

SUMMARY OF CHANGES - CHAPTER 13, FOOD AND FOOD HANDLERS

Proposed	Description	Comments	Comparable Sections in Current Ordinance
Article I - In General			
Section 1 - Legislative Authority	Indicates sources of authority to enact this City Code.		293
Section 2 - Food Establishment Rules	Adopts the Current Good Manufacturing Practice and Good Warehousing Practice in Manufacturing, Packing, or Holding Human Food Regulations; and portions of the 2006 Texas Food Establishment Rules (TFER).	Texas regulations regarding food retail outlets (e.g. grocery stores) and food service establishments (e.g. restaurants) provide the basis for the local code. The current code uses federal manufacturing rules and the TFER from 1999.	201
Section 3 - Definitions	Terms defined and adopted from the TFER were deleted. Terms not in the TFER or terms used differently are defined here.	To eliminate redundancy and to provide a single area in the Chapter where all terms are defined. Also, through the new definition of a food establishment, vendors of whole, uncut produce and entities that give away prepackaged, non-potentially hazardous food will no longer need to be licensed. A special event is also better defined.	Throughout the Chapter
Sections 4-9	Gives authority to the Health Director or his designees to make inspections and condemn food when necessary.	Needed for access to food retail and service establishments. The proposed document consolidates the condemnation process into one section.	2 thru 7
Section 10 - Destruction of condemned food products	Requires person in charge to destroy condemned foods by rendering it inedible.	Current code contains outdated practice of using kerosene to destroy food. Proposed changes consolidate penalty and injunctive relief provisions into one section.	8, 210
Sections 11-12	Authorizes penalties for violations.		218
Sections 13-20	Reserved for future use.		
Article II - Permits Generally			
Sections 21- 34	Authorizes permits for food establishments and delineates a method for enumerating permit fees; addresses permit transferability, revocation, reinstatement, replacement and late charges; establishes a reinspection fee.	All references to "license" has been changed to "permit" to add consistency. Some rewording was done to improve clarity and consolidate language. Sections are essentially the same as in current code.	31 thru 36; 39 thru 44; 202, 204
Sections 35-40	Reserved for future use.		
Article III - Food Establishments			
Section 41	Allows food establishments that sell only prepackaged, non-potentially hazardous foods to be exempt from certain requirements.	Food items from these establishments pose very little public health risk. Items such as hot water, a mop sink and powered exhaust fans are unnecessary.	New

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Section 42	Provides rules for Bed and Breakfast establishments.	Section (b) was added to exempt Bed and Breakfast establishments from certain equipment and construction materials that are unnecessary for these establishments to maintain good public health practices.	203
Section 43	Sets requirements for temporary food establishments.	Much of the language in this section was deleted because it is now covered under the TFER which will be adopted by reference.	213
Sections 44-60	Reserved for future use.		
Article IV - Mobile Food Establishments			
Section 61	Excludes vehicles permitted, approved or allowed to distribute food under other provisions of the Code.	No change from current code.	232
Section 62	Indicates when a permit is required. Proposed code replaces vending unit with the word establishment and director with Director of Public Health, city police with San Antonio Police Department, and makes other small deletions and additions throughout this section; fee for background checks was linked to cost for SAPD to obtain this information; provided fee for food vendors in Downtown Business District.	Changes were made to maintain consistent terminology throughout the Chapter and make the fee for background checks equal to that charged by Downtown Operations. Also, Exhibit 1 was added to facilitate the background checks being performed by SAPD.	233
Section 63	Provides sanitation requirements for mobile food establishments. Proposed code adds to the end of the paragraph "and sell produce from no more than three (3) tables that are six (6) feet long and stand at least eighteen (18) inches above the ground, and that are located adjacent to the licensed mobile food establishment."	Added to allow certain produce vendors more flexibility for displaying their products.	234
Sections 64-66	Major rewrite of the sections and subsections has been done.	Clarify the sanitation requirements of mobile food establishments to include a requirement for those vendors of potentially hazardous foods to report daily to a commissary for supplies and cleaning.	235-237
Sections 67-80	Reserved for future use.		
Article V - Rendering			
Sections 81-105	Provides regulations for rendering operations.	Essentially the same as the current code, except Exhibit A, which describes sanitation requirements for rendering operations, has been incorporated into this section.	291 - 308; Exhibit A
Sections 106-110	Reserved for future use.		

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Proposed	Description	Comments	Comparable Sections in Current Ordinance
Article VI - Certification of Food Establishment Personnel			
Section 111	Establishes a food manager certification program.	Minor rewording, but essentially the same as current Code.	364(a)
Section 112	Indicates when a certified food manager is needed.	The new definition of a food establishment allows subparagraphs 2 through 7 to be deleted without changing who must employ a food manager.	365
Sections 113-117	Exemptions, term, renewals, denial of certification, suspension, revocation, and fees related to food manager certification.	Some rewording, but essentially the same as the current code.	366-370
Sections 118-125	Establishes a food handler certification program - when required, exemptions, term, renewal, denial, suspension, revocation of certification, and fees.	To provide further assurance that food establishment personnel who handle food will do so appropriately.	New
Sections 126-130	Reserved for future use.		