

SUMMARY OF SENATE BILL 744 AMENDMENTS TO THE CALIFORNIA RETAIL FOOD CODE  
Effective July 20, 2007

113709	<ul style="list-style-type: none"> <li>▪ Changed "<i>patron</i>" to "<i>consumer</i>" ("Consumer" is a defined term, "patron" is not.)</li> </ul>
113725.1	<ul style="list-style-type: none"> <li>▪ Changed "<i>patrons</i>" to "<i>consumers</i>"</li> </ul>
113751	<ul style="list-style-type: none"> <li>▪ Changed "...<i>all</i> of the following occur:" to "...<i>any</i> of the following occur:"</li> </ul>
113789	<ul style="list-style-type: none"> <li>▪ Created a list (c) (1-7) of types of facilities that are NOT regulated by CRFC to replace the prior confusing syntax and punctuation.</li> <li>▪ Deleted "...<i>to its members and guests...</i>" from (c) (4) and added "...<i>at an event that occurs not more than three days in a 90-day period</i>".</li> </ul>
113818	<ul style="list-style-type: none"> <li>▪ Deleted 2<sup>nd</sup> reference to "...<i>slicing, chopping, or grinding</i> of raw ingredients..." from (b)</li> </ul>
113907	<ul style="list-style-type: none"> <li>▪ Added "...<i>according to law or to the provisions of the National Shellfish Sanitation Program</i>".</li> </ul>
113909	<ul style="list-style-type: none"> <li>▪ Deleted "...<i>for interstate commerce</i>" from end of section.</li> </ul>
113945.1	<ul style="list-style-type: none"> <li>▪ Deleted original CRFC language in entirety and replaced with "<i>Except as specified in Section 113984.1, the person in charge shall ensure that persons unnecessary to the food facility operation shall not be allowed in the food preparation, food storage, or warewashing areas.</i>"</li> </ul>
113947.1	<ul style="list-style-type: none"> <li>▪ Changed date in (c) from "<i>January 1, 2007</i>" to "<i>July 1, 2007</i>"</li> </ul>
113947.3	<ul style="list-style-type: none"> <li>▪ Deleted reference to "...<i>accredited statewide food safety certification examinations.</i>" In (b) (2).</li> </ul>
113949.1	<ul style="list-style-type: none"> <li>▪ Deleted "...<i>or food employee applicant...</i>" from (a) (1)</li> </ul>
113949.2	<ul style="list-style-type: none"> <li>▪ Deleted "<i>permitholder</i>" in first sentence and replaced with "<i>owner who has a food safety certificate issued pursuant to Section 113947.1 or the employee who has this food safety certificate shall instruct...</i>"</li> <li>▪ Deleted "<i>permitholder</i>" in second sentence and replaced with "<i>owner or employee</i>"</li> <li>▪ Deleted "<i>or applicant</i>" in (a)</li> </ul>
113949.5	<ul style="list-style-type: none"> <li>▪ Deleted "<i>or food employee applicant</i>" in (a)</li> </ul>
113953.4	<ul style="list-style-type: none"> <li>▪ Deleted original CRFC language in entirety and replaced with reformatted text for clarity. No change in meaning as a result.</li> </ul>
113961	<ul style="list-style-type: none"> <li>▪ Changed "<i>customer</i>" to "<i>consumer</i>" in 2 places in (c)</li> </ul>
113967	<ul style="list-style-type: none"> <li>▪ Changed "<i>result in</i>" to "<i>cause</i>" in the 1st sentence</li> </ul>
113977	<ul style="list-style-type: none"> <li>▪ Changed "<i>can result</i>" to "<i>cannot result</i>" at the end of (a)</li> </ul>
113982	<ul style="list-style-type: none"> <li>▪ Rewrote (a) (3) for clarity – no change in meaning</li> <li>▪ Deleted (a) (4) – duplication, covered in another section of CRFC</li> </ul>

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113984	<ul style="list-style-type: none"> <li>▪ Deleted (b) – duplication, covered in Section 113980</li> <li>▪ Renumbered (c – f) to (b – e)</li> </ul>
113984.1	<ul style="list-style-type: none"> <li>▪ Changed “<i>Customer</i>” to “<i>Consumer</i>”</li> </ul>
113986	<ul style="list-style-type: none"> <li>▪ Deleted “<i>of this section</i>” in (a) (2) (D)</li> <li>▪ Changed (b) (4): “<i>..as specified in paragraph (2) of subdivision (a) of Section 114002.1</i>” to “<i>as specified in subdivision (b) of Section 114002.1</i>”</li> </ul>
113996	<ul style="list-style-type: none"> <li>▪ Changed (c): “<i>between 41F°and 45°F</i>” to “<i>at or below 45°F</i>”</li> </ul>
114000	<ul style="list-style-type: none"> <li>▪ Added “<i>that ensure compliance with this section and Section 114002....</i>” to (a) (4)</li> </ul>
114029	<ul style="list-style-type: none"> <li>▪ Changed “<i>and</i>” to “<i>or</i>” in (a)</li> </ul>
114035	<ul style="list-style-type: none"> <li>▪ Added “<i>Food shall be inspected as soon as practicable....</i>” to (a)</li> </ul>
114039	<ul style="list-style-type: none"> <li>▪ Added “<i>shall be subject to impound pursuant to Section 114393.</i>” in (b)</li> <li>▪ Deleted “<i>...and a hold order or seizure and destruction in accordance with 21 C.F.R. 1240.60 (d).</i>” in (b)</li> </ul>
114039.1	<ul style="list-style-type: none"> <li>▪ Changed “<i>and</i>” to “<i>or</i>” in (a) (...<i>labels that are affixed by the harvester or each dealer....</i>)</li> <li>▪ Added “<i>shall be subject to impound pursuant to Section 114393.</i>” in (b)</li> <li>▪ Deleted “<i>...to a hold order or seizure and destruction in accordance with 21 C.F.R. 1240.60 (d).</i>” in (b)</li> </ul>
114039.4	<ul style="list-style-type: none"> <li>▪ Rewrote (b) for clarity and to require shellstock tags to be kept for 90 days from <i>date of harvest</i>.</li> <li>▪ Added (c) to address record keeping requirements for shellstock removed from tagged or labeled containers</li> </ul>
114039.5	<ul style="list-style-type: none"> <li>▪ Deleted “<i>approved</i>” HACCP plan in (b)</li> <li>▪ Changed code reference from “<i>Section 114056</i>” to “<i>Section 114419.1</i>” at end of 1<sup>st</sup> sentence in (b)</li> <li>▪ Changed “<i>...were approved for operation prior to...</i>” to “<i>...were in operation prior to...</i>” in (c)</li> <li>▪ Changed code reference from “<i>...need not comply with Sections 114417 and 114419.3.</i>” to “<i>need not comply with Section 114419</i>” in (c)</li> </ul>
114056	<ul style="list-style-type: none"> <li>▪ Deleted this section in its entirety, due to contradiction/duplication with another CRFC section. For list of food handling processes requiring HACCP plans, see revised Section 114419 in CRFC (as effective July 20, 2007).</li> </ul>
114060	<ul style="list-style-type: none"> <li>▪ Changed “<i>...customer’s mouth...</i>” to “<i>...consumer’s mouth...</i>” in (a)</li> </ul>
114074	<ul style="list-style-type: none"> <li>▪ Deleted original CRFC language in entirety and replaced with “<i>If tableware is preset, exposed, and unused, extra settings shall either be removed when a consumer is seated or cleaned and sanitized before further use.</i>”</li> </ul>

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114091	<ul style="list-style-type: none"> <li>▪ Deleted original CRFC subsection (d) and replaced with new subsection (d) (1&amp;2): <i>“(d) (1) Food shall not be reserved where the food was already served to patients or clients who are under contact precautions in medical isolation or quarantine or protective environment isolation. (2) Food shall not be reserved to a patient or client in protective environment isolation.”</i></li> </ul>
114099.2	<ul style="list-style-type: none"> <li>▪ Deleted <i>“...where the utensils are first pre-cleaned, then washed, rinsed, sanitized, and air dried.”</i> from (a)</li> </ul>
114099.3	<ul style="list-style-type: none"> <li>▪ Deleted the grammatically incorrect 1<sup>st</sup> <i>“and”</i> in (e) (1)</li> <li>▪ Changed <i>“shall do all of the following:”</i> to <i>“does either of the following:”</i> in (e) (1)</li> <li>▪ Changed (e) (1) (A) to read: <i>“(A) Makes up the cleaning and sanitizing solutions immediately before use and drains them immediately after use, as well as uses a detergent sanitizer to clean and sanitize in accordance with the manufacturer’s label instructions where there is no distinct water rinse between the washing and sanitizing steps. The agent applied in the sanitizing step shall be the same detergent sanitizer that is used in the washing step.”</i></li> <li>▪ Deleted original CRFC (e) (1) (B)</li> <li>▪ Renumbered original CRFC (e) (1) (C) to (e) (1) (B)</li> </ul>
114149.1	<ul style="list-style-type: none"> <li>▪ Changed reference from <i>“Uniform Mechanical Code”</i> to <i>“California Mechanical Code”</i> in (a)</li> </ul>
114155	<ul style="list-style-type: none"> <li>▪ Deleted original CRFC language in its entirety due to duplication. See CRFC Section 114039.5</li> </ul>
114185.1	<ul style="list-style-type: none"> <li>▪ Changed incorrect code reference from <i>“...114099.2.”</i> to <i>“...114099.6.”</i> at the end of (b)</li> </ul>
114192	<ul style="list-style-type: none"> <li>▪ Added an exception <i>“Except as provided in subdivision (d),...”</i> to the beginning of (a)</li> <li>▪ Added a new subdivision (d): <i>“(d) A food facility may provide only warm water if the water supply is used only for handwashing, as required in Section 113953.”</i></li> </ul>
114245.1	<ul style="list-style-type: none"> <li>▪ Changed the term <i>“trash”</i> to <i>“refuse”</i> in (b) (<i>“refuse”</i> is a defined term. <i>“trash”</i> is not.)</li> </ul>
114254	<ul style="list-style-type: none"> <li>▪ Deleted (b) and (c) entirely; text in (a) becomes stand alone with no reference to <i>“(a)”</i> (since no (b) &amp; (c))</li> </ul>
114257	<ul style="list-style-type: none"> <li>▪ Added <i>“ All premises of a food facility...”</i></li> <li>▪ Deleted <i>“...facilities and all equipment, utensils, and facilities...”</i> (covered under another section of CRFC)</li> </ul>
114259.1	<ul style="list-style-type: none"> <li>▪ Deleted <i>“... clean and”</i> (covered under other section of CRFC)</li> </ul>
114259.4	<ul style="list-style-type: none"> <li>▪ Added <i>“...for their service animals if they wash their hands as required in this part.”</i> in (b)</li> </ul>
114259.5	<ul style="list-style-type: none"> <li>▪ Changed <i>customers</i> to <i>consumers</i> in (b) (4)</li> </ul>

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114271	<ul style="list-style-type: none"> <li>▪ Changed "<i>patrons</i>" to "<i>consumers</i>" in (b) (5)</li> </ul>
114276	<ul style="list-style-type: none"> <li>▪ Changed "<i>patrons</i>" to "<i>consumers</i>" in (b), (b) (2) - 2 places, (f) (1), and (f) (3)</li> </ul>
114299	<ul style="list-style-type: none"> <li>▪ Changed "<i>patrons</i>" to "<i>consumers</i>" and "<i>patron</i>" to "<i>consumer</i>" in (a)</li> </ul>
114311	<ul style="list-style-type: none"> <li>▪ Deleted inaccurate "<i>Except as specified in subdivision (c),...</i>" (There is no subdivision (c)).</li> </ul>
114323	<ul style="list-style-type: none"> <li>▪ Changed "... <i>each occupied mobile food facility...</i>" to "... <i>any food facility that is equipped with heating elements or cooking equipment.</i>" in (e)</li> </ul>
114325	<ul style="list-style-type: none"> <li>▪ Changed the first paragraph to "(a)"</li> <li>▪ Changed original CRFC "(a)" to "(b) (1)"</li> <li>▪ Changed the original CRFC "(b)" to "(b) (2)"</li> <li>▪ Added an exception "<i>Except on a mobile food facility that only utilizes the water for handwashing purposes,...</i>" to the new "(a)"</li> <li>▪ Added "<i>On a mobile food facility that only utilizes the water for handwashing purposes, a water heater or an instantaneous water heater capable of heating water to a minimum of 100°F, interconnected with a potable water supply, shall be provided and shall operate independently of the vehicle engine.</i>" to the new "(a)"</li> <li>▪ Changed "<i>Except as specified in subdivision (b),...</i>" to "<i>Except as specified in paragraph (2),...</i>" in the new (b) (1)</li> </ul>
114326	<ul style="list-style-type: none"> <li>▪ Changed "... <i>all of the following...</i>" to "... <i>any of the following...</i>" in the 1st paragraph</li> <li>▪ Added "... <i>any of the following to accommodate all operations necessary to support mobile support units, mobile food facilities, and vending machines.</i>" to the end of the 1<sup>st</sup> paragraph</li> </ul>
114358	<ul style="list-style-type: none"> <li>▪ Deleted "... <i>at a temperature of 100°F...</i>" from (a)</li> <li>▪ Changed "... <i>20 seconds...</i>" to "... <i>10 to 15 seconds, inclusive.</i>" In (a)</li> </ul>
114371	<ul style="list-style-type: none"> <li>▪ Changed "<i>vehicle</i>" to "<i>mobile food facility</i>" in (f)</li> </ul>
114380	<ul style="list-style-type: none"> <li>▪ Changed "... <i>the school shall remedy the deficiency...</i>" to "<i>the food facility shall remedy the deficiency...</i>" in (c) (2)</li> </ul>
114393	<ul style="list-style-type: none"> <li>▪ Added "... <i>found to be, or suspected of being, unsanitary...</i>" in (a)</li> </ul>
114417.1	<ul style="list-style-type: none"> <li>▪ Changed incorrect code reference "Section 114430" to "Section 114419" in (a) (4)</li> </ul>
114417.6	<ul style="list-style-type: none"> <li>▪ Changed incorrect code reference "Section 114430" to "Section 114419" in 1<sup>st</sup> paragraph</li> <li>▪ Changed incorrect code reference "Section 114430.2" to "Sections 114419.1 and 114419.2" in (a)</li> </ul>

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114419	<ul style="list-style-type: none"><li>▪ Deleted original CRFC text and replaced with a new list of specialized food processes that require HACCP plans. Subsection (a) lists required HACCP plans that do not require any approval by any enforcement agency. Subsection (b) lists HACCP plans that require prior approval by state (Food and Drug Branch).</li></ul>
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