

RCW 15.130.410 Direct seller license. (1) A person may not operate as a direct seller without a license issued by the department.

(2) A licensed direct seller must transport food under conditions that protect food against physical, chemical, and microbial contamination, as well as against deterioration of the food and its container. This includes, but is not limited to, the separation of raw materials in a manner to avoid cross-contamination of other food and ensure that raw materials that inherently contain pathogenic and spoilage microorganisms, soil, or other foreign material, do not come into direct contact with other food.

(3) In the event of a food recall or when required by the department or a federal, state, or local health authority in response to a foodborne illness outbreak, a licensed direct seller must use its client listserv to notify its customers of the recall and other relevant information.

(4) A direct seller license must comply with the definition of a direct seller in this chapter and:

(a) Provide the department with a list of all leased, rented, or owned vehicles, other than vehicles that are rented for fewer than forty-five days, used by the applicant's business to deliver food;

(b) Maintain all records of vehicles rented for fewer than forty-five days for at least twelve months following the termination of the rental period; and

(c) Maintain food temperature logs or use a device to monitor the temperature of the packages in real time for all food while in transport.

(5) The department shall pay all moneys received under this section into the food processing inspection account created in RCW 69.07.120. The department must use such funds solely to carry out the provisions of this section.

(6) In the implementation of this section, the department must:

(a) Conduct inspections of vehicles, food handling areas, refrigeration equipment, and product packaging used by a licensed direct seller;

(b) Conduct audits of temperature logs and other food handling records as appropriate;

(c) Investigate complaints against a licensed direct seller for the failure to maintain food safety; and

(d) Adopt rules, in consultation with the department of health and local health jurisdictions, necessary to administer and enforce the program consistent with federal regulations.

(7) Direct sellers that have a license from the department under this section are exempt from the permitting requirements of food service rules adopted by the state board of health and local health jurisdictions. [2018 c 236 § 402.]