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HEALTH AND SAFETY CODE - HSC

DIVISION 104. ENVIRONMENTAL HEALTH [106500 - 119406] (*Division 104 added by Stats. 1995, Ch. 415, Sec. 6.*)

PART 7. CALIFORNIA RETAIL FOOD CODE [113700 - 114437] (*Part 7 repealed and added by Stats. 2006, Ch. 23, Sec. 2.*)

CHAPTER 10.6. Limited Service Charitable Feeding Operation [114333 - 114333.2] (*Chapter 10.6 added by Stats. 2018, Ch. 489, Sec. 3.*)

114333. (a) (1) Except as specified in subdivision (b), a limited service charitable feeding operation shall not provide food service unless it has registered with the local enforcement agency in a manner prescribed by that agency, including, but not limited to, payment of a fee not to exceed the reasonable costs of administering and enforcing this chapter if that fee is imposed by the agency.

(2) A limited service charitable feeding operation that is subject to registration shall submit to the local enforcement agency all of the following information:

(A) The name, physical address, Internet Web site, and telephone number of the nonprofit charitable organization conducting the limited service charitable feeding operation.

(B) The name and contact information of a site representative of the limited service charitable feeding operation.

(C) The operating days and hours of the limited service charitable feeding operation.

(b) (1) (A) A limited service charitable feeding operation that performs the function described in paragraph (1) of, and does not perform the functions described in paragraphs (2) to (4), inclusive, of, subdivision (a) of Section 113819, shall be exempt from the requirements described in subdivision (a) regardless of whether it operates in conjunction with a food bank as described in subparagraph (B).

(B) A limited service charitable feeding operation that performs the function described in paragraph (4) of, and does not perform the functions described in paragraphs (2) and (3) of, subdivision (a) of Section 113819, and that operates in conjunction with a food bank that has a valid operating permit issued by the local enforcement agency or the State Department of Public Health shall be exempt from the requirements described in subdivision (a).

(C) A limited service charitable feeding operation that performs the function described in paragraph (2) or (3) of subdivision (a) of Section 113819, or the function described in paragraph (4) of subdivision (a) of Section 113819 without operating in conjunction with a food bank as described in subparagraph (B), shall be subject to the requirements described in subdivision (a).

(2) (A) For purposes of subparagraph (B) of paragraph (1), the food bank shall ensure that the limited service charitable feeding operation is operating under a current agreement with the food bank and is compliant with the food bank's best management practices approved by the local enforcement agency.

(B) On at least an annual basis, or more frequently if requested by the local enforcement agency, the food bank shall submit to the local enforcement agency a current list of the limited service charitable feeding operations that operate in conjunction with that food bank.

(c) Notwithstanding any other law, a limited service charitable feeding operation shall be exempt from the requirements of this part, except as set forth in this chapter.

(d) A limited service charitable feeding operation shall comply with all of the following:

(1) Chapter 1 (commencing with Section 113700).

(2) Chapter 2 (commencing with Section 113728).

(3) Sections 113952, 113953.1, 113953.2, 113953.3, 113980, 113982, 113984, 113988, 113990, 113992, 113996, 113998, 114000, 114002, 114002.1, 114014, 114016, 114018, 114020, 114021, 114023, 114024, 114025, 114027, 114031, 114035, 114037, 114041, 114047, 114049, 114051, 114053, 114055, and 114079.

(4) Article 2 (commencing with Section 114390) and Article 3 (commencing with Section 114405) of Chapter 13. A registration issued pursuant to this chapter shall have the same meaning as provided in subdivision (b) of Section 113851.

(5) Best management practices approved by the local enforcement agency.

(6) Limitations on the duration of food service, as determined by the local enforcement agency based on the requirements set forth in paragraphs (1) to (5), inclusive.

(e) A limited service charitable feeding operation may prepare and distribute food from a nonresidential building or structure that meets minimum structural and operating requirements as determined by the local enforcement agency.

(f) A limited service charitable feeding operation may distribute food in an outdoor location, not in or adjacent to the registered location, in compliance with the approved best management practices and subject to approval by the local enforcement agency. Food service under this subdivision shall be limited to no more than four hours per day.

(Added by Stats. 2018, Ch. 489, Sec. 3. (AB 2178) Effective January 1, 2019.)

114333.1. Nothing in this chapter is intended to replace or supersede a permit for any food facility when required by the local enforcement agency pursuant to any other law.

(Added by Stats. 2018, Ch. 489, Sec. 3. (AB 2178) Effective January 1, 2019.)

114333.2. The local enforcement agency may recover the reasonable regulatory costs of the administration, implementation, investigation, and enforcement of this chapter from a limited service charitable feeding operation.

(Added by Stats. 2018, Ch. 489, Sec. 3. (AB 2178) Effective January 1, 2019.)