

4-5-9 Registration of food establishments -- Fee -- Suspension and reinstatement of registration -- Inspection for compliance.

- (1)
 - (a) Pursuant to Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department shall establish rules providing for the registration of food establishments to protect public health and ensure a safe food supply.
 - (b) The owner or operator of a food establishment shall register with the department before operating a food establishment.
 - (c) Prior to granting a registration to the owner or operator of a food establishment, the department shall inspect and assess the food establishment to determine whether it complies with the rules established under Subsection (1)(a).
 - (d) An applicant shall register with the department, in writing, using forms required by the department.
 - (e) The department shall issue a registration to an applicant, if the department determines that the applicant meets the qualifications of registration established under Subsection (1)(a).
 - (f) If the applicant does not meet the qualifications of registration, the department shall notify the applicant, in writing, that the applicant's registration is denied.
 - (g)
 - (i) If an applicant submits an incomplete application, a written notice of conditional denial of registration shall be provided to an applicant.
 - (ii) The applicant shall correct the deficiencies within the time period specified in the notice to receive a registration.
 - (h)
 - (i) The department may, as provided under Subsection 4-2-2(2), charge the food establishment a registration fee.
 - (ii) The department shall retain the fees as dedicated credits and shall use the fees to administer the registration of food establishments.
- (2)
 - (a) A registration, issued under this section, shall be valid from the date the department issues the registration, to December 31 of the year the registration is issued.
 - (b) A registration may be renewed for the following year by applying for renewal by December 31 of the year the registration expires.
- (3) A registration, issued under this section, shall specify:
 - (a) the name and address of the food establishment;
 - (b) the name of the owner or operator of the food establishment; and
 - (c) the registration issuance and expiration date.
- (4)
 - (a) The department may immediately suspend a registration, issued under this section, if any of the conditions of registration have been violated.
 - (b)
 - (i) The holder of a registration suspended under Subsection (4)(a) may apply for the reinstatement of a registration.
 - (ii) If the department determines that all registration requirements have been met, the department shall reinstate the registration.
- (5)
 - (a) A food establishment, registered under this section, shall allow the department to have access to the food establishment to determine if the food establishment is complying with the registration requirements.

- (b) If a food establishment denies access for an inspection required under Subsection (5)(a), the department may suspend the food establishment's registration until the department is allowed access to the food establishment's premises.

Amended by Chapter 378, 2010 General Session