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GAVIN NEWSOM
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Assembly Bill (AB) 831 Fact Sheet

Governor Gavin Newsom signed into law AB 831. The new law changes several areas of the California Retail Food Code (CRFC). The implementation date for AB 831 is January 1, 2022.

SUMMARY OF THE CHANGES:

Chapter 2 Definitions:

Section 1: CRFC 113818(a) “Limited Food Preparation”

New language:

- (4) Holding, portioning, and dispensing of any foods that are prepared by a catering operation. ~~for a host facility.~~

Section 2: CRFC 113819(a) “Limited Service Charitable Feeding Operation”

The section of the CRFC was reorganized and language was added to allow for additional operations for the category.

New language: (expands the options for food preparation for charitable feeding operations)

- (3) Heating, portioning, or assembling a small volume of commercially prepared food or ingredients for same-day service to customers as follows:

- A. Heating, portioning, or assembling a small volume of commercially prepared foods means food preparation that is restricted to one or more of the following:
- i. Assembly of ready-to-eat foods that require no further preparation aside from assembly
 - ii. Heating, including boiling of pasta, and grains and serving.
 - iii. Dispensing, portioning, or repackaging of bulk foods.
- B. Heating, portioning, or assembling a small volume of commercially prepared foods does not include any of the following:
- i. Chopping or dicing
 - ii. Cooking of raw animal products
 - iii. Blending
 - iv. Other food processing as identified by the local enforcement agency

Section 3: CFRC 113846 “Outdoor wood-burning oven”

New language: (expands facilities allowed to operate an outdoor wood-burning oven)

“Outdoor wood-burning oven” means an oven located out of doors, that utilizes wood as the primary fuel for cooking and is operated ~~on the same premises as, and in conjunction with,~~ by a temporary food facility, mobile food facility that remains fixed during



hours of operation at a community event, permanent food facility, satellite food service, or a catering operation.

Section 4: CFRC 113899 “Satellite Food Service”

113899. “Satellite food service” means a remotely located food service operation that is conducted on the same property as, in reasonable proximity to, and in conjunction with and by, a fully enclosed permanent food facility. ~~Satellite food service does not include remote food service operations located within a fully enclosed permanent food facility.~~ Satellite food service located within a fully enclosed permanent food facility shall be temporary in nature.

Chapter 3 Management and Personnel

Section 5: CFRC 113953.3 Handwashing Procedures

New language: (Allows for double glove procedure without the need for a variance)

(c) A food facility may incorporate an alternate glove use procedure in which double gloves are worn to handle raw animal proteins. The loose-fitting outer glove shall be removed in a manner to prevent cross-contamination of the tight fitting inner glove before the inner glove is used as a barrier to bare hand contact with ready-to-eat food.

Chapter 4 General Food Safety Provisions

Section 6: CFRC 114057.1 Reduced Oxygen Packaging, Criteria

New language: (increasing hold time for food in package under two-barriers from 14 to 30 days)

(b)(5) ...maintain the food at 41°F or below and discard the food within ~~14~~ 30 calendar days of its packaging...

New language: (adds reference for the requirements for cook-chill and sous vide cooking)

(e) A food facility that packages potentially hazardous foods using a cook-chill or sous vide process shall meet the requirements of Section 3-502.12(D) of the Food Code published by the FDA.

Chapter 10 Mobile Food Facilities

Section 7: CFRC 114309 Mobile Food Facility Exemptions

New language: (added language exempts outdoor pushcart from mechanical ventilation)

(a) Mobile food facilities and mobile support units shall be exempt from the requirements of Sections 114250, 114256.1, and 114279. A local enforcement agency may exempt a pushcart operating outdoors, other than a special purpose commercial modular and coach, as denied by Section 18012.5, or a

commercial modular coach, as defined by Section 18001.8, that conducts only limited food preparation from Section 114129.1.

Chapter 11 Temporary Food Facilities

Section 8: CFRC 114353 Consumer Utensils

New Language: (language restricts the wash, rinse, and sanitizing of utensils at a Temporary Food Facility)

(a) **Except as provided in subdivision (b), a temporary food facility shall provide only single-use articles for use by the consumer.**

(b) **Notwithstanding subdivision (a), based on local environmental conditions, location, and similar factors, including the type and number of utensils, as defined in Section 113934, the volume and storage of potable water for warewashing, as defined in Section 113940, and waste water capacity, the local enforcement agency may allow a temporary food facility to use multiuse utensils that ~~are cleaned~~, have been properly washed, rinsed, and sanitized pursuant to Chapter 5 (commencing with Section 114095), as applicable, at ~~either the temporary food facility or~~ an approved food facility and kept free of becoming soiled or contaminated.**

Chapter 11.5 Cottage Food Operations

Section 9: CRFC 114365.2(f) Operational Requirements (Cottage Food)

New language: (this is an addition to the law and outlines the requirements for advertising)

(f) A cottage food operation that advertises to the public, including through an internet website, social media platform, newspaper, newsletter, or other public announcement, shall indicate the following on the advertisement:

(1) The county of approval

(2) The permit or registration number

(3) A statement that the food prepared is “Made in a Home Kitchen” or “Repackaged in a Home Kitchen,” as applicable.

Chapter 12.7 Fisherman’s Markets

Section 10: CRFC 114378.1(b) Sale of Fish

New language: (allows for service that fillets, cuts, or packages fish for customers at a fisherman’s market booth)

(b) A fishermen’s market may provide a separate service that fillets, cuts, or packages fish for customers who purchase direct sales of fish within the fisherman’s market as a temporary food facility, mobile food facility, **fisherman’s market booth**, or other facility approved by the enforcement agency. A separate health permit is required and applicable requirements for that category of permit shall be met.

Chapter 13. Compliance and Enforcement

Section 11: CRFC 114380 Plan Review

New language: (addition to nonconforming structural conditions to apply to limited service charitable feeding operations)

(c)(3) Except when a determination is made by the enforcement agency that the nonconforming structural conditions pose a public health hazard, existing public and private school cafeterias, **limited service charitable feeding operation facilities**, and licensed health care facilities shall be deemed to be in compliance with this part pending replacement or renovation.