

**R392. Health, Disease Control and Prevention, Environmental Services.**

**R392-104. Feeding Disadvantaged Groups.**

**R392-104-1. Authority and Purpose.**

- (1) This rule is authorized under Subsection 26-1-30(23) and Sections 26-15-5.1 and 26-15a-105.
- (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 26-15a-102.
- (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: January 3, 2022**

**Notice of Continuation: August 20, 2019**

**Authorizing, and Implemented or Interpreted Law: 26-1-30(2); 26-15-5.1; 26-15a-105**