

Effective 5/7/2025

26B-7-401 Definitions.

As used in this part:

- (1) "Agritourism" means the same as that term is defined in Section 78B-4-512.
- (2) "Agritourism activity" means the same as that term is defined in Section 78B-4-512.
- (3) "Agritourism food establishment" means a non-commercial kitchen facility where food is handled, stored, or prepared to be offered for sale on a farm in connection with an agritourism activity.
- (4) "Agritourism food establishment permit" means a permit issued by a local health department to the operator for the purpose of operating an agritourism food establishment.
- (5) "Back country food service establishment" means a federal or state licensed back country guiding or outfitting business that:
 - (a) provides food services; and
 - (b) meets department recognized federal or state food service safety regulations for food handlers.
- (6) "Body art facility" means a facility where an individual practices or instructs:
 - (a) body piercing;
 - (b) branding;
 - (c) permanent cosmetics;
 - (d) scarification; or
 - (e) tattooing.
- (7)
 - (a) "Body piercing" means any method of piercing the skin or mucosa to place jewelry through the skin or mucosa.
 - (b) "Body piercing" does not include ear piercing.
- (8) "Branding" means the process in which a mark is burned, with or without heated metal, into human tissue with the intention of leaving a permanent mark.
- (9) "Certified food safety manager" means a manager of a food service establishment who:
 - (a) passes successfully a department-approved examination;
 - (b) successfully completes, every three years, renewal requirements established by department rule consistent with original certification requirements; and
 - (c) submits to the appropriate local health department the documentation required by Section 26B-7-412.
- (10) "Ear piercing" means the puncturing of the lobe of the ear with piercing equipment to insert stud-and-clasp jewelry according to the directions provided by the piercing equipment's manufacturer.
- (11) "Farm" means a working farm, ranch, or other commercial agricultural, aquacultural, horticultural, or forestry operation.
- (12) "Food" means:
 - (a) a raw, cooked, or processed edible substance, ice, nonalcoholic beverage, or ingredient used or intended for use or for sale, in whole or in part, for human consumption; or
 - (b) chewing gum.
- (13) "Food service establishment" means any place or area within a business or organization where potentially hazardous foods, as defined by the department under Section 26B-7-410, are prepared and intended for individual portion service and consumption by the general public, whether the consumption is on or off the premises, and whether or not a fee is charged for the food.

- (14) "Microblading" means a procedure where a hand tool with a blade formed of tiny needles implants permanent or semi-permanent pigment, resembling hair, into the skin of the eyebrow area with fine and short strokes.
- (15)
- (a) "Microenterprise home kitchen" means a non-commercial kitchen facility located in a private home and operated by a resident of the home where ready-to-eat food is handled, stored, prepared, or offered for sale.
 - (b) "Microenterprise home kitchen" does not include:
 - (i) a catering operation;
 - (ii) a cottage food operation;
 - (iii) a food truck;
 - (iv) an agritourism food establishment;
 - (v) a bed and breakfast; or
 - (vi) a residence-based group care facility.
- (16) "Microenterprise home kitchen permit" means a permit issued by a local health department to the operator for the purpose of operating a microenterprise home kitchen.
- (17)
- (a) "Permanent cosmetics" means a permanent or semi-permanent tattoo:
 - (i) to the eyebrows, eyelids, lips, or other parts of the body for beauty marks, hair imitation, lash enhancement, or areola repigmentation; and
 - (ii) performed by an individual not licensed under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act.
 - (b) "Permanent cosmetics" includes permanent makeup, micropigmentation, micropigment implantation, microblading, dermagraphics, or cosmetic tattooing.
- (18) "Ready-to-eat" means:
- (a) raw animal food that is cooked;
 - (b) raw fruits and vegetables that are washed;
 - (c) fruits and vegetables that are cooked for hot holding;
 - (d) a time and temperature controlled food that is cooked to the temperature and time required for the specific food in accordance with rules made by the department in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; or
 - (e) a bakery item for which further cooking is not required for food safety.
- (19) "Scarification" means the process in which a mark is cut into human skin tissue with the intent of leaving a permanent mark.
- (20) "Time and temperature controlled food" means food that requires time and temperature controls for safety to limit pathogenic microorganism growth or toxin formation.

Amended by Chapter 487, 2025 General Session