

Kansas Administrative Regulations

Kansas Department of Agriculture

Article 28.—Food Safety

4-28-33. Sanitation and hygiene requirements for exempt food establishments.

Each food establishment exempted from licensure in K.S.A. 65-689, and amendments thereto, shall meet the following requirements: (a) Food preparation areas shall be protected from environmental contamination, including rain, dust, and pests.

(b) Food contact surfaces, including cutting boards, utensils, and dishes, shall be cleaned, rinsed, and sanitized before food-handling activities begin and also as necessary. Hot, potable water and a dishwashing detergent shall be used for cleaning operations. Clean, hot, potable water shall be used for rinsing. Sanitizing shall be accomplished by immersing each item in a chlorine bleach solution of 50 to 100 parts per million for 10 seconds and allowing the item to air-dry. A sanitizer labeled for use on food contact surfaces may be used instead of chlorine bleach. Warewashing activities shall be conducted in easily cleanable sinks or food-grade tubs large enough to accommodate immersion of the largest items.

(c) Animals shall not be permitted in food preparation areas.

(d) Food and utensils shall be protected from contamination.

(e) A potable water supply shall be provided. Commercially bottled water or water from a private system may be used.

(1) If water is supplied from a private system, including a well or spring, the private system shall meet the local water system test requirements. If local requirements do not exist, the water shall meet the following standards, with testing obtained by the operator of the food establishment at least annually:

(A) Nitrates shall be less than 20 milligrams per kilogram.

(B) Total coliforms shall be zero colony-forming units.

(C) Fecal coliforms shall be zero colony-forming units.

The current copy of the testing shall be made available upon request.

(2) Each mobile or portable establishment shall ensure that the water is maintained in a potable state by use of appropriate containers, hoses, or other water-handling systems.

(f) Adequate sewage disposal shall be provided. Each septic system shall be approved by the Kansas department of health and environment or the county sanitarian. The current copy of the approval shall be made available upon request. Each mobile or portable establishment shall have adequate on-site sewage storage and shall dispose of sewage in a sanitary sewer or septic system.

(g) Bare-hand contact shall not be permitted with ready-to-eat foods.

(h) Each person working with food shall wash that person's hands before working with food or food contact surfaces and after the hands are contaminated, or could have become contaminated, including after handling raw eggs, raw meat, or raw poultry or after touching the face or hair. The following procedure shall be used:

- (1) Wet hands using warm, running potable water;
- (2) apply soap and rub hands together vigorously for at least 10 seconds;
- (3) rinse hands; and
- (4) dry hands with a clean paper towel.

(i) No person with any of the following symptoms or conditions shall work with food:

- (1) Vomiting;
- (2) diarrhea;
- (3) jaundice;
- (4) sore throat with fever;

(5) any lesion, boil, or infected wound that contains pus, is open or draining, and is located on any of the following:

(A) The hands or wrists, unless an impermeable cover that may include a finger cot or stall protects the affected site and a single-use glove is worn over the impermeable cover;

(B) exposed portions of the arms, unless the affected site is protected by an impermeable cover; or

(C) other parts of the body, unless the affected site is covered by a dry, durable, tight-fitting bandage; or

(6) an illness due to any of the following:

(A) Norovirus;

(B) hepatitis A virus;

(C) shigella;

(D) enterohemorrhagic or shiga toxin-producing *Escherichia coli*; or

(E) salmonella typhi.

(Authorized by K.S.A. 2012 Supp. 65-688; implementing K.S.A. 2012 Supp. 65-688 and 65-689; effective May 31, 2013.)

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