

By Senator Sebesta

16-1109-03

1 A bill to be entitled
2 An act relating to public food establishments;
3 creating s. 509.085, F.S.; creating a
4 recognition program for public food service
5 establishments; providing operational
6 guidelines; requiring the Division of Hotels
7 and Restaurants of the Department of Business
8 and Professional Regulation to adopt rules;
9 providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Section 509.085, Florida Statutes, is
14 created to read:

15 509.085 Recognition program for public food service
16 establishments.--

17 (1) To promote the responsible and safe service of
18 food and alcoholic beverages to the public by public food
19 service establishments and to help the public identify
20 establishments that have demonstrated responsible and safe
21 service, the division may implement a recognition program for
22 public food service establishments.

23 (2) Public food service establishments must meet the
24 following criteria to receive recognition:

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

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

29 (c) If the establishment serves alcoholic beverages,
30 training of all alcoholic beverage servers and managers
31 pursuant to s. 561.705.

1 (3) A public food service establishment that is
2 licensed and has operated for 6 months may apply to the
3 division for recognition, on forms provided by the division.

4 (4) The division shall establish by rule the frequency
5 of review required to maintain such recognition and under what
6 circumstances recognition may be denied or revoked. The
7 designation of a public food service establishment as a
8 recognized facility is not transferable to another licensee,
9 except when an existing establishment is relicensed in the
10 name of an entity related to the current licensee by common
11 ownership or control.

12 (5)(a) Public food service establishments awarded
13 recognition may use the designation in advertising and
14 marketing.

15 (b) The division shall adopt a revised schedule of
16 inspections for recognized establishments. Recognized
17 establishments may be inspected no more frequently than twice
18 per year, as long as they maintain the standards associated
19 with retaining recognition. This limitation, however, does not
20 prohibit reinspections to determine whether violations
21 identified in a previous inspection have been corrected, nor
22 does it prohibit inspections in response to a documented
23 public complaint or to a suspected outbreak of food-borne
24 illness.

25 (6) The division may adopt rules to administer this
26 section.

27 Section 2. This act shall take effect July 1, 2003.

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SENATE SUMMARY

Establishes a recognition program for public food establishments. Provides guidelines and powers of the Division of Hotels and Restaurants of the Department of Business and Professional Regulation.