



Georgia Department of Agriculture

Capitol Square • Atlanta, Georgia 30334-4201

Gary W. Black
Commissioner

DATE: May 5, 2015

ACTION: Notice of Intent to Consider the Repeal of the current Food Division Regulations Chapter 40-7-1 entitled “General Rules” and adoption of new Chapter 40-7-1 entitled “Retail Food Sales”

TO ALL INTERESTED PERSONS AND PARTIES:

Pursuant to the Official Code of Georgia Annotated, O.C.G.A. § 26-2-34 and 50-13-4, notice is hereby given that the Georgia Department of Agriculture will be accepting written comments regarding the repeal of the current Food Division Regulations Chapter 40-7-1 entitled “General Rules” in its entirety and the adoption of new Chapter 40-7-1 entitled “Retail Food Sales” in its place. The Department will be accepting written comments from May 5, 2015, to close of business (4:30 p.m. EDT) on June 4, 2015.

SYNOPSIS, MAIN FEATURES AND DIFFERENCES:

The Department is proposing to repeal the current Food Division Regulations Chapter 40-7-1 entitled “General Rules” in its entirety and adopt a new Food Divisions Regulations Chapter 40-7-1 entitled “Retail Food Sales” in its place.

This proposed repeal and adoption will aid the Department in complying with the federal Food and Drug Administration’s (FDA) Voluntary National Retail Food Regulatory Program Standards (VNRFRPS), and will also aid in the addition of changes made in future Model Food Code and Model Food Code Supplements released by the FDA. Having a regulatory foundation that conforms to the Standards set forth in the VNRFRPS is an essential part of the Food Safety Division’s implementation of the VNRFRPS.

Accordingly, proposed Chapter 40-7-1 entitled “Retail Food Sales” will substantially incorporate many provisions of current Chapter 40-7-1 entitled “General Rules;” however, proposed Chapter 40-7-1 entitled “Retail Food Sales” will restructure, clarify, and set out requirements resembling the model regulations included in the FDA’s 2013 Model Food Code.

Specifically, proposed Chapter 40-7-1 entitled “Retail Food Sales” will establish the purpose and definitions; set standards for management and personnel, food operations, equipment, and facilities; and provide for food establishment plan review, license issuance, inspections, employee restrictions, poisonous or toxic materials, and compliance and enforcement.

COMMENT PERIOD AND ADDITIONAL INFORMATION:

The Department will be accepting written comments from May 5, 2015, to close of business (4:30 p.m. EDT) on June 4, 2015. Comments will be considered on June 5, 2015. Please submit written comments to:

Natalie Adan
Division Director
Food Safety Division
Georgia Department of Agriculture
19 Martin Luther King, Jr. Drive
Atlanta, Georgia 30334
Telephone Number: (404) 656-3627

Interested persons may call or submit a written request to obtain a copy of the proposed rule. A copy of the synopsis and the proposed rule may be downloaded from the Georgia Department of Agriculture website at www.agr.georgia.gov.

This notice is given in compliance with the Georgia Administrative Procedure Act, O.C.G.A. § 50-13-4.