

3-304.17 Refilling Reusable Containers

(A) A reusable container is designed and constructed for reuse in accordance with the requirements specified under Part 4-1 and 4-2.

Define acceptable reusable container under scope of the code.

(B) Only reusable containers returned to a food establishment may be refilled with ready-to-eat or TCS foods either by a food employee or the consumer, except as specified in ¶¶ (1)-(2) of this section.

(1) A consumer-owned container not specifically designed for reuse may be refilled by the same consumer with a non-TCS food or beverage in a contamination-free transfer process.

This allows items like shelled nuts, bread, or produce to be placed in a cloth bag or similar by the consumer. These items are considered ready-to-eat foods, but should not be subjected to container restrictions or mandatory sanitization per consumer.

(2) Consumer-owned containers that are not food-specific may be filled at a water vending machine or system.

As in the 2017 code, water vending is accepted from additional restrictions. The equivalent clause is simply moved for readability.

(C) Establishment-owned, managed, or provided reusable containers returned to a food establishment for refilling with food shall be cleaned as specified under Part 4-6 and sanitized as specified under Part 4-7 of this Code prior to refilling.

Encompasses clear guidance for emerging scenarios such as rented vessels or closed loop schemes in a variety of settings (i.e. dine-in, take-out, or temporary food facilities).

(D) Reusable containers returned to a food establishment for refilling by a food employee or the consumer must be refilled in a contamination-free transfer process such that:

(1) Any consumer-owned container is isolated from food-serving surfaces or such surfaces are sanitized by an employee after each filling.

(2) The food establishment shall prepare, maintain and adhere to written procedures to prevent cross-contamination which additionally address waste water disposal. The food establishment shall make the written procedures available to the enforcement agency upon request.

Consistent with California Assembly Bill No. 619. See supporting documents.