



SUBJECT

Dietary and Food Services within Health Facilities

PIN: 40

Effective: 3/31/1993

Revised: 9/19/2011



PURPOSE

The purpose of this Policy Intent Notice (PIN) is to clarify the responsibility for enforcement of California Uniform Retail Food Facilities requirements as they apply to the construction of food establishments within health facilities under OSHPD jurisdiction.

BACKGROUND

Existing law known as the California Uniform Retail Food Facilities Law (CURFFL), commencing with Section 113700 of the Health and Safety Code, requires that there be uniform statewide health and sanitation standards for retail food establishments to assure the people of this state that food will be pure, safe, and unadulterated. Primary responsibility for enforcement of the provisions of this law is with local health agencies.

As defined in the CURFFL, *food establishment* means: "Any room, building, or place, or portion, thereof, maintained, used, or operated for the purpose of storing, preparing, serving, manufacturing, packaging, transporting, salvaging, or otherwise handling food at the retail level." This definition includes food establishments that are located in health facilities regulated by OSHPD.

The CURFFL requires that any project that proposes to either construct a new food establishment or to remodel a food establishment must first be submitted to the local health agency with complete plans and specifications for review and approval. The plans shall be approved or rejected within 20 working days after receipt by the local health agency and the applicant shall be notified of the decision. Unless the plans are approved or rejected within 20 working days, they shall be deemed approved. The building department (OSHPD) shall not issue a building permit for a food facility until after it has received evidence of plan approval by the local health agency.

POLICY

For all projects that propose construction of a new food establishment or the remodeling of an existing food establishment, specifically including all dietary and food service projects at health facilities, OSHPD staff shall advise the applicants of the CURFFL and of the requirements to submit construction documents to the local health agency for review. Staff shall request that the applicant provide evidence of approval from the local health agency prior to plan approval, as required by Section 114380 of the Health and Safety Code.

POLICY INTENT NOTICE (PIN)

Under no circumstances shall a local building department or health agency issue building permits for construction work at health facilities in California. OSHPD preempts all local jurisdictions in this regard as noted in Section 129680 (b) of the Health and Safety Code.

<u>Original signed</u>	<u>9/19/11</u>
Paul Coleman	Date