

# **Microenterprise Kitchens (Home-based Restaurants)**

BOARD OF HEALTH  
NOVEMBER 9, 2021



Healthy Choices. Healthy People. Healthy Communities.

# Home-based Restaurant Data

- Private Home Illnesses (1998-2016)

- 2,416 foodborne illness outbreaks
- 40,848 illnesses
- 3,579 hospitalizations
- 100 deaths

\* CDC, National Outbreak Reporting System 2017



- 45% home kitchens test positive for foodborne pathogen

\* Borrusson and Quinlin 2017

- Food Freedom Movement – Bills passed in 2021

- |            |               |
|------------|---------------|
| ○ Alabama  | ○ Indiana     |
| ○ Arkansas | ○ Montana     |
| ○ Colorado | ○ Nebraska    |
| ○ Florida  | ○ New Mexico  |
| ○ Illinois | ○ Oklahoma    |
| ○ Wyoming  | ○ <b>Utah</b> |



# Background

- 2021 H.B. 94 Microenterprise Home Kitchen Amendments – Rep. Watkins, Sen. Vickers
  - Microenterprise home kitchen – means 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.
  - Utah Department of Health
    - ✦ Rule R392-106. Microenterprise Home Kitchen Sanitation
  - Local Health Departments
    - ✦ Issue permits (may\*)
    - ✦ Inspect kitchens
    - ✦ Charge fees
    - ✦ Limit permits – 15% restaurant permits (sunsets July 2022)

# Microenterprise Kitchen Requirements

- Food must be prepared and consumed on the same day
  - Cannot be consumed onsite
- Kitchen must have a Certified Food Safety Manager
- All food handlers must have Food Handler Permits
- Required to inform customers the “kitchen” does not meet commercial standards
- Owners must go through permit process (plan review, menu review AND provide written consent for Health Department to enter private residence for inspections)
- Most foods can be served except:
  - Raw milk products
  - Raw shellfish
  - HACCP i.e. sushi rice, reduced oxygen packaging

# Questions ?