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LEGISLATIVE ACTION

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| Senate | . | House |
| Comm: RCS | . | |
| 01/19/2010 | . | |
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The Committee on Health Regulation (Altman) recommended the following:

Senate Amendment (with title amendment)

Delete lines 23 - 71
and insert:

(17) Annual food service inspections of domestic violence centers that are certified and monitored by the Department of Children and Family Services pursuant to chapter 39. The department shall limit such food service inspections to compliance with the requirements in department rule which apply to community-based residential facilities having five or fewer residents.



607534

13 The department may adopt rules to carry out the provisions of
14 this section.

15 Section 2. Paragraph (b) of subsection (1) of section
16 381.0072, Florida Statutes, is amended to read:

17 381.0072 Food service protection.—It shall be the duty of
18 the Department of Health to adopt and enforce sanitation rules
19 consistent with law to ensure the protection of the public from
20 food-borne illness. These rules shall provide the standards and
21 requirements for the storage, preparation, serving, or display
22 of food in food service establishments as defined in this
23 section and which are not permitted or licensed under chapter
24 500 or chapter 509.

25 (1) DEFINITIONS.—As used in this section, the term:

26 (b) "Food service establishment" means any facility, as
27 described in this paragraph, where food is prepared and intended
28 for individual portion service, and includes the site at which
29 individual portions are provided. The term includes any such
30 facility regardless of whether consumption is on or off the
31 premises and regardless of whether there is a charge for the
32 food. The term includes detention facilities, child care
33 facilities, schools, institutions, civic or fraternal
34 organizations, bars and lounges and facilities used at temporary
35 food events, mobile food units, and vending machines at any
36 facility regulated under this section. The term does not include
37 private homes where food is prepared or served for individual
38 family consumption; nor does the term include churches,
39 synagogues, or other not-for-profit religious organizations as
40 long as these organizations serve only their members and guests
41 and do not advertise food or drink for public consumption, or



607534

42 any facility or establishment permitted or licensed under
43 chapter 500 or chapter 509; nor does the term include any
44 theater, if the primary use is as a theater and if patron
45 service is limited to food items customarily served to the
46 admittees of theaters; nor does the term include a research and
47 development test kitchen limited to the use of employees and
48 which is not open to the general public; nor does the term
49 include any domestic violence center that is certified and
50 monitored by the Department of Children and Family Services
51 pursuant to chapter 39 as long as the center provides food for
52 its residents to prepare for themselves only and does not
53 advertise food or drink for public consumption.

54
55 ===== T I T L E A M E N D M E N T =====

56 And the title is amended as follows:

57 Delete line 9

58 and insert:

59 does not include certified domestic violence centers
60 under certain circumstances;