

**IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE**

**16.02.19 - FOOD SAFETY AND SANITATION STANDARDS FOR FOOD ESTABLISHMENTS  
(THE IDAHO FOOD CODE)**

**DOCKET NO. 16-0219-1401**

**NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 37-121 and 39-1603, Idaho Code.

**MEETING SCHEDULE:** Public meetings on the negotiated rulemaking will be held as follows:

<b>Tuesday, April 15, 2014 1:00 p.m. (Local)</b>	<b>Thursday, April 17, 2014 1:00 p.m. (Local)</b>	<b>Thursday, April 24, 2014 1:00 p.m. (Local)</b>
<b>Hilton Garden Inn Boise Spectrum 7699 W Spectrum Street Garden East Room Boise, ID</b>	<b>Hampton Inn 1500 Riverstone Drive Riverstone South Room Coeur d'Alene, ID</b>	<b>Red Lion Inn 1555 Pocatello Creek Road Executive Room Pocatello, ID</b>

**METHOD OF PARTICIPATION:** Persons wishing to participate in the negotiated rulemaking must do the following:

1. Attend the negotiated rulemaking meetings and participate in the negotiation process;
2. Provide oral or written recommendations, or both, at the negotiated rulemaking meetings; or
3. Submit written recommendations and comments to this address on or before May 30, 2014:

Patrick Guzzle, Food Protection Program Manager  
Idaho Department of Health and Welfare  
450 W. State Street - 4th Floor  
P.O. Box 83720  
Boise, ID 83720-0036

**DESCRIPTIVE SUMMARY:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

The rules that govern food safety standards in Idaho are currently based on the 2001 FDA Food Code. The Department intends to update those rules to be based on the 2013 FDA Food Code.

Current industry practices, especially within retail food establishments, closely reflect the changes in the 2013 FDA Food Code. The Department intends to negotiate rules regarding the standards for management level staff and their knowledge of food safety practices, communicable disease prevention and control within food establishments, specific standards for mobile and temporary food establishments, the allowance of donated game meat to charitable organizations, and the 2013 FDA Code.

**CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning this negotiated rulemaking, contact Patrick Guzzle at (208) 334-5938. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Department's web site at the following web address: [www.foodsafety.idaho.gov](http://www.foodsafety.idaho.gov).

All written comments on the negotiated rules must be directed to the contact person above and must be delivered on or before May 30, 2014.

DATED this 29th day of January, 2014.

Tamara Prisock  
DHW - Administrative Rules Unit  
450 W. State Street - 10th Floor  
P.O. Box 83720  
Boise, ID 83720-0036  
phone: (208) 334-5564; fax: (208) 334-6558  
e-mail: [dhwrules@dhw.idaho.gov](mailto:dhwrules@dhw.idaho.gov)