, the failure may result in immediate suspension of a license to operate.

The local health officer shall furnish an applicant for a food and beverage service worker permit or renewal a copy of the latest edition of the food and beverage service worker's manual prepared by the state Department of Health. Training and satisfactory completion of a test based on the manual are required of all applicants for new permits and renewals.

Owners of food service establishments must maintain an adequate supply of single service food service gloves for use by their employees. The Board of Health must adopt rules for the use of these gloves by food service workers.

If the Board of Health fails to adopt any rule needed to implement the act by October 1994, rule making for Chapter 69.06 RCW, food and beverage service establishment workers' permits, is transferred to the Secretary of Health.

The Legislative Budget Committee must report on the implementation, cost and effectiveness of the act by July 1997.

**EFFECT OF PROPOSED SUBSTITUTE:**

The type of food service establishments that must have a certified food safety manager is limited to those which serve potentially hazardous food.

The state Board of Health must consult with the state Health Department, the Superintendent of Public Instruction, Washington State University Extension Service, local health agencies and retail food establishment groups in establishing rules and program standards under the act.

The voluntary food service establishment quality assurance program is eliminated.

The focus of the education program established under the act is clarified to include members of the food industry.

Specific requirements for posters in food service establishments are replaced with requirements for providing public information about the safe handling of food in these establishments.

The Board of Health must adopt rules to minimize hand contact with food, including, but not limited to, the use of gloves.

The deadline for adopting rules under the act is changed to August 1995, and the authority for the Health Department to adopt rules if the deadline is missed is removed.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** requested January 25, 1994

**TESTIMONY FOR (Health & Human Services):**

This bill is a much needed step in the direction of improving information and standards regarding the safe handling of food to avoid food-borne illnesses.

**TESTIMONY AGAINST (Health & Human Services):**

Provisions of the original bill related to the size and number of posters to be posted in food service establishments, and the required use of gloves in all food handling situations, and the timeline for adopting rules are all overkill and should be replaced with provisions providing more flexibility.

**TESTIFIED (Health & Human Services):** PRO: Val Hillers, WSU Co-op Food Specialists; Nick Federicci, State Board of Health; Eric Slagle, Dept. of Health; Kit Hawkins, Restaurant Assn.; Lisa Thatcher, WA State Food Dealers

**TESTIMONY FOR (Ways & Means):**

Safe food preparation is critical for the safety and health of our community. This bill is on behalf of the many children who were taken ill from the E. coli virus. The Food Safety Advisory Committee recommends the educational program provided for in this bill.

**TESTIMONY AGAINST (Ways & Means):** None

**TESTIFIED (Ways & Means):** Senator McAuliffe, prime sponsor (pro); Karen Van Dusen, Department of Health (pro)