

R392. Health and Human Services, Population Health, Environmental Health.

R392-104. Feeding Disadvantaged Groups.

R392-104-1. Authority and Purpose.

- (1) This rule is authorized under Subsections 26B-1-202(1), 26B-1-202(26), 26B-7-413(14)(b) and 26B-7-411(3).
- (2) This rule requires adherence to uniform statewide standards for feeding a disadvantaged group at an event in a manner that safeguards public health.

R392-104-2. Applicability.

- (1) This rule applies to a charitable organization feeding a disadvantaged group, as defined, at a free event.
- (2) A charitable organization that does not meet the requirements of this rule shall meet the requirements of Rule R392-100.

R392-104-3. Definitions.

- (1) "Certified food safety manager" has the same meaning as provided in Section 26B-7-401.
- (2) "Charitable Organization" means an individual or group of individuals who voluntarily provide goods or services to a disadvantaged group according to the requirements of this rule.
- (3) "Disadvantaged Group" means a group of individuals who are homeless or temporarily displaced.
- (4) "Event" means an organized activity where food is offered to a disadvantaged group free of a charge, admission fee, or required or suggested donation.
- (5) "Food Handler" means a person who works with unpackaged food, food equipment or utensils, or food-contact surfaces for a food establishment or food truck as defined in Rules R392-100 or R392-102 respectively.
- (6) "Food Handler Permit" means a permit issued by a local health department to allow a person to work as a food handler.
- (7) "Local Health Officer" means the director of the local health department as appointed under Section 26A-1-110, or the local health officer's designated representative.

R392-104-4. Permit and Certification Exemptions.

- (1) A charitable organization feeding a disadvantaged group at an event is exempt from:
 - (a) obtaining a food service operating permit from a local health department prior to or during an event;
 - (b) the requirement in Rule R392-101 to have a certified food safety manager; and
 - (c) the requirement in Rule R392-103 to obtain and maintain a food handler permit.
- (2) A charitable organization is not exempt from any provision established under Title R392, Health, Disease Control and Prevention, Environmental Services if that organization charges a fee or suggests a voluntary donation for the provision of any goods or services at an event.

R392-104-5. Charitable Organization Requirements.

- (1) A representative of a charitable organization shall:
 - (a) notify the local health department of the intent to feed a disadvantaged group at an event;
 - (b) provide the date, location, and time of the event along with contact information for the charitable organization;
 - (c) notify the local health department of any changes to the information provided as required in Subsection R392-104-5(1)(b) before the event;
 - (d) contact the local health department and obtain information concerning food safety and safe food handler practices as required in Section R392-104-6; and
 - (e) provide instruction obtained from the local health department to any individual who will be functioning as a food handler at an event.
- (2) A charitable organization shall follow the food safety and safe food handler practices as provided in the information obtained from a local health department.
- (3) A charitable organization is subject to enforcement procedures outlined in Section 26A-1-114.

R392-104-6 Local Health Department Requirements.

- (1) Upon request, a local health department shall provide a charitable organization with printed or digital food safety and food handling information based on:
 - (a) approved temporary event guidelines;
 - (b) the food safety principles detailed in Rule R392-100; and
 - (c) the following risk factors commonly associated with foodborne illness outbreaks:
 - (i) food from unsafe sources;
 - (ii) inadequate cooking;
 - (iii) improper hot holding and cold holding temperatures;
 - (iv) contaminated equipment; and
 - (v) poor personal hygiene.
- (2) A local health department shall provide the charitable organization with information as provided in Subsection R392-104-6(1) after any updates have been made.

(3) A local health department shall maintain a register of charitable organization events at no cost to the charitable organization.

KEY: public health, food services, disadvantaged group

Date of Last Change: November 8, 2023

Notice of Continuation: August 20, 2019

Authorizing, and Implemented or Interpreted Law: 26B-1-202(1); 26B-1-202(26); 26B-7-413(14)(b); 26B-7-411(3)