Kansas Administrative Regulations

Department of Health and Environment

Article 4.—Maternal and Child Health—School-Age Programs.

28-4-591. Food preparation, service, safety, and nutrition.

(a) Food preparation and handling. If meals or snacks are served in the program, each applicant with a temporary permit and each licensee shall ensure that the following requirements are met:

(1) Sanitary practices.

(A) Each individual engaged in food preparation and food service shall know and use sanitary methods of food handling, food service, and storage.

(B) No individual shall be in the food preparation area who is vomiting, has diarrhea, or has other signs, symptoms, or positive laboratory tests indicative of an infectious illness that can be transmitted through food handling.

(C) No individual shall handle or serve food until the individual is no longer infectious.

(D) Each individual involved in food handling shall comply with all of the following requirements:

(i) Hands shall be washed with soap and running water in a designated hand-washing sink immediately before the individual engages in food preparation and before the individual serves food.

(ii) If the food preparation sink is used for hand washing, the sink shall be sanitized before using it for food preparation.

(iii) Individual towels, disposable paper towels, or air dryers shall be used to dry hands.

(iv) Each individual serving food shall use utensils or single-use gloves.

(v) Each individual with infectious skin sores or with open or infected injuries on the hands or forearms shall cover the sores or injuries with a bandage when handling or serving food.

(2) Food preparation area. If food is prepared on the premises, each applicant with a temporary permit and each licensee shall ensure the food preparation area is clean and garbage is removed at least daily or more often as needed.

(3) Food storage and refrigeration.

(A) Food shall be stored at least six inches above the floor in a clean, dry, well-ventilated area that is free from vermin and rodent infestation.

(B) Food shall not be stored with poisonous or toxic materials. If cleaning agents cannot be stored in a room separate from food storage areas, the cleaning agents shall be clearly labeled and kept in locked cabinets not used for the storage of food.

(C) Each refrigerator and freezer used by the applicant with a temporary permit or licensee for food storage and refrigeration shall be kept clean inside and out and shall have an interior thermometer. The temperature shall be maintained at 40 degrees Fahrenheit or lower in the refrigerator, and food stored in the freezer shall be maintained at 10 degrees Fahrenheit or lower, with 0 degrees Fahrenheit recommended.

(D) Hot foods that are to be refrigerated and stored shall be transferred to shallow containers in food layers less than three inches deep and shall not be covered until cool.

(E) All food stored in the refrigerator shall be covered, wrapped, or otherwise protected from contamination.

(F) All food shall be in good quality and safe for consumption.

(G) Hot foods shall be maintained at temperatures of at least 140 degrees Fahrenheit.

(H) Cold foods shall be maintained at temperatures of 40 degrees Fahrenheit or less.

(b) Tableware and cooking utensils.

(1) Each applicant with a temporary permit and each licensee shall provide clean forks, spoons, and knives as appropriate for the food being served.

(2) If non-disposable tableware and cooking utensils are used, each applicant with a temporary permit and each licensee shall use one of the following methods to clean and sanitize them:

(A) A mechanical dishwasher;

(B) a three-compartment sink; or

(C) a two-compartment sink and a basin.

(c) Meals or snacks prepared on the premises.

(1) Food safety requirements. Each applicant with a temporary permit and each licensee shall ensure the following requirements are met:

(A) Dairy products are pasteurized;

(B) meat is from a government-inspected source; and

(C) raw fruits and vegetables are washed thoroughly before being eaten or used for cooking.

(2) Each applicant with a temporary permit and each licensee shall ensure that the following foods are prohibited:

(A) Home-canned food;

(B) food from dented, rusted, bulging, or leaking cans; and

(C) food from cans without labels.

(d) Meals or snacks not prepared on the premises.

(1) If the applicant with a temporary permit or licensee serves a meal or snack that is not prepared on the premises, the meal shall be obtained from a food service establishment, summer feeding program, or catering service licensed or inspected by the Kansas department of agriculture or equivalent food safety licensing agency in another state. If perishable food is transported to the premises, each applicant with a temporary permit and each licensee shall serve only food that has been transported promptly in temperature-controlled, clean, covered containers.

(2) Sack lunches.

(A) Any applicant with a temporary permit or licensee may permit parents or other adults responsible for a child to provide snacks and sack lunches.

(B) If sack lunches are provided either by the applicant with a temporary permit, licensee, or by the parent or other adult responsible for each child, each applicant with a temporary permit and each licensee shall ensure that all of the following requirements are met:

(i) Each sack lunch shall be labeled with the name of the child, and sack lunches shall not be shared.

(ii) Perishable foods and drinks shall be kept at the temperatures specified in paragraph (a)(3)(H) through the use of insulated sacks and either a coolant or refrigeration.

(iii) Each sack lunch shall be positioned so that neither ice nor water causes the food in the sack to become wet or contaminated.

(iv) Ice that will be ingested shall be kept wrapped and shall not come in contact with sack lunches, food, cans, or other substances.

(e) Nutrition.

(1) Each applicant with a temporary permit and each licensee shall ensure that safe drinking water is readily available at all times to each individual participating in the program.

(2) Each applicant with a temporary permit and each licensee shall ensure that at least one meal and one snack is available to each child who is in attendance for at least four hours per day and at least two snacks and one meal or one snack and two meals is available to each child who is in attendance for at least eight hours per day.

(3) Each applicant with a temporary permit and each licensee of an out of school time program that meets after school during the school year shall ensure that at least one snack is served daily to each child who attends the program after school.
(Authorized by and implementing K.S.A. 2025 Supp. 65-508; effective, T-28-4-1-02, April 1, 2002; effective Jan. 10, 2003; amended, T-28-3-19-04, March 19, 2004; amended Sept. 10, 2004; amended Sept. 4, 2026.)

***** Authenticated Kansas Administrative Regulation *****