

Senate Amendment 5281

Amendment Text

PAG LIN

1 1 Amend [House File 2166](#), as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 4, by striking line 16 and inserting the
1 4 following: "of forty-five degrees Fahrenheit or seven
1 5 degrees Celsius or".
1 6 #2. Page 4, by striking lines 20 through 31.
1 7 #3. Page 4, line 32, by inserting after the word
1 8 "home" the following: "where food is prepared or
1 9 stored for family consumption".
1 10 #4. Page 4, line 32, by inserting after the word
1 11 "or" the following: "in".
1 12 #5. Page 6, line 32, by striking the word "A" and
1 13 inserting the following: "Places used by a".
1 14 #6. Page 6, line 34, by striking the word "is" and
1 15 inserting the following: "are".
1 16 #7. Page 7, line 8, by striking the words "not
1 17 potentially" and inserting the following:
1 18 "nonpotentially".
1 19 #8. Page 7, by inserting after line 15 the
1 20 following:
1 21 "6A. 3-301.11(B) shall be amended by deleting the
1 22 section and replacing it with the following:
1 23 (1) Except when washing fruits and vegetables,
1 24 food employees should, to the extent practicable,
1 25 avoid contact with exposed, ready-to-eat food with
1 26 their bare hands. Where ready-to-eat food is
1 27 routinely handled by employees, employers should adopt
1 28 reasonable sanitary procedures to reduce the risk of
1 29 the transmission of pathogenic organisms.
1 30 (2) In seeking to minimize employees' physical
1 31 contact with ready-to-eat foods, no single method or
1 32 device is universally practical or necessarily the
1 33 most effective method to prevent the transmission of
1 34 pathogenic organisms in all situations. As such, each
1 35 public food service establishment shall review its
1 36 operations to identify procedures where ready-to-eat
1 37 food must be routinely handled by its employees and
1 38 adopt one or more of the following sanitary
1 39 alternatives, to be used either alone or in
1 40 combination, to prevent the transmission of pathogenic
1 41 organisms:
1 42 (a) The use of suitable food handling materials
1 43 including, but not limited to, deli tissues,
1 44 appropriate utensils, or dispensing equipment. Such
1 45 materials must be used in conjunction with thorough
1 46 hand washing practices in accord with paragraph (c).
1 47 (b) The use of single-use gloves, for the purpose
1 48 of preparing or handling ready-to-eat foods, shall be
1 49 discarded when damaged or soiled or when the process
1 50 of food preparation or handling is interrupted.
2 1 Single-use gloves must be used in conjunction with
2 2 thorough hand washing practices in accord with
2 3 paragraph (c).
2 4 (c) The use, pursuant to the manufacturer's
2 5 instructions, of anti-microbial soaps, with the
2 6 additional optional use of anti-bacterial protective
2 7 skin lotions or anti-microbial hand sanitizers,

2 8 rinses, or dips. All such soaps, lotions, sanitizers,
2 9 rinses, and dips must contain active topical anti-
2 10 microbial or anti-bacterial ingredients, registered by
2 11 the United States environmental protection agency,
2 12 cleared by the United States food and drug
2 13 administration, and approved by the United States
2 14 department of agriculture.

2 15 (d) The use of such other practices, devices, or
2 16 products that are found by the division to achieve a
2 17 comparable level of protection to one or more of the
2 18 sanitary alternatives in paragraphs (a) through (c).

2 19 (3) Regardless of the sanitary alternatives in
2 20 use, each public food service establishment shall
2 21 establish:

2 22 (a) Systematic focused education and training of
2 23 all food service employees involved in the identified
2 24 procedures regarding the potential for transmission of
2 25 pathogenic organisms from contact with ready-to-eat
2 26 food. The importance of proper hand washing and
2 27 hygiene in preventing the transmission of illness, and
2 28 the effective use of the sanitary alternatives and
2 29 monitoring systems utilized by the public food service
2 30 establishment, shall be reinforced. The content and
2 31 duration of this training shall be determined by the
2 32 manager of the public food service establishment.

2 33 (b) A monitoring system to demonstrate the proper
2 34 and effective use of the sanitary alternatives
2 35 utilized by the public food service establishment."

2 36 #9. Page 8, line 17, by inserting after the word
2 37 "functions." the following: "A municipal corporation
2 38 may only enter into an agreement to enforce the Iowa
2 39 food code pursuant to this section if it also agrees
2 40 to enforce the Iowa hotel sanitation code pursuant to
2 41 section 137C.6."

2 42 #10. Page 9, lines 19 and 20, by striking the
2 43 words "open or operate a food establishment or food
2 44 processing plant" and inserting the following:
2 45 "operate a food establishment or food processing plant
2 46 to provide goods or services to the general public, or
2 47 open a food establishment to the general public,".

2 48 #11. Page 10, lines 18 and 19, by striking the
2 49 words "or a section of a food establishment,".

2 50 #12. Page 10, line 20, by striking the word
3 1 "service," and inserting the following: "service
3 2 intended for consumption on-the-premises,".

3 3 #13. Page 10, line 21, by inserting after the word
3 4 "gross" the following: "food and beverage".

3 5 #14. Page 10, lines 32 and 33, by striking the
3 6 words "or section of a food establishment,".

3 7 #15. Page 11, line 1, by inserting after the word
3 8 "gross" the following: "food and beverage".

3 9 #16. Page 11, line 16, by inserting after the word
3 10 "gross" the following: "food and beverage".

3 11 #17. Page 11, line 29, by inserting after the word
3 12 "fees" the following: "not to exceed seventy-five
3 13 percent of the total fees applicable".

3 14 #18. Page 11, by inserting after line 29 the
3 15 following:

3 16 "Any fee increase imposed in this section over fee
3 17 levels in effect for the year immediately preceding
3 18 the effective date of this Act shall be phased in over
3 19 two years. For the year beginning on the effective
3 20 date of this Act, fees imposed in this section shall
3 21 be reduced by fifty percent of the difference between
3 22 the fee level imposed in this section and the fee
3 23 level in effect for the year immediately preceding the
3 24 effective date of this Act. For the year beginning

3 25 one year from the effective date of this Act, and each
3 26 year thereafter, the fees shall increase to one
3 27 hundred percent of the levels imposed in this
3 28 section."

3 29 #19. Page 14, line 12, by striking the words
3 30 "commits a simple misdemeanor" and inserting the
3 31 following: "shall be subject to a civil penalty of
3 32 one hundred dollars for each violation".

3 33 #20. By renumbering, relettering, or redesignating
3 34 and correcting internal references as necessary.

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3 38 COMMITTEE ON WAYS AND MEANS

3 39 JoANN DOUGLAS, Chairperson

3 40 HF 2166.705 77

3 41 rn/sc/28