

RESOLUTION 23-___

**AUTHORIZING COCHISE HEALTH AND SOCIAL SERVICES TO REVISE
THE ENVIRONMENTAL HEALTH SANITARY CODE**

WHEREAS, in accordance with A.R.S. § 11-251.05.C, the Board of Supervisors has notified the public regarding a public hearing on the Sanitary Code, held a public hearing on the Sanitary Code, adopted the ordinance within the Sanitary Code, and published the Sanitary Code and Ordinance after adoption; and

WHEREAS, changes have occurred in the code now requiring Certified Food Protection Manager Certifications, Food Handler Cards, non-latex glove use relating to sanitary matters and environmental quality, Mobile Food Unit Requirements; and

WHEREAS, Cochise Health & Social Services has recommended to the Cochise County Board of Supervisors that the Environmental Health Sanitary Code be revised to reflect current code requirements and the Board of Supervisors has determined that the revisions to the previously adopted code are in the interest of the residents of Cochise County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors for the County of Cochise adopts the changes to the Cochise County Environmental Health Sanitary Code, as set forth in Exhibit A, attached hereto; to be in effect on and after January 24, 2023; and

FURTHER, BE IT RESOLVED that this Resolution shall supersede any other prior and inconsistent Resolutions addressing the Cochise County Sanitary Code on and after January 24, 2023.

PASSED, APPROVED AND ADOPTED by the Cochise County Board of Supervisors, this 24th day of January 2023.

Ann English, Chair
Board of Supervisors

ATTEST:

Tim Mattix
Clerk of the Board

APPROVED AS TO FORM:

Paul Correa

Paul Correa
Civil Deputy County Attorney

EXHIBIT A

PROPOSED REVISION TO COCHISE COUNTY ENVIRONMENTAL HEALTH
SANITARY CODE PERTAINING TO FOOD HANDLING

REGULATION 2: FOOD AND DRINK

SECTION 1: SCOPE AND LEGAL AUTHORITY

~~A. The U.S. Food and Drug Administration Food Code is adopted and incorporated into this regulation by reference, except section 3-304.15.~~

A. The U.S. Food and Drug Administration Food Code, Annexes, and Supplement(s) is adopted and incorporated into this regulation by reference upon effective release date(s), with the added verbiage to Food Code section(s) 3-3 to align with (Arizona Administrative Code) A.A.C. R9-8-103 as set forth herein:

1. In paragraph 3-301.11(B), this regulation requires employees to use “non-latex SINGLE-USE gloves” as provided in A.A.C. R9-8-103.

2. In paragraph 3-304.15(E), this regulation requires “Latex gloves may not be used in direct contact with FOOD” as provided in A.A.C. R9-8-103.

B. In FC Part 1-2, Section 1-201.10(B), Definitions, the Department:

1. This regulation uses the word “License” in place of the word “Permit” that is used in FDA Food Code.

2. This regulation uses the word “License holder” in place of the word “Permit holder” that is used in FDA Food Code

C. This regulation incorporates by reference and includes Arizona Mobile Food Units Requirements set forth in R9-8-110, Arizona Administrative Code.

D. Copies of the U.S. Food and Drug Administration Food Code are available from the U.S. Food and Drug Administration.

E. For the purpose of this regulation, references to "regulatory authority" in the U.S. Food and Drug Administration Food Code mean the Cochise County Department of Health and Social Services, Division of Environmental Health.

F. All food establishments shall comply with the provisions of this regulation which are applicable to that particular type of establishment or to the foods provided by that establishment.

G. The regulations in this Sanitary Code are adopted by the authority granted by A.R.S. § 36-132, § 36-136, § 36-911, as amended.

Resources FDA 2022 Food Code
Summary of Changes In the FDA Food Code
9 AAC 8 Article 1 Food and Drink Rules