

WAC 16-130-040 Direct sell requirements. (1) The license or a copy of the license must be present in all vehicles and food handling areas utilized by the direct seller.

(2) Direct sellers must maintain all areas of vehicles utilized for food transportation and food handling areas in a sanitary manner. Vehicles and food handling areas must be kept clean and inspected each day by the direct seller.

(3) Direct sellers must keep records to document daily cleaning and sanitary inspections of vehicles and food handling areas. Records of daily vehicle inspections must be maintained with the vehicle for the previous thirty days. Food handling area inspection records and vehicle inspection records older than thirty days must be maintained by the direct seller at the direct seller's business premises for twelve months. Vehicle and package temperature logs must be maintained by the direct seller at the direct seller's business premises for twelve months.

(4) Direct sellers are required to protect food from contaminations while in transport.

(a) Food must be transported under conditions that protect food against physical, chemical and microbial contamination.

(b) Food must be protected against deterioration of the food and its container.

(c) Food must be kept in a temperature controlled environment to adequately protect the food from deterioration or degradation and to minimize microbial growth. Refrigerated food temperatures must be maintained at forty-one degrees Fahrenheit or below, and frozen food temperatures must be maintained at thirty-two degrees Fahrenheit or below at all times and a food labeled frozen by the food processor must be received frozen by the consumer.

(d) Ensure the separation of raw materials, including raw seafood, meat, poultry and raw fruits and vegetables in a fashion to avoid cross-contamination of other food products, particularly ready-to-eat foods.

(e) Raw materials may not come in direct contact with other food in the same container or in any other cross-contaminating circumstances.

(5) The direct seller must maintain the following records at the direct seller's business premises and make available for inspection by the department:

(a) A current list of all leased, rented or owned vehicles, other than vehicles that are rented for less than forty-five days, intended for use in Washington state by the direct seller to deliver food;

(b) All records of vehicles intended for use in Washington state rented for less than forty-five days for at least twelve months following the termination of the rental period;

(c) Temperature logs of all vehicles and packages in real time for all food while in transport from initial pickup to delivery;

(d) Consumer client lists indicating what products were purchased, when products were delivered, and location where the product was delivered to consumer client;

(e) Records of product purchases that are offered or sold to consumer clients that include manufacturer of product, distributor of product, date and time of receipt of product by direct seller, and date and time of delivery of product by direct seller; and

(f) Records indicating disposition of any products not sold or received by consumer clients.

(6) All records required under this section must be:

- (a) Maintained so that the information they intend to convey is clear and understandable;
- (b) Available to the department upon request at the direct seller's business premises or in a vehicle as applicable; and
- (c) Retained at the direct seller's business premises for six months after the expiration of the license.

[Statutory Authority: RCW 15.30.120, 69.07.020, 69.10.055, and 16.49.025. WSR 20-17-020, § 16-130-040, filed 8/6/20, effective 9/6/20. Statutory Authority: RCW 69.04.345 and chapter 34.05 RCW. WSR 14-23-053, § 16-130-040, filed 11/17/14, effective 12/18/14.]