



HB 1595

2003

1 A bill to be entitled

2 An act relating to public food service establishments;
3 creating s. 509.082, F.S.; authorizing the Division of
4 Hotels and Restaurants of the Department of Business and
5 Professional Regulation to develop and implement a
6 recognition program for public food service
7 establishments; providing criteria, requirements, and
8 procedure for recognition under the program; providing
9 that such recognition is not transferable; providing
10 authorized uses of such recognition; requiring the
11 division to adopt a revised schedule for public food
12 service establishments awarded recognition under the
13 program; providing conditions with respect to such revised
14 schedule; providing for the adoption of rules; providing
15 an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

18
19 Section 1. Section 509.082, Florida Statutes, is created
20 to read:

21 509.082 Recognition program for public food service
22 establishments.--

23 (1) To promote the responsible and safe service of food
24 and alcoholic beverages to the public by public food service
25 establishments, and to help the public identify those
26 establishments that have demonstrated a firm commitment to
27 responsible and safe service, the Legislature hereby authorizes
28 the division to develop and implement a recognition program for
29 public food service establishments.

30 (2) Public food service establishments must meet the



HB 1595

2003

31 following criteria to receive recognition under this program:

32 (a) Training and certification of all food service
33 managers pursuant to s. 509.039;

34 (b) Training of all food service employees pursuant to s.
35 509.049; and

36 (c) If the establishment serves alcoholic beverages,
37 training of all servers of alcoholic beverages and their
38 managers pursuant to s. 561.705.

39 (3) A public food service establishment may apply to the
40 division for recognition on forms adopted for this purpose by
41 the division. A public food service establishment must be
42 licensed and operating for 6 months before it is eligible to
43 apply for recognition under the program.

44 (4) The division shall establish by rule the frequency of
45 review required to maintain designation as a recognized facility
46 and the circumstances under which a public food service
47 establishment may be denied the use or continued use of the
48 designation. The designation of a public food service
49 establishment as a recognized facility is not transferable to
50 any other licensee except when an existing public food service
51 establishment is being relicensed in the name of an entity
52 related to the current licensee by common ownership or control.

53 (5)(a) Public food service establishments awarded
54 recognition under this program may use the designation in their
55 advertising and marketing.

56 (b) The division shall adopt a revised schedule of
57 inspections for public food service establishments awarded
58 recognition under the program. Recognized facilities may be
59 inspected no more frequently than twice per year, so long as the
60 facility maintains the standards associated with retaining



HB 1595

2003

61 recognition. This limitation, however, does not prohibit
62 reinspections to determine whether one or more violations
63 identified in a previous inspection have been corrected, nor
64 does it prohibit inspections in response to a documented public
65 complaint or to a suspected outbreak of food-borne illness.

66 (6) The division shall adopt rules pursuant to ss.
67 120.536(7) and 120.54 for the purpose of administering this
68 section.

69 Section 2. This act shall take effect upon becoming a law.