

HOUSE BILL REPORT

SSB 5336

As Reported By House Committee On:

Health Care

Title: An act relating to food sanitation and safety.

Brief Description: Regulating food industry safety.

Sponsors: Senate Committee on Health & Long-Term Care (originally sponsored by Senators McAuliffe, Moyer, Fairley and Winsley; by request of Department of Health).

Brief History:

Committee Activity:

Health Care: 3/24/95, 3/31/95 [DPA].

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: Do pass as amended. Signed by 12 members: Representatives Dyer, Chairman; Backlund, Vice Chairman; Hymes, Vice Chairman; 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 worker 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 Amended Bill: 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 learning or cognitive disability. The State Board of Health must determine specific duties for which a limited permit may be issued.

A voluntary certified food safety manager program is established. Food service establishments can voluntarily elect to have a certified food safety manager. The Board of Health must establish rules to define the food safety manager program and set uniform fees for certificates and approval of training programs. Fees for reviewing training programs may not exceed \$300.

The Department of Health must approve training and certification programs which may be offered by any of several entities named in the bill. The Department of Health must issue food safety manager certificates to successful trainees, and otherwise administer the program. State or local health agencies may suspend or revoke certificates in several specific circumstances.

The Department of Health is required to work with the representatives of the food services industry to develop an official certified Washington State food service industry emblem. The emblem may be posted if the establishment has a currently employed certified food safety manager.

Amended Bill Compared to Substitute Bill: All references to a mandatory food safety manager program are modified to make the program voluntary.

Specific references are eliminated that required that food services establishments must have a certified food safety manager by July 1, 1998, if they prepare, cook, cool, reheat, hot hold or cold hold any unpackaged potentially hazardous foods. Also eliminated is the requirement: (1) that the manager must be employed at least 30 hours per week unless the establishment is in operation for fewer hours and that retail food stores need not have a food safety manager unless they operate delicatessens,

salad bars, cafes, or restaurants; or (2) that schools, higher learning facilities, jails, prisons and institutions under the regulation of the Department of Social and Health Services or the Department of Health may be operated with minimal food safety manager coverage. Language is removed that specifies that food service establishments which only hold completely cooked food which has been prepared in any establishment under regulation by the state or federal departments of Agriculture or by the federal Food and Drug Administration need not have a food safety manager.

Specific provisions are added that require the Department of Health to work with the representatives of the food services industry to develop an official certified Washington State food service industry emblem and that the emblem may be posted if the establishment has a currently employed certified food safety manager.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Increased knowledge of food safety handling techniques required under the certified food safety manager program will provide additional needed public protection from increased illness related to foodborne diseases. Learning or cognitive disabled persons, as well as the public, will gain from allowing a limited duty food and beverage worker permit.

Testimony Against: None.

Testified: Terry Van Doren, Washington Cattlemen's Association; Cheryl Marshall, Washington Assembly for Citizens with Disabilities; Karen VanDusen, Department of Health; and Kit Hawkins, Restaurant Association.