

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
 16 to 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
 20 as often as necessary to ensure compliance with applicable laws
 21 and rules. A toilet facility in a public food service
 22 establishment must meet the following minimum sanitation
 23 standards:

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

29 during cleaning or maintenance.

30 (b) Toilet facilities that are used by patrons must be
31 situated so that a patron does not pass through food-preparation
32 or utensil-washing areas.

33 (c) Toilet fixtures must be cleanable.

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

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

41 (f) Receptacles must be provided for waste material and
42 such receptacles must contain a trash-can liner and must be
43 covered. Receptacles must be emptied as necessary to prevent
44 excessive 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
48 toilet facility. A supply of sanitary towels or a hand-drying
49 device providing heated air must be located in each toilet
50 facility. Applicable to public food service establishments that
51 are constructed or substantially remodeled on or after July 1,
52 2008, hot and cold running water must be available at each hand-
53 washing sink within a toilet facility, and hand-washing sinks
54 that have an automatic shut-off must run for a minimum of 20
55 seconds. Hand-washing sinks, soap dispensers, hand-drying
56 devices, and all related fixtures must be kept clean and in good

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57 repair.

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

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

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

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

71 (3) If the director determines that a violation of the
72 minimum sanitation standards in this section represents a severe
73 and immediate threat to the public health, safety, or welfare,
74 the division shall, upon a proper finding, immediately issue an
75 emergency order to close an establishment licensed under this
76 chapter pursuant to the procedures for emergency orders in s.
77 509.035.

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