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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/01/2015	.	
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The Committee on Regulated Industries (Latvala) recommended the following:

Senate Amendment (with title amendment)

Delete lines 27 - 64

and insert:

food contests, cook-offs, and athletic contests.

2. Any eating place maintained and operated by, or for the benefit of, a church or a religious, nonprofit fraternal, or nonprofit civic organization:

a. For the use of members and associates; or

b. Temporarily to serve such events as fairs, carnivals,



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11 food contests, cook-offs, or athletic contests.

12

13 Upon request by the division, a church or a religious, nonprofit
14 fraternal, or nonprofit civic organization claiming an exclusion
15 under this subparagraph must provide the division documentation
16 of its status as a church or religious, nonprofit fraternal, or
17 nonprofit civic organization.

18 3. Any eating place maintained and operated by an
19 individual or entity at a food contest, cook-off, or a temporary
20 event lasting from 1 to 3 days which is hosted by a church or a
21 religious, nonprofit fraternal, or nonprofit civic organization.

22 Upon request by the division, the event host must provide the
23 division documentation of its status as a church or a religious,
24 nonprofit fraternal, or nonprofit civic organization.

25 4.3. Any eating place located on an airplane, train, bus,
26 or watercraft which is a common carrier.

27 5.4. Any eating place maintained by a facility certified or
28 licensed and regulated by the Agency for Health Care
29 Administration or the Department of Children and Families or
30 other similar place that is regulated under s. 381.0072.

31 6.5. Any place of business issued a permit or inspected by
32 the Department of Agriculture and Consumer Services under s.
33 500.12.

34 7.6. Any place of business where the food available for
35 consumption is limited to ice, beverages with or without
36 garnishment, popcorn, or prepackaged items sold without
37 additions or preparation.

38 8.7. Any theater, if the primary use is as a theater and if
39 patron service is limited to food items customarily served to



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40 the admittees of theaters.

41 ~~9.8.~~ Any vending machine that dispenses any food or
42 beverages other than potentially hazardous foods, as defined by
43 division rule.

44 ~~10.9.~~ Any vending machine that dispenses potentially
45 hazardous food and which is located in a facility regulated
46 under s. 381.0072.

47 ~~11.10.~~ Any research and development test kitchen limited to
48 the use of employees and which is not open to the general
49 public.

50 Section 2. Paragraph (c) of subsection (3) of section
51 509.032, Florida Statutes, is amended to read:

52 509.032 Duties.—

53 (3) SANITARY STANDARDS; EMERGENCIES; TEMPORARY FOOD SERVICE
54 EVENTS.—The division shall:

55 (c) Administer a public notification process for temporary
56 food service events and distribute educational materials that
57 address safe food storage, preparation, and service procedures.

58 1. Sponsors of temporary food service events shall notify
59 the division not less than 3 days before the scheduled event of
60 the type of food service proposed, the time and location of the
61 event, a complete list of food service vendors participating in
62 the event, the number of individual food service facilities each
63 vendor will operate at the event, and the identification number
64 of each food service vendor's current license as a public food
65 service establishment or temporary food service event licensee.
66 Notification may be completed orally, by telephone, in person,
67 or in writing. A public food service establishment or food
68 service vendor may not use this notification process to



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69 circumvent the license requirements of this chapter.

70 2. The division shall keep a record of all notifications
71 received for proposed temporary food service events and shall
72 provide appropriate educational materials to the event sponsors,
73 including the food-recovery brochure developed under s. 595.420.

74 3.a. Unless excluded under s. 509.013(5)(b), a public food
75 service establishment or other food service vendor must obtain
76 one of the following classes of license from the division: an
77 individual license, for a fee of no more than \$105, for each
78 temporary food service event in which it participates; or an
79 annual license, for a fee of no more than \$1,000, that entitles
80 the licensee to participate in an unlimited number of food
81 service events during the license period. The division shall
82 establish license fees, by rule, and may limit the number of
83 food service facilities a licensee may operate at a particular
84 temporary food service event under a single license.

85 b. Public food service establishments holding current
86 licenses from the division may operate under the regulations of
87 such a license at temporary food service events of 3 days or
88 less in duration.

89
90 ===== T I T L E A M E N D M E N T =====

91 And the title is amended as follows:

92 Delete lines 5 - 6

93 and insert:

94 exclude certain events; amending s. 509.032, F.S.;

95 conforming provisions to changes made by this act;

96 providing an effective