



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
OFFICE of ENVIRONMENTAL HEALTH and SAFETY
PO Box 47824, Olympia, WA 98504
(360) 236-3330 • 711 Washington Relay Service

June 1, 2022

To: Michelle Davis, Executive Director
State Board of Health

From: Todd Phillips, Director
Office of Environmental Health and Safety

Re: Department of Health Recommendation, petition to amend chapter 246-215 WAC, Food service.

The Washington State Board of Health (Board) received a petition that requests the Board amend chapter 246-215 WAC, Food Service, to require food service workers to wear masks at all times to protect food from the spread of employees' bodily fluids in the form of respiratory droplets.

Several provisions in chapter 246-215 WAC address food contamination by employees, including bodily fluids. Specifically, WAC 246-215-02405 prohibits employees with persistent sneezing, coughing, or runny nose from working with exposed food. Provisions related to handwashing and prohibiting bare hands from contacting ready-to-eat foods are intended to eliminate contamination if hands come in contact with fluid and discharges from the eyes, nose, and mouth.

If the petitioner's intent is to prevent the spread of respiratory diseases through food, chapter 246-215 WAC would not be the appropriate rule to modify. A primary intent of the Food Service rules are to prevent the spread of foodborne illnesses. Respiratory diseases are not transmitted through food and are not considered a foodborne disease. It would be more appropriate to consider this petition for a rule concerning communicable diseases that aren't spread through food and consider mitigation strategies in indoor environments beyond food establishments.

The Department of Health's Office of Environmental Health and Safety oversees the administration of this rule and recommends the Board deny this petition to amend chapter 246-215 WAC, Food service, and instead recommends exploring the Board's and other public health partners' regulatory authority and mitigation strategies to prevent and control respiratory disease both in and beyond indoor food establishments.

Respectfully,

A handwritten signature in black ink, appearing to read "Todd Phillips". The signature is written in a cursive style with a large initial "T" and "P".

Todd Phillips, R.S.
Director, Office of Environmental Health & Safety