

By the Committee on Health Regulation; and Senator Crist

588-05370-08

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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

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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 and must be
42 covered. Receptacles must be emptied as necessary to prevent
43 excessive accumulation of waste material.

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

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

58 (i) Each toilet facility must be lighted and ventilated.

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59 This requirement applies only to public food service
60 establishments that are constructed or substantially remodeled on
61 or after July 1, 2008.

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

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

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

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