

**INSPECTIONS AND APPEALS DEPARTMENT[481]**

**Adopted and Filed**

**Rule making related to lavatories at food establishments**

The Inspections and Appeals Department hereby amends Chapter 31, “Food Establishment and Food Processing Plant Inspections,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code sections 10A.104 and 137F.2(1).

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code sections 10A.104 and 137F.2(1).

*Purpose and Summary*

These amendments revise the exceptions to the Food Code by rescinding the requirement that separate toilet facilities for men and women be provided in establishments which seat 50 or more people or in establishments which serve beer or alcoholic beverages.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on June 16, 2021, as **ARC 5702C**. No public comments were received. No changes from the Notice have been made.

*Adoption of Rule Making*

This rule making was adopted by the Department on July 21, 2021.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 481—Chapter 6.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on September 15, 2021.

The following rule-making actions are adopted:

ITEM 1. Rescind subrule **31.1(11)**.

ITEM 2. Renumber subrules **31.1(12)** to **31.1(18)** as **31.1(11)** to **31.1(17)**.

[Filed 7/21/21, effective 9/15/21]

[Published 8/11/21]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 8/11/21.