

(Effective until March 1, 2022.)

WAC 246-215-06570 Methods—Prohibiting animals (2009 FDA Food Code 6-501.115). (1) Except as specified in subsections (2) and (3) of this section, live animals may not be allowed on the PREMISES of a FOOD ESTABLISHMENT.

(2) Live animals may be allowed in the following situations if the contamination of FOOD; clean EQUIPMENT, UTENSILS, LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES cannot result:

(a) Edible FISH or decorative FISH in aquariums, shellfish or crustacea on ice or under refrigeration, and shellfish and crustacea in display tank systems;

(b) Patrol dogs accompanying police or security officers in offices and dining, sales, and storage areas, and sentry dogs running loose in outside fenced areas;

(c) In areas that are not used for FOOD preparation and that are usually open for customers, such as dining and sales areas, SERVICE ANIMALS that are controlled by an employee or individual with a disability, if a health or safety HAZARD will not result from the presence or activities of the SERVICE ANIMAL;

(d) Pets in the common areas of institutional care facilities such as nursing homes, assisted living facilities, group homes, or residential care facilities at times other than during meals if:

(i) Effective partitioning and self-closing doors separate the common dining areas from FOOD storage or FOOD preparation areas;

(ii) Condiments, EQUIPMENT, and UTENSILS are stored in enclosed cabinets or removed from the common dining areas when pets are present; and

(iii) Dining areas including tables, countertops, and similar surfaces are effectively cleaned before the next meal service; and

(e) In areas that are not used for FOOD preparation, storage, sales, display or dining, in which there are caged animals or animals that are similarly confined, such as in a variety store that sells pets or a tourist park that displays animals.

(3) Live or dead FISH bait may be stored if contamination of FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES cannot result.

[Statutory Authority: RCW 43.20.145(1). WSR 18-01-081, § 246-215-06570, filed 12/15/17, effective 1/15/18. Statutory Authority: RCW 43.20.050 and 43.20.145. WSR 13-03-109, § 246-215-06570, filed 1/17/13, effective 5/1/13.]

(Effective March 1, 2022.)

WAC 246-215-06570 Methods—Prohibiting animals (FDA Food Code 6-501.115). (1) Except as specified in subsections (2) through (5) of this section, live animals may not be allowed on the PREMISES of a FOOD ESTABLISHMENT.

(2) Live animals may be allowed in the following situations if the contamination of FOOD; clean EQUIPMENT, UTENSILS, LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES cannot result:

(a) Edible FISH or decorative FISH in aquariums, shellfish or crustacea on ice or under refrigeration, and shellfish and crustacea in display tank systems;

(b) Patrol dogs accompanying police or security officers in offices and dining, sales, and storage areas, and sentry dogs running loose in outside fenced areas;

(c) SERVICE ANIMALS that are controlled by an employee or individual with a disability in areas not used for FOOD preparation and usually open for customers, such as dining and sales areas, if a health or safety HAZARD will not result from the presence or activities of the SERVICE ANIMAL;

(d) Pets in the common areas of institutional care facilities such as nursing homes, assisted living facilities, group homes, or residential care facilities at times other than during meals if:

(i) Effective partitioning and self-closing doors separate the common dining areas from FOOD storage or FOOD preparation areas;

(ii) Condiments, EQUIPMENT, and UTENSILS are stored in enclosed cabinets or removed from the common dining areas when pets are present; and

(iii) Dining areas including tables, countertops, and similar surfaces are effectively cleaned before the next meal service; and

(e) In areas that are not used for FOOD preparation, storage, sales, display or dining, in which there are caged animals or animals that are similarly confined, such as in a variety store that sells pets or a tourist park that displays animals.

(3) Live or dead FISH bait may be stored if contamination of FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES cannot result.

(4) Effective March 1, 2022, dogs, under the control of the dog owner, may be allowed in an outdoor area on the PREMISES if all of the following conditions are satisfied:

(a) The PERMIT HOLDER has an APPROVED plan to allow dogs in its outdoor PREMISES.

(b) Dogs are on a leash and under the control of the dog owner or confined in a pet carrier.

(c) Dogs do not go through the FOOD ESTABLISHMENT to reach the outdoor area.

(d) Dogs are not allowed on tables, chairs, benches, seats, or other fixtures in the FOOD ESTABLISHMENT.

(e) The outdoor area is not used for FOOD or drink preparation or the storage of UTENSILS.

(f) If the FOOD ESTABLISHMENT provides FOOD and water containers for dogs, EMPLOYEES shall not wash containers in the FOOD ESTABLISHMENT.

(g) FOOD EMPLOYEES do not have direct contact with dogs.

(h) The outdoor area is maintained clean of animal waste.

(i) The PERMIT HOLDER ensures compliance with local ordinances related to sidewalks, public nuisance, and sanitation.

(5) Dogs, under the control of the dog owner, may be allowed in an indoor area on the PREMISES if all of the following conditions are satisfied:

(a) The PERMIT HOLDER has notified the REGULATORY AUTHORITY in advance.

(b) The FOOD ESTABLISHMENT only pours BEVERAGES produced by a FOOD PROCESSING PLANT and is limited to only nontime/TEMPERATURE CONTROL FOR SAFETY FOOD, READY-TO-EAT FOOD produced in a licensed FOOD ESTABLISHMENT or FOOD PROCESSING PLANT (such as premixed soda pop, powdered creamer, pretzels, cookies, doughnuts, cake, or MEAT jerky) that are served from the original package without direct hand contact directly onto or into a container.

(c) Dogs are not allowed on tables, chairs, benches, seats, or other fixtures in the FOOD ESTABLISHMENT.

- (d) If the FOOD ESTABLISHMENT provides FOOD and water containers for dogs, EMPLOYEES shall not wash containers in the FOOD ESTABLISHMENT.
- (e) FOOD EMPLOYEES do not have direct contact with dogs.
- (f) The PREMISES is maintained clean of animal waste.
- (g) The PERMIT HOLDER ensures compliance with local ordinances related to sidewalks, public nuisance, and sanitation.
- (h) The PERMIT HOLDER provides signage to notify customers that the facility allows dogs in its indoor PREMISES.

[Statutory Authority: RCW 43.20.050 and 43.20.145. WSR 21-01-122, § 246-215-06570, filed 12/15/20, effective 1/15/21. Statutory Authority: RCW 43.20.145(1). WSR 18-01-081, § 246-215-06570, filed 12/15/17, effective 1/15/18. Statutory Authority: RCW 43.20.050 and 43.20.145. WSR 13-03-109, § 246-215-06570, filed 1/17/13, effective 5/1/13.]