NOTICE OF PROPOSED REGULATION AMENDMENT

Date: February 14, 2017

REGULATION TITLE: **REGULATION NO.:**
Food Service on Campus   2.020

SUMMARY: The amendments to this regulation codify and clarify longstanding requirements of the university's food service contracts and associated practices. Definitions for "caterer" and "Approved University Caterer" are provided; conditions under which individuals or organizations may use a caterer to temporarily provide and/or serve food on campus are provided; the website is identified listing certain University facilities that have restricted catering spaces in which only pre-selected caterers may provide/serve food; University regulations which are relevant to food service on campus are incorporated and referenced; and other changes for clarity and consistency are made. One clarification that codifies longstanding practice is that food purchases with personal funds from properly licensed food vendors for consumption on campus are not subject to otherwise applicable requirements to use a University Approved Caterer.

AUTHORITY: BOG Regulation 1.001

COMMENTS CONCERNING THE PROPOSED REGULATION SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation on which you are commenting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION AMENDMENT IS: Sandra L. Mitchell, Legal Assistant II, 123 Tigert Hall, Post Office Box 113125, University of Florida, Gainesville, Florida 32611, 352-392-1358 office, 352-392-4387 facsimile, regulations@ufl.edu.

NAME OF PERSON WHO APPROVED THE PROPOSED REGULATION AMENDMENT: Curtis Reynolds, Vice President for Business Affairs

THE FULL TEXT OF THE PROPOSED REGULATION IS ATTACHED TO THIS NOTICE.

UNIVERSITY OF FLORIDA

~~6C1-~~2.020 ~~University of Florida;~~ Food Service on Campus.

(1)   In order to protect the health and welfare of University of Florida employees, agents, servants, students, and visitors, it is necessary to regulate the service of food ~~to the public~~ on the University of Florida campus.

(2)   The sanitary standard for all food service on the University of Florida campus shall comply with the standard established by the Department of Health of the State of Florida pursuant to the authority granted Department of Health by Chapter 381, Florida Statutes.

(3)   The Department of Health performs sanitary inspections of food service on the University of Florida campus in accordance with Department of Health Rules published in the Florida Administrative Code, and ~~Rules~~ Regulations published by the University of Florida, to the extent that the latter are not inconsistent with Department of Health Public Health Rules.

(4)   Food, while being transported, stored, prepared, displayed, served or sold at a food service establishment, as defined by Section 381.0072, Florida Statutes, shall be protected by being covered, shielded or otherwise guarded from dust, flies, rodents and other vermin, toxic materials, unclean equipment and utensils, unnecessary handling, coughs and sneezes, flooding by sewage, overhead leakage and all other potential sources of contamination.

(5)   All permanent food service areas on the University of Florida campus shall be periodically inspected by, and obtain a permit from the Florida Department of Health prior to serving food to the public.

(6)   For purposes of this regulation, a "caterer" is an individual or entity that (a) is a commercial enterprise, (b) is not a University budgetary unit, a University auxiliary enterprise, a University employee or volunteer acting in a University capacity, a University student acting in a University capacity, or a University academic enterprise, and (c) for sale, both prepares and delivers, or provides for the preparation and delivery of, food on or to campus.

(7)   Individuals or organizations ~~planning to serve food~~ desiring to ~~the public~~ sponsor an event involving the use of, or otherwise desiring the use, the services of a caterer to provide and/or serve food on the University of Florida campus on a temporary or periodic basis ~~through other than the licensed food service contractor must schedule their food service function through the Office of Student Activities at the J. Wayne Reitz Union in the case of student groups and organizations or the Office of Finance and Administration in the case of all other groups, organizations, or persons. Such~~ may do so only if they satisfy the following conditions:

(a)   All such individuals ~~or~~ and organizations must use a University-approved caterer (a current listing of such approved caterers can be found at the website www.bsd.ufl.edu/catering, each an "Approved University Caterer").

(b)   Registered student organizations must ~~certify, on a form, which is incorporated herein by reference, Form No. SAC 3/Rev. 7/00 and SAC 3a/Rev. 06/07/99, to be provided by the Office of Student Activities or the Office of Finance and Administration, that they are in compliance with all public health rules and regulations and shall acknowledge that they~~ also obtain a permit under University Regulation 4.006(6) from the Department of Student

Activities and Involvement.

(c) "University groups and organizations" (including but not limited to registered student organizations, "University persons," and "University related groups and organizations," as defined in University Regulation 2.004(1)(f)-(h) (collectively or individually, "University community member(s)"), and "Non-university groups," as defined in University Regulation 2.004(1)(i), must (i) satisfy the requirements, and are subject to ~~inspection by~~ the limitations of University Regulations 2.004 and 2.005, and (ii) obtain permission of the Vice President for Business Affairs, the University authority controlling the relevant building or recreational area, and/or the other appropriate authority regarding the relevant outdoor area, as provided under University Regulations 2.004 and 2.005. If utilizing any University building that the University has identified as a restricted catering space, the University community member or Non-university group must use an Approved University Caterer that the University has specifically authorized to provide service to the restricted catering space in question. A current list of restricted catering spaces can be found at the website www.bsd.ufl.edu/catering.

(d) A University community member and Non-university group may offer tickets to a related event or activity at any price to its members and, only if a fund-raising event or activity, to other University community members and the general public.

(e) All University community members and Non-university groups must also comply with all applicable state laws and University regulations, which, if alcoholic beverages will be served or distributed, include but are not limited to University of Florida ~~and Florida Department of Health~~ Regulation 2.019

(8) Subsection (7) does not prohibit University community members from purchasing, with personal funds, food and non-alcoholic beverages for delivery to campus, or from

purchasing (with personal funds) and bringing to campus food and non-alcoholic beverages, for on-campus consumption, from any appropriately licensed off-campus food vendors.

(9)   Except as provided in subsection (7) above, alcoholic and non-alcoholic beverages and food may not be sold on campus in competition with the University's contract vendors or University budgetary units, unless first approved by the Vice President for Business Affairs or his or her designee. Such approval would be made only in unusual cases in which it is determined that the overall benefit to University programs and interests justifies the exception, taking into account the contractual terms of the University's vendor contracts.

(10)   Appropriately licensed food service providers desiring to become Approved University caterers may contact the University's Office of the Vice President for Business Affairs.

Specific Authority240.227(1) FS.; BOG Regulation 1.001.

Law Implemented 240.227(12), (13) FS.

History--New 2-9-87, Amended 7-27-98, 5-22-01., Formerly 6C1-2.020, Amended _____.