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ENGROSSED SUBSTITUTE SENATE BILL 6588

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State of Washington 57th Legislature

2002 Regular Session

By Senate Committee on Agriculture & International Trade (originally sponsored by Senators Rasmussen and Swecker)

READ FIRST TIME 02/04/2002.

1 AN ACT Relating to food service rules; and adding a new section to  
2 chapter 43.20 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.20 RCW  
5 to read as follows:

6 (1) The legislature finds that the public health interest requires  
7 that there be uniform state food service rules for food service  
8 establishments to assure that food will be pure, safe, and  
9 unadulterated and to facilitate effective training of food service  
10 handlers. The legislature also finds that the federal food and drug  
11 administration has recently developed an updated model food code to  
12 serve as a guide to states to provide protection of consumers and  
13 consistency among states with regard to food safety and food service.  
14 In addition, the legislature finds that chapter 246-215 WAC has not  
15 been comprehensively reviewed and updated since 1992.

16 (2) Effective December 31, 2004, the state board has the sole rule-  
17 making authority to adopt food service rules for food service  
18 establishments, and the standards and rules adopted by the state board  
19 shall be exclusive for food service establishments. The department has

1 the exclusive authority to interpret the rules. Local health  
2 departments shall administer the state food service rules and  
3 interpretations, except as provided for in subsection (3) of this  
4 section.

5 (3) This section does not prohibit a local board of health from  
6 adopting a temporary deviation from the state food service rules for a  
7 limited period of time to respond to an emergency that threatens the  
8 public health or safety of the citizens of its community. A temporary  
9 deviation shall not be in force for more than one hundred eighty days  
10 unless the state board of health grants a further temporary or  
11 permanent extension based on demonstrated need. The state board shall  
12 review the local emergency administrative action within one hundred  
13 twenty days after the action is taken to determine if the state board  
14 should adopt a statewide rule under the administrative procedure act,  
15 chapter 34.05 RCW.

16 (4) No later than December 31, 2004, the state board shall adopt  
17 updated food service rules and periodically review and update the rules  
18 in consultation with local boards of health and the regulated  
19 community. The state board shall report its progress to the  
20 appropriate standing committees of the senate and house of  
21 representatives by January 31, 2003.

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