

By Senator Crist

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1 A bill to be entitled

2 An act relating to public food service establishments;
3 creating s. 509.054, F.S.; requiring the Division of
4 Hotels and Restaurants within the Department of Business
5 and Professional Regulation to inspect toilet facilities
6 of public food service establishments; providing the
7 minimum sanitation standards for toilet facilities in food
8 service establishments; providing certain exemptions;
9 providing an exemption for a restroom in a public airport;
10 providing for administrative penalties; providing an
11 effective date.

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

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15 Section 1. Section 509.054, Florida Statutes, is created to
16 read:

17 509.054 Restroom inspections.--

18 (1) The division shall inspect each public food service
19 establishment and its toilet facilities pursuant to s. 509.032 as
20 often as necessary to ensure compliance with applicable laws and
21 rules. A toilet facility in a public food service establishment
22 must meet the following minimum sanitation standards:

23 (a) Each toilet facility located on the premises of the
24 public food service establishment must be completely enclosed and
25 provided with a tight-fitting, self-closing door or have
26 entrances and exits constructed in such a manner as to ensure the
27 privacy of occupants. Such door may not be left open except
28 during cleaning or maintenance.

29 (b) Toilet facilities that are used by patrons must be

12-00322-08

2008386__

30 situated so that a patron does not pass through food-preparation
31 or utensil-washing areas.

32 (c) Toilet fixtures must be cleanable.

33 (d) Toilet facilities, including rooms and fixtures, must
34 be kept clean and in good repair.

35 (e) The floors must be made of a nonabsorbent material and
36 cleaned daily. The requirement that floors be made of a
37 nonabsorbent material applies only to public food service
38 establishments that are constructed or substantially remodeled on
39 or after July 1, 2008.

40 (f) Receptacles must be provided for waste material and
41 such receptacles must contain a trash-can liner. In toilet
42 facilities for women these receptacles must be covered.
43 Receptacles must be emptied as necessary to prevent excessive
44 accumulation of waste material.

45 (g) A supply of hand-cleansing, antibacterial soap or
46 detergent must be available in each toilet facility, and running
47 water must be available at each hand-washing sink within a toilet
48 facility. A supply of sanitary towels or a hand-drying device
49 providing heated air must be located in each toilet facility.
50 Applicable to public food service establishments that are
51 constructed or substantially remodeled on or after July 1, 2008,
52 hot and cold running water must be available at each hand-washing
53 sink within a toilet facility, and hand-washing sinks that have
54 an automatic shut-off must run for a minimum of 20 seconds. Hand-
55 washing sinks, soap dispensers, hand-drying devices, and all
56 related fixtures must be kept clean and in good repair.

57 (h) A supply of toilet tissue must be provided in each
58 toilet stall at all times.

12-00322-08

2008386__

59 (i) Each toilet facility must be lighted and ventilated.
60 This requirement applies only to public food service
61 establishments that are constructed or substantially remodeled on
62 or after July 1, 2008.

63 (j) A sign or poster that notifies food service employees
64 to wash their hands must be provided at each hand-washing sink
65 used by public food service employees and must be clearly visible
66 to the food service employees.

67 (2) This section does not apply to restrooms in a public
68 airport as defined in s. 330.27 which are not located within a
69 public food service establishment.

70 (3) If the director determines that a violation of the
71 minimum sanitation standards in this section represents a severe
72 and immediate threat to the public health, safety, or welfare,
73 the division shall, upon a proper finding, immediately issue an
74 emergency order to close an establishment licensed under this
75 chapter pursuant to the procedures for emergency orders in s.
76 509.035.

77 Section 2. This act shall take effect July 1, 2008.